PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 274

HOUSE OF COMMONS

OFFICIAL REPORT

FOURTH SESSION OF THE FIFTY-FIRST PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-FIFTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1995–96

COMPRISING PERIOD
18 March—29 March 1996

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18 March 1996

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FOURTH SESSION OF THE FIFTY-FIRST PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 27 APRIL 1992]

FORTY-FIFTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 274**

EIGHTH VOLUME OF SESSION 1995–96

House of Commons

Monday 18 March 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

WALES

Coronary Heart Disease

1. **Mr. Simon Coombs:** To ask the Secretary of State for Wales if he will make a statement on progress in reducing the incidence of coronary heart disease in Wales. [19373]

The Parliamentary Under-Secretary of State for Wales (Mr. Rod Richards): The death rate from this disease has fallen by 11 per cent. since the mid-1980s.

Mr. Coombs: I am sure that the whole House wishes to congratulate the Welsh rugby team on its excellent victory on Saturday—a victory over the French that was as rare as it was helpful.

My hon. Friend has given the House excellent figures on the reduction in the level of coronary heart disease in Wales in the past 10 years or so. I am sure that he agrees that those figures should be regarded with anything but complacency as they are still far too high. What more can be done in Wales to reduce the level of heart disease, either in terms of hospital treatment of those affected or in terms of the promotion of a healthy diet and exercise?

Mr. Richards: I thank my hon. Friend for his remarks about the magnificent victory of the Welsh rugby team over France at the national stadium last Saturday. I am sure that he wants to join me in thanking the Welsh rugby team for giving the English rugby team the helping hand it needed to win the championship.

My hon. Friend's comments about the Government's measures to improve the treatment for coronary disease in Wales are also most welcome. I am sure that he will be delighted to know that, in October 1997, a new cardiac unit, which will be capable of performing an additional 600 adult open-heart operations a year, will be opened in Morriston.

Mr. Rogers: As a positive step towards reducing the number of heart attacks among the Welsh population, will the Minister join me in criticising the leader of Cardigan council, who wants to exclude anyone from building houses in Cardigan unless they were born within 25 miles of the boundary? Does he agree that that statement, besides causing a lot of heart attacks among the 95 per cent. of the population who would be precluded from living in Cardiganshire, is either lunatic nationalism or racism at its worst?

Mr. Richards: I am not aware of any remarks made by any leader of any political group in Cardiganshire that have affected the incidence of heart disease either in Cardiganshire or anywhere else in Wales.

Welsh Assembly

2. **Mr. John Marshall:** To ask the Secretary of State for Wales what representations he has received urging him to hold a referendum on a Welsh Assembly. [19374]

The Secretary of State for Wales (Mr. William Hague): Since September last year, I have received four written representations about the possibility of a referendum on a Welsh Assembly.

Mr. Marshall: I thank my right hon. Friend for that answer. Is he aware that when there was last a referendum on whether there should be a Welsh Assembly, the people of Wales voted four to one against, a vote in which Mr. Neil Kinnock opposed a Welsh Assembly? Was he not right then and is the Labour party not wrong now to oppose a referendum on a Welsh Assembly? Indeed, many Conservative Members think that there should be a referendum on a single currency as well.

Mr. Hague: My hon. Friend is right about what happened the last time there was a referendum on a Welsh Assembly. Only 12 per cent. of the electorate in Wales supported it; it was rejected by four to one. Perhaps that is why Labour Members do not have the confidence or the courage to say that they will ask the people about setting up an assembly in future. The extraordinary thing is that they plan to hold referendums in the English regions on whether there should be assemblies there, but not to consult the people of Wales.

Mr. Ron Davies: I hope that we have a very early opportunity to consult the people of Wales at a general election. We shall invite them to pass judgment on our proposals for devolution and, at the same time, on the record of this sleazy and incompetent Government.

Is it not the case that, on a referendum on devolution, as on so many other matters, the Government are split from top to bottom? They cannot agree on their policies, they do not know whether they believe in referendums and if they do believe in them, they do not know whether they should be binding. As the Secretary of State is supposed to represent our interests in Cabinet, will he now give us a straight answer? Does he believe that referendums should be used to settle constitutional issues?

Mr. Hague: My right hon. Friend the Prime Minister has made clear the Government's position, which is that there are constitutional issues on which a referendum might be appropriate. I wrote to the Leader of the Opposition some weeks ago asking for clarification of the Labour party's approach to the questions involved, and specifically with regard to a Welsh Assembly. I am still awaiting a reply—perhaps because the right hon. Member for Sedgefield (Mr. Blair) is awaiting a clear view on devolution policy from the hon. Member for Caerphilly (Mr. Davies), in which case he will be waiting for a very long time.

Mr. Sweeney: Does my right hon. Friend agree that it would be grossly irresponsible of the Government to sacrifice the sovereignty of Parliament at Westminster, in particular without the full-hearted approval of the British people? Will he bear that in mind in making representations at Cabinet level in favour of rejecting first, any idea of a Welsh Assembly, and secondly, any idea of a single currency? Will he assure the House that on no occasion would either of those principles be sacrificed without first holding a referendum?

Mr. Hague: I shall certainly bear in mind my hon. Friend's representations and I shall communicate them to my colleagues. The extraordinary aspect of the approach of Labour Members is that they had a referendum on devolution 16 years ago, which it is now their express intention to ignore.

Mr. Ieuan Wyn Jones: May I bring the Secretary of State back to the question? The hon. Member for Hendon, South (Mr. Marshall) asked whether the right hon. Gentleman had received representations urging him to hold a referendum. Why is he so frit about it? Why does he not accept the challenge put to him by my party to hold a multi-optional referendum now, before the election, on the issue of constitutional change in Wales? Once his policies have been rejected by the people of Wales, what right will he then have to demand a referendum?

Mr. Hague: I do not need to hold a referendum in Wales because I am not putting forward so daft a policy as to advocate the creation of a roomful of hot air and another lot of politicians who would cost the Welsh taxpayer a great deal of money for no practical gain.

Voluntary Organisations

3. **Mr. Michael:** To ask the Secretary of State for Wales what steps he is taking to ensure that voluntary organisations in Wales receive adequate assistance from his Department during the 1996-97 financial year. [19375]

The Parliamentary Under-Secretary of State for Wales (Mr. Gwilym Jones): The voluntary sector plays a key role in meeting the Government's aims. We shall continue to assist it.

Mr. Michael: I am glad to hear the Minister's acknowledgement of the importance of the voluntary sector. Is he aware that this year, in particular, the financial constraints on local government, together with the pressures of local government reorganisation, are making it very difficult for local authorities to provide the support and continuity that the voluntary sector needs to fulfil the requirements to which the Minister has paid tribute?

Does the hon. Gentleman accept that the Welsh Office should be playing its part in trying to smooth the transition to ensure that the work of voluntary organisations throughout Wales continues to receive whole-hearted support and continuity in the finances necessary to do their job?

Mr. Jones: The hon. Gentleman and I are in full agreement on the principles involved. During 1994-95, the last financial year for which full figures are available, the Welsh Office either directly or indirectly supported the voluntary sector to the extent of £24 million. For the coming financial year, through the Wales Council for Voluntary Action and the county volunteering councils, support for volunteering in Wales will increase by 30 per cent.

Dr. Spink: Does my hon. Friend accept that in Wales, as in the rest of Great Britain, the voluntary sector represents all that is good and characteristic of a unique British tradition? Will he join me in welcoming the fact

that the resources available to the volunteering in Wales fund will be increased during the coming year by 55 per cent?

Mr. Jones: My hon. Friend is correct. We all acknowledge and applaud what the voluntary sector does in Wales. I had the opportunity last night at Duffryn house to support Ely home start, which is yet another example of the way in which the voluntary sector adds a real human face in Wales—far more than could even the most compassionate bureaucrat. I hope that that will continue.

Mr. Ron Davies: Will the Minister join me in commending the work of the voluntary organisations that have been involved in the clean-up following the grounding of the Sea Empress, most notably the Royal Society for the Protection of Birds, the Royal Society for the Prevention of Cruelty to Animals and Dyfed Wildlife Trust? Will he in particular ensure that they are not financially penalised for their public-spiritedness?

Does he understand that the greatest assistance that he can give them is an assurance that the Government will do everything in their power to prevent the recurrence of such an accident? To that end, will the Government bow to the request of the overwhelming majority of opinion in Wales—Members of Parliament, local authorities and voluntary organisations—and agree to the establishment of a fully independent inquiry into how the accident happened, and the adequacy of the Government's response?

Mr. Jones: The last part of that question has been well dealt with already. On the voluntary organisations, I join the hon. Gentleman in applauding what they have done. The Government are committed to trying to ensure that anyone who has suffered as a result of the accident will have the opportunity to claim compensation. As he should know, my right hon. Friend the Secretary of State has announced transitional arrangements to help the process along.

Welsh National Lottery Charities Board

4. **Mr. Touhig:** To ask the Secretary of State for Wales what representations he has received on the establishment of a Welsh national lottery charities board. [19376]

Mr. Richards: None.

Mr. Touhig: I am sure that the Minister knows that we have separate arts and sports councils that distribute lottery funds in Wales. Would it be appropriate to examine the possibility of setting up a Welsh national lottery charities board that would take especial account of the needs of Wales and of charitable organisations in Wales? Would that not be worth while, and should the Minister not consult on it?

Mr. Richards: I have already said that no one has made any representations to my Department on the issue. From that, I conclude that the current system is working rather well. I was fascinated to find the hon. Gentleman suddenly taking an interest in national lottery issues, but then I discovered that he has joined a 21-member Labour party committee examining the national lottery. Such committees are intended to undermine the good works of others and are known in the Labour party as slangos.

Tourist Industry

5. **Mr. Llwyd:** To ask the Secretary of State for Wales what evaluation his Department has undertaken of the effects of the current guidelines on the use of directional signing on the tourist industry in Wales; and if he will make a statement. [19377]

Mr. Gwilym Jones: Following a recent consultation exercise, guidance to local authorities was issued on 6 February 1996, which enables a wider range of tourist destinations and facilities to be eligible for the white on brown traffic signs.

Mr. Llwyd: I thank the Minister for that response. I am disappointed that, once again, the Welsh Office is moving 18 months after the Department of the Environment. I have read the document, and a fascinating read it is, too. People in the tourist industry still feel that there is not enough scope for them to put signs up during the short summer period when they have to make a living. There should be further relaxation. The tourist industry is the most important in Wales. Will the Minister take a more relaxed attitude to individual applicants who want to put signs out?

Mr. Jones: Individual applications are for local authorities to consider. They now have more opportunity, under the more flexible guidelines that we have offered them, but that is not the end of matter. We intend to review the process after one year.

Mr. Fabricant: Is my hon. Friend the Minister aware that, a week ago last Friday, I spoke to 200 charming ladies in Colwyn Bay but almost lost my way because, even though my mother is a Welsh speaker, I am not? Is it not the case that the majority of the Welsh people are not Welsh speakers and that the majority of the tourists who go to Wales are not, by definition, Welsh? They will not be Welsh speakers. While one respects important minority languages such as Welsh, cannot Welsh language signs cause great confusion for drivers?

Mr. Jones: My hon. Friend's encounter with the ladies of Colwyn Bay will be of great interest and concern to my hon. Friend the Member for Clwyd, North-West (Mr. Richards). I am sure that my hon. Friend's difficulties will disappear with greater opportunities. I was pleased to see today that Cardiff business school has brought out what taking the A55 expressway across north Wales has meant. It says:

"Upgraded A55 brings region out of isolation."

It is going forward and provides advantages for all visitors, including my hon. Friend.

Mr. Alex Carlile: Will the Minister reflect on the fact that the ubiquitous brown on white sign enforces a uniformity that is uncharacteristic of Wales? Would it not be better to allow farm guest houses to put up their own tasteful signs by the roadside for part of the year to advertise their facilities? That would enable them to take advantage of the passing tourist trade that they are currently losing.

Mr. Jones: I am keen on encouraging further deregulation, which allows greater flexibility to Welsh local authorities. The hon. and learned Gentleman must accept that, currently, there is a need for appropriate rules and regulations to govern the guidelines. Not least, one should not forget that the prime purpose of the signs is not advertising, but to give direction. We are committed to reviewing the guidelines after one year of operation to see whether further opportunities exist to provide yet more deregulation and improvements.

Council Tax

6. **Mr. Rowlands:** To ask the Secretary of State for Wales what is his latest estimate of the average increase in council tax likely to be raised by each of the county boroughs of (a) Mid Glamorgan and (b) Wales. [19378]

Mr. Gwilym Jones: The band D increase for Bridgend, Merthyr Tydfil and Rhondda, Cynon, Taff is between £97 and £99. The average Welsh band D increase is £74.

Mr. Rowlands: Is the hon. Gentleman, and particularly the Secretary of State, aware that, had the increases not been made, either school budgets would have been slashed, or teachers made redundant? Would the Secretary of State now admit modestly, to us at least, that he made a serious miscalculation when he introduced the original local government finance arrangements, given their impact on council taxes? Will he therefore review and revise those arrangements in the coming year?

Mr. Jones: No. Every council in south Wales has the opportunity to spend more than the agreed basis in the coming financial year as though they had existed during the current financial year. It is now up to local authorities to make the best use of the substantial resources available to them. Their electors would be better encouraged if those authorities were not spending their time considering how they could put up councillors' salaries and improve redundancy packages.

Sir Wyn Roberts: Will my hon. Friend confirm that councillors across Wales have markedly increased their allowances, some by as much as 400 per cent? Does he also agree that those increases are minimal compared to those that would occur if the capping regime were to be removed? Is it not also true that those increases have been dampened down by the actions of my right hon. Friend the Secretary of State?

Mr. Jones: My right hon. Friend is absolutely right. Capping has fulfilled the essential purpose of protecting local council tax payers from the worst excesses of Labour councils. At the moment, councillors are contemplating putting up their salaries to £24,000 a year. I am sure that it is as a consequence of that, and of their other actions, that they are now being forced to set up redundancy working parties to pay them after they have been thrown out of office.

Mr. Win Griffiths: Will the Minister confirm that, in the next financial year, the Welsh Office revenue support grant will represent a smaller proportion of council spending than in previous years? Will he confirm that the Secretary of State recognised that when he increased the capping limit from 0.5 to 3.5 per cent. of the notional budget? In the next financial year, half the population of Wales will pay a council tax increase of 25 per cent. or more, and that will be well within the guidelines issued by the Secretary of State.

Mr. Jones: The hon. Gentleman is correct. We have responded to local authorities' call to have more opportunities to raise their finances locally. That is local accountability, and local electors will want to hold their authorities accountable for their actions. The hon. Gentleman should know that his new authority has more than 4 per cent. extra to spend in the coming financial year than it would have had if it had existed in the present financial year. The hon. Gentleman should do what his electors expect of him and scrutinise whether that authority will apply that extra money to important requirements such as education and care in the community.

Subsidiarity

7. **Mr. MacShane:** To ask the Secretary of State for Wales what recent discussions he has had with the European Commission on the application of the principle of subsidiarity in Wales. [19379]

Mr. Hague: None.

Mr. MacShane: I would like to say that I thank the Secretary of State for his answer, but I am constantly amazed as to why he, as a Yorkshireman from Rotherham, whose parents are valued constituents of mine, is in his particular job. Looking at the talents of the Tory Members representing Wales, however, one can now understand that. If the right hon. Gentleman has visited Europe, he will be aware that every successful European country, and the United States, has a system of government according to the subsidiarity principle, which is much closer to the people who are governed. If it is good enough for America and for other successful economies, why is the Secretary of State—as, of all people, a Yorkshireman, who is so proud of his county—opposed to it for Wales?

Mr. Hague: I welcome the hon. Member for Rotherham (Mr. MacShane) to Welsh Questions, and I hope that one day his interest in Welsh matters will be as great as mine. However, he has a long way to go before that can possibly happen. He should know, as an hon. Member with great familiarity with the continent of Europe, that it is for member states to decide at what level power should be exercised internally and to decide on their national political arrangements, as was agreed at the conclusion at the Birmingham Council of Ministers. It comes particularly strange from a Labour Member to lecture us on subsidiarity when the Labour party favours giving more power to the institutions of the European Community and reducing this country's freedom of action in Europe by signing things such as the social chapter.

Mr. Garnier: Does my right hon. Friend agree that the social chapter, which he has just mentioned, is the very matter that exercises people in south Wales so greatly? Surely the imposition of the social chapter, so much

beloved by the hon. Member for Rotherham—and Geneva—(Mr. MacShane) is precisely what will destroy jobs in south Wales.

Mr. Hague: My hon. and learned Friend is quite right: we have seen a considerable flow of investment into south Wales, and into other parts of Wales, in recent months and recent years. Those jobs would not be coming to Wales or to the United Kingdom if we were to impose additional rules, regulations and burdens on businesses in this country.

Mr. Morgan: Does the Secretary of State agree that subsidiarity is not just about keeping powers away from Brussels, but means passing power across to the people? With his £7 billion budget, he is doing very nicely under the present system. As the organiser last weekend of the first Tory party conference to be held in a telephone kiosk, the one thing that he can always be sure of in British politics is that the people of Wales will reject the Tories.

Mr. Hague: The hon. Member knows—because he was listening to me talk about it on Thursday night—that my approach is to strengthen, over time, the powers and the role of local government in Wales. That will be a great deal more useful than setting up an additional tier of government, with all the unnecessary expense that that involves.

Welsh Assembly

8. **Mr. Jacques Arnold:** To ask the Secretary of State for Wales what recent representations he has received on the cost of a Welsh Assembly. [19380]

Mr. Hague: None.

Mr. Arnold: I find that answer quite extraordinary. Surely the matter of cost must be quite considerable if we are to have another layer of politicians, bureaucrats and the like. Given that the proponents of a Welsh Assembly propose no taxation by that assembly, how is it to be paid for? Will it be by reducing the amount of money going into Welsh education, the Welsh health service or other important Welsh services? The Opposition cannot have it both ways.

Mr. Hague: My hon. Friend is right: it is extraordinary. We are waiting for representations from Labour Members about the cost of a Welsh Assembly, about which they have been asked but on which they refuse to comment. Such an assembly would be likely to cost £28 million a year, after the initial £52 million in the first year. The Government could build a district general hospital or two large schools every year with that amount of money. That tells us something about the Labour party's priorities for Wales.

Mr. Donald Anderson: Is it not more extraordinary that hon. Members representing English seats are ever ready to lecture us—with their limited knowledge of Wales—about the costs of this exercise in democracy? At the same time, they are ready, for example, to swallow without criticism the cost of rail privatisation—in its run-up it will cost over £1 billion a year and thereafter it will cost £850 million a year—but they pour criticism on Wales and the experiment in democracy.

Mr. Hague: Members from English constituencies, including the hon. Members for Rotherham (Mr. MacShane), for Thurrock (Mr. Mackinlay) and for Southwark and Bermondsey (Mr. Hughes), are welcome to take part in our proceedings at Welsh Question Time. We do not criticise that, but it is time that those who advocate a Welsh Assembly tried at least to be specific about the cost—and there would be a cost. It would be additional to the cost of everything else that Government in Wales are doing and it would be a cost that, as I have said, would be at least the equivalent of a district general hospital each year.

Welsh Language and Culture

9. **Mr. Mackinlay:** To ask the Secretary of State for Wales what steps he is taking to promote interest in the culture and nation of Wales amongst the Welsh diaspora. [19381]

Mr. Richards: The Welsh Office continues to support the National Eisteddfod, which remains for Welsh people throughout the world the principal focus for Welsh language and culture.

We are considering what assistance might now be provided for the teaching of Welsh to young people in the Welsh community in Patagonia.

My right hon. Friend the Secretary of State for National Heritage is providing £63.8 million in funding this year for S4C. The channel produces high-quality Welsh programmes which are seen throughout the world.

Mr. Mackinlay: Is there not a strong case for the Secretary of State for Wales to get together with his counterparts from Northern Ireland and Scotland to emphasise throughout the world that the United Kingdom is not England and the occupants of these islands are not necessarily English? Do we not need to promote much more the common Celtic heritage of these islands, abroad and in the United Kingdom?

We want fewer children from England taking ski trips in Europe and more visiting the beautiful mountains, hills and valleys of Wales, Northern Ireland and Scotland. We should promote places such as Stout Hall in the Gower peninsula, which is rich in value for schoolchildren on field trips. There is much more to be done in promoting our Celtic heritage in the United States and Australia, to bring visitors here and to stop the gravitational pull to the south-east of England and London.

Mr. Richards: I can assure the hon. Gentleman that all of us in Wales who wish Wales to be promoted throughout the world are doing all we can to ensure that people do visit Wales, and I can assure the hon. Gentleman that the Wales tourist board promotes Wales abroad very effectively.

Mr. Sykes: Will my hon. Friend ignore the hon. Member for Thurrock (Mr. Mackinlay)? Is it not strange that the hon. Gentleman mentioned the fact that the Welsh are famous abroad but not the fact that the Koreans are

coming, with perhaps £1 billion of investment in Wales? Does that not tell us all that we need to know about Wales, and about the social chapter and the minimum wage?

Mr. Richards: My hon. Friend is right. Wales's record in attracting more inward investment per head of population than the rest of the United Kingdom is second to none. My hon. Friend is also correct in identifying some factors that make Wales so attractive—the absence of the social chapter and the absence of a minimum wage. Another factor is the reform of working practices of trade unions throughout the 1980s, which made the Welsh work force so flexible and attractive to inward investors.

Mr. Wigley: Does the Minister accept that one of the best flag-carriers of Welsh culture of the highest standard throughout the world is the Welsh National Opera Company, whose future in Wales is now being undermined by the machinations of Cardiff bay, by the opposition of South Glamorgan and by the inability of the Welsh Office to get off its backside and do anything to safeguard its future? If the opera company moves to Birmingham or Bristol, how will the Welsh Office feel about that, and what does that say about safeguarding the excellence of musical heritage in Wales, not only in opera, but in all the performing arts?

Mr. Richards: The hon. Gentleman is correct. The Welsh National Opera Company is highly acclaimed throughout the world and I am sure that the Arts Council will be well aware of what the hon. Gentleman said about the company's future.

Assisted Places Scheme

10. **Mr. Alan W. Williams:** To ask the Secretary of State for Wales how much was spent on the assisted places scheme in 1995-96 in Wales; and what is the percentage change in the budget for assisted places in 1996-97. [19382]

Mr. Richards: Provisional expenditure on the assisted places scheme for 1995-96 is £2,903,500; £3,781,000 has been allocated for the scheme in 1996-97, representing a 22 per cent. increase in provision, to take account of the expansion of the scheme from September 1996.

Mr. Williams: When our local education authorities are desperately short of funds, and with up to 500 teachers' jobs in Wales under threat, what sense does it make to expand by 22 per cent. the expenditure on the assisted places scheme, which benefits only a tiny minority of children? Where does the scheme stand alongside the Prime Minister's professed ambition of creating a classless society and a nation at ease with itself, when money that should have been allocated to local education authorities is instead being used to subsidise private schools?

Mr. Richards: The Government's policy is to promote assisted places schemes, because they are popular and effective and offer opportunities to those who cannot afford to pay for private education. I am astonished that the hon. Gentleman should talk of a classless society—especially in connection with education—given that his right hon. and hon. Friends take advantage of Government policies in choosing grant-maintained schools or selective education for their children.

Mr. Harry Greenway: Does my hon. Friend agree that children are all different from each other, and that diversity of provision is essential if all their differing needs are to be met? Will he attack those who knock the assisted places scheme? They are attacking opportunities for poor children in Wales and throughout the United Kingdom, and they should be aware of that.

Mr. Richards: My hon. Friend is absolutely right. Diversity of provision is a key part of the Government's education policy, but Labour Members do not want diversity or choice for everyone else's children; they want it only for their own.

Constitutional Reform

11. **Mr. Simon Hughes:** To ask the Secretary of State for Wales what plans he has for constitutional reform in Wales in the current Parliament. [19383]

Mr. Hague: None.

Mr. Hughes: As a far more authentic Welshman than the Secretary of State, may I ask him what overwhelming amount of written support he has received in the Welsh Office for his recently announced reforms of the Welsh Grand Committee? Have letters flooded in saying what a wonderful proposal it is, and that it will change everything for the people of Wales?

Is the right hon. Gentleman aware that not just people in Wales—and those born and brought up in Wales—but many people throughout the United Kingdom feel strongly that Wales should have proper self-governance? They want that for themselves, and they feel that Wales should have it too. The right hon. Gentleman should take their views into account as much as those of people in the Principality.

Mr. Hague: I am not sure how many letters I have received about the Welsh Grand Committee, but I know that the proposals were carried in the House by a large majority.

Mr. Hughes: How many telephone calls?

Mr. Hague: Quite a few of those as well.

Wales is benefiting tremendously from the current constitutional arrangements. It benefits in terms of public expenditure per head, and it benefits from being part of a successful and growing United Kingdom economy. I do not think that it would do the people of Wales any favours to create separate and divisive constitutional arrangements. I know that the hon. Gentleman would like a federal United Kingdom within a federal Europe, but I disagree with him on both counts.

Governance of Wales

12. **Mr. Whittingdale:** To ask the Secretary of State for Wales what recent representations he has received on the governance of Wales. [19384]

Mr. Gwilym Jones: Various representations have been received.

Mr. Whittingdale: Does my hon. Friend agree that the governance of Wales is best served by the Government's policy of evolutionary change and that it would certainly not be best served by a Welsh Assembly that would create resentment in England and division throughout the United Kingdom? Does he also agree that the plans for regional committees, assemblies and parliaments throughout the country have everything to do with Labour's attempts to appease its Back Benchers and nothing to do with good governance?

Mr. Gwilym Jones: I must rush to agree with my hon. Friend. The future of Wales is much more assured within the United Kingdom. Is it not amazing to see what a mess the Opposition have got themselves into on this issue? One will say one thing, while another will say something different. The Leader of the Opposition says that a Welsh Assembly would not be a legislative body. Most notably, the Opposition will consider the possibility of assemblies for the regions of England, subject to referendums; but they will not trust the people of Wales to have any say.

Mr. Barry Jones: Does the Minister accept that good governance requires good employment prospects in Wales? Will he please give us back our development area status and access to structural funds? Does he know that, in Clwyd, 14,000 people are out of work, and that 2,500 are out of work in my constituency? We have lost out to southern England constituencies, which have taken our development area status. We would like that status to be returned to us in Wales, particularly in Deeside.

Mr. Gwilym Jones: My right hon. Friend the Secretary of State and I constantly work from the premise that unemployment in Wales is unacceptably high. However, more of Wales is covered by development area status than is any region of the home counties. That is the way that we shall continue to go forward. I would take the hon. Gentleman more seriously if he would reject his party's job-destroying policies.

Local Government Finance

14. **Mr. Dafis:** To ask the Secretary of State for Wales what recent representations he has received about the effect of the 1996-97 local government financial settlement on educational services throughout Wales. [19386]

Mr. Hague: I have received various representations. It is for individual local authorities to determine how the resources that are made available to them are allocated between services, including education, in the light of their statutory responsibilities and their perception of local needs and priorities.

Mr. Dafis: Is the Secretary of State aware that, despite the substantial increases in council tax and the fact that other services are being squeezed to protect education, schools will continue to face serious difficulties in the coming year? For example, there will be a deterioration in the pupil-teacher ratio and a reduction in school services, and schools' resources will be perilously low—in some cases, schools will be in the red. Is it not time to undertake a proper review of education funding in Wales? How is the Welsh Office monitoring the current situation—I am sure that it will receive serious representations on the matter in the next few weeks? Is it not time to lay the firm foundations for a learning society, which will pave the way for success in the future?

Mr. Hague: The Welsh Office monitors standards in education very closely—and will continue to do so. The hon. Gentleman will know that standards at GCSE and A-level continue to improve and are now at record highs. That is a very important achievement that we want to continue in the future.

I have given more money to local authorities for the coming year, I have safeguarded provision for capital expenditure on education at £44 million next year—the same amount that we provided last year—and I have allocated £8 million to the popular schools initiative. I expect local authorities to use those resources effectively and well.

Valleys Programme

15. **Mr. Hain:** To ask the Secretary of State for Wales what assessment he has made of the impact of the valleys programme. [19387]

Mr. Gwilym Jones: The programme for the valleys has had a major impact on the area. Unemployment in the valleys is now 22.6 per cent. lower than it was in 1988, when the programme began, compared with a fall of 12.5 per cent. in Wales as a whole and of 1.3 per cent. in the United Kingdom.

Mr. Hain: Those figures simply do not match the reality on the ground. One in three adult men in valley communities are out of work, and many such communities are dying. The Minister and the Government should promote a new, positive programme to attract investment from the M4 corridor to ensure that valley enterprise zones are established which attract investment through subsidising employers who locate in those communities. We must repair the damage caused by Tory neglect, which has seen rising crime, increasing joblessness and social decay. We need a new strategy, or valley communities will die.

Mr. Jones: The hon. Gentleman does not want to accept the facts. There has been substantially more progress in fighting unemployment in the valleys, even, than in the rest of Wales and progress is far greater in Wales than in the United Kingdom as a whole. We are committed to the valleys programme and, occasionally, even the hon. Gentleman has made a positive contribution on that subject.

Since December 1994, we have sought to take forward the marketing of 20 exciting sites in order to do what the hon. Gentleman suggests—draw inward investment from the M4 and into the valleys. That does not sit well with the hon. Gentleman and his colleagues who make a career—a life style—out of running down Wales and selling it short at every opportunity. The greatest engine for industrial progress in Wales, the Welsh Development Agency, is constantly rubbished by Opposition Members. What result do they expect from that?

Theatr Clwyd

16. **Mr. Hanson:** To ask the Secretary of State for Wales what plans he has to hold further discussions with interested parties over the future of Theatr Clwyd. [19388]

Mr. Richards: My right hon. Friend and I have no plans to hold further discussions with interested parties over the future of Theatr Clwyd.

Mr. Hanson: In light of the discussions among local authorities in the past week, and the tremendous efforts that they have made to find a solution to the problem, will the Minister agree to release the £1.3 million grant to the local authorities who will determine the future of Theatr Clwyd? If he will not agree to its release, will he lay down in the House this afternoon the conditions that local authorities must meet in order to save that theatre?

Mr. Richards: Neither my right hon. Friend nor I attended, nor were we privy to, the meetings that local authorities held this week. My right hon. Friend has made the Government's position perfectly clear. Not only has he written off the capital debt of £1.3 million, but—the hon. Gentleman should be aware of this—when the Clwyd county council budget was disaggregated for the forthcoming financial year, Flintshire county council got the £1.5 million portion of that disaggregation that had hitherto gone to Theatr Clwyd. It is now up to the Labour-controlled local authorities to put their hands in their pockets to save Theatr Clwyd—and the hon. Gentleman has more influence with them than I do.

Nursery School Provision

17. **Mr. Flynn:** To ask the Secretary of State for Wales what percentage of (a) three-year-olds and (b) four-year-olds are in state education in Gwent and in Clwyd. [19389]

Mr. Richards: At January 1995, 50.4 per cent. of three-year-olds and 93.7 per cent. of four-year-olds were in maintained nursery, primary and special schools in Gwent. The corresponding figures for Clwyd were 64 per cent. and 99.5 per cent.

Mr. Flynn: Do not those splendid figures prove the effectiveness of local authorities in Wales—almost all of which are Labour-controlled—and support the conclusions of the Welsh Affairs Committee? Even Conservative Members on that Committee agreed that, in respect of Wales alone, nursery vouchers would not be an effective way to improve education. Given the marvellous education provision in Wales, nursery vouchers will be damaging to the system, and wasteful. Does not that prove again the need for a Welsh Assembly and for decisions about Wales to be made in Wales?

Mr. Richards: Welsh local authorities have an excellent record on nursery education provision, but if the hon. Gentleman has read the Welsh Affairs Committee report, he obviously has not understood it. The report states clearly that the Government's policy on nursery education is to ensure that parents have a choice of provision; they do not have choice in Wales.

ATTORNEY-GENERAL

Incitement to Racial Hatred

27. **Mr. John Marshall:** To ask the Attorney-General if he will make a statement about the number of prosecutions for incitement to racial hatred. [19403]

The Solicitor-General (Sir Derek Spencer): There have been 27 applications for consent to prosecute under part III of the Public Order Act 1986; 22 have been granted, four have been declined and one has been withdrawn.

Mr. Marshall: Does my right hon. and learned Friend accept that there is widespread concern at the hateful racist activities of Hizb Ut Tahrir on university campuses? When will the proposed meeting take place between him, my hon. Friend the Under-Secretary of State for the Home Department, the hon. Member for Leeds, North-East (Mr. Kirkhope) and the President of the Board of Deputies of British Jews to discuss the issue?

The Solicitor-General: My hon. Friend is quite right. We take the activities of Hizb Ut Tahrir very seriously. The meeting of which he spoke will occur in the near future, as soon as everybody can be conveniently got together. The date is likely to be shortly after Easter.

Public Interest Immunity Law

28. **Mr. Llew Smith:** To ask the Attorney-General if he will place in the Library a copy of his submission on behalf of the Government to the consultation on public interest immunity law. [19404]

The Attorney-General (Sir Nicholas Lyell): I have placed in the Library a copy of my announcement of 26 February on the consultation process, and a circular inviting those responding to take account of a number of specific issues. The consultation period remains open until 1 May.

Mr. Smith: Will the Secretary of State explain how his new proposals on public interest immunity will avoid circumstances such as those outlined by Lord Justice Scott on page 1240 of his report, where he states that Mr. Moses, the prosecution counsel in the Matrix Churchill trial, was not shown eight key documents by Government Departments and that Mr. Moses commented that, had he known about that information, he

"would not have gone on with the prosecution"?

The Attorney-General: The hon. Gentleman will understand that the point he is raising is separate from public interest immunity, on which I have gone out to consultation. It is a matter of discovering documents and bringing them forward. The Government have looked carefully at what Sir Richard Scott said in his report and there is a careful trawl around Departments to see that they understand what is required. Steps had already been taken prior to the report's publication to ensure that that aspect can be dealt with more effectively in future.

Mr. Peter Ainsworth: Is my right hon. and learned Friend aware that there is still a lot of misunderstanding about the use of public interest immunity certificates? Is not the concept in wide and almost daily use in both civil and criminal law? What measures will my right hon. and learned Friend take to ensure a better understanding of the concept of public interest immunity?

The Attorney-General: My hon. Friend raises an important point. One good effect of the Scott inquiry, and of the discussion about it, has been that the profile has been raised of something that criminal practitioners know is—month in, month out, week in, week out—an aspect of criminal law. There is a public interest in the confidentiality of certain documents, which need not necessarily be Government documents. They might concern child abuse cases and perhaps relate to the National Society for the Prevention of Cruelty to Children, or the work of regulators. In the end, a decision is required by a judge, if necessary, as to whether such documents should be disclosed for the purposes of a trial. I am grateful to my hon. Friend for the chance to elaborate on that point.

Mr. Alex Carlile: Does the Attorney-General agree, at least provisionally, with Sir Richard Scott's recommendation that, where public interest immunity arises in criminal cases, it is desirable wherever possible that the counsel who argues for PII should be different from the prosecuting counsel, to ensure no risk of a conflict of interest?

The Attorney-General: We shall give careful thought to that aspect. The hon. and learned Gentleman will know from his own experience that no conflict arises in a high proportion of cases. Public interest immunity is frequently and perfectly properly dealt with by the prosecuting counsel, but there are occasions when a conflict of interests can arise, when it is desirable to instruct separate counsel. We shall focus on those points as part of the consultation.

Mr. Batiste: Is not it clear that, in many cases in which serious drug dealers are prosecuted, the evidence is based on information from informants? Unless there is some system of public interest immunity, evidence from informants would dry up and many serious criminals would walk free. Will my right hon. and learned Friend ensure that, whatever the outcome of the consultation, the evidence of informants in sensitive cases can be protected by immunity?

The Attorney-General: My hon. Friend echoes the important point made by the Master of the Rolls in an intervention in the debate a fortnight or so ago. The courts have been astute to concentrate on the protection of informants—not merely down the decades, but down the centuries—for precisely the reason that my hon. Friend gave. Otherwise, the supply of informants, which is essential to the bringing to justice of often the most serious criminals—not least those concerned with drug dealing—would dry up.

Mr. Hoon: Now that the Attorney-General has had the opportunity to read, and reflect on, the trenchant and detailed criticisms of his actions and advice in the Scott report's analysis of his handling of public interest immunity certificates, would he—if faced with similar circumstances—act the same way and give the same advice again?

The Attorney-General: As a lawyer himself, the hon. Gentleman will know that it is the duty of the Law Officers, including the Attorney-General, to give advice in accordance with the law as it is understood at the time. That is undoubtedly what I did. The hon. Gentleman will have read the debate in the House of Lords, where no fewer than five Law Lords endorsed the advice that I gave.

29. **Ms Eagle:** To ask the Attorney-General what representations he has received urging reform in the use of public interest immunity. [19405]

The Attorney-General: I refer the hon. Lady to the reply I gave a few moments ago to the hon. Member for Blaenau Gwent (Mr. Smith). The consultation period is still at a relatively early stage. It remains open until 1 May.

Ms Eagle: Can the Attorney-General explain why, if he accepts none of the criticisms in Lord Justice Scott's report, he is now going out to consultation to change a system that he claims he operated correctly and which is itself correct?

The Attorney-General: As I am sure the hon. Lady will realise, because I am sure she has read the report carefully—*[Interruption.]* I am not sure whether she is saying yes or no.

Ms Eagle *indicated assent.*

The Attorney-General: So she will realise that the report makes a number of serious suggestions as to how the law might operate in future. That is what we are going out to consultation on, with particular focus on the points I have mentioned in the document which I have today placed in the Library.

Mr. Leigh: May I urge my right hon. and learned Friend to tread carefully when considering calls for reform of the law? After all, judges made this law, and trial judges decide whether to use the certificates, which can affect Government and non-Government alike. It is therefore far wiser to allow the judges to consider how the law should be reformed than to involve the Government at all.

The Attorney-General: My hon. Friend reflects a point made by Sir Richard Scott in his report. He said that he did not think that the time was ripe at the moment for statutory intervention in this area. This is judge-made law; as the House will know, the law has already moved on, in that the House of Lords gave revised guidance in the case of ex parte Wiley in the summer of 1994. That is the law that we operate at the moment. It is against that judge-made legal background that we shall consider how the Government should approach the subject for the future.

Mr. Dalyell: Whereas judges may make speeches in the House of Lords and Ministers may trawl to their hearts' content around Government Departments, can the

House of Commons be bluntly and candidly told why crucial information in the hands of Ministers was not passed on to Alan Moses?

The Attorney-General: That was one of the important matters for which the Scott report was set up—the hon. Gentleman will have read for himself the points about it made in the report. He mentions the trawl around Departments and the need to identify in proper time the most relevant documents. The lessons are there to be learnt about that aspect—that is one of the benefits of a very detailed report.

Benefit Fraud

30. **Mr. Jenkin:** To ask the Attorney-General if he will make a statement on his Department's role in prosecuting benefit fraud cases. [19406]

The Solicitor-General: The vast majority of benefit fraud cases are investigated by the Benefits Agency and prosecuted by the Department answerable to my right hon. Friend the Secretary of State for Social Security, or are investigated and prosecuted by a local authority. Some of the more serious cases are, however, investigated by the police and prosecuted by the Crown Prosecution Service.

Mr. Jenkin: Is it of concern to my hon. and learned Friend, as it is to the Social Security Committee, to learn that, despite widespread fraud in the benefits system, so few people are prosecuted? Will he undertake to discuss with the Social Security Secretary and relevant Departments how the number of successful prosecutions can be increased, so that people get the message that cheating the system means ending up in gaol or being heavily fined?

The Solicitor-General: I appreciate my hon. Friend's point, but he ought to remember that the gravity of some of these cases is much more important that their total number. The cases that the Crown Prosecution Service deals with, although few in number, are very important and have a deterrent effect that outweighs their number. These are usually offences of theft or conspiracy to defraud, and the courts, without exception, impose significant sentences of imprisonment. That sends out a clear, unambiguous message to anyone minded to cheat the system.

Public Interest Immunity Law

31. **Mr. Hain:** To ask the Attorney-General if he will make a progress statement about his consultation on public interest immunity law. [19407]

The Attorney-General: The Government will give careful consideration to all views received in response to the consultation.

Mr. Hain: Is not the truth that—as the Attorney-General's answers this afternoon have so far shown—despite Scott's stinging criticism of his legal incompetence and abuses of public interest immunity law, and despite the huge constitutional issues exposed by the report, all he and the Government are doing about the report is a long grass job?

The Attorney-General: It is clear that the hon. Gentleman has spent little or no time carefully reading the report.

Sir Ivan Lawrence: Will my right hon. and learned Friend be a little less modest and self-restrained? Is it not absolutely clear that the Law Lords, who are higher than Lord Justice Scott, said that the Attorney-General's advice was totally right and that Lord Justice Scott was totally wrong?

The Attorney-General: I am grateful to my hon. and learned Friend. Lawyers can disagree, but my advice—as I have often told the House—was carefully researched and has been approved at the highest level by all the Law Lords who spoke in the debate and by the Master of the Rolls. I rest my case.

Judiciary

32. **Mr. Simon Hughes:** To ask the Attorney-General what steps he is taking to improve communication between himself and his officials and the judiciary. [19408]

The Attorney-General: I and my officials communicate with the judiciary from time to time about a range of matters. The way in which such communications are conducted varies according to the circumstances.

Mr. Hughes: In the light of the failure of the Attorney-General's office to pass on, to the judge and elsewhere, the representations made by the now Deputy Prime Minister, will the Attorney-General tell the House whether, from now on, he will guarantee that any representations made to him on behalf of any Minister or any Member of the House in legal proceedings in which the Government have an interest or a role to play will be passed on, without delay, to the judge?

The Attorney-General: Once again, the hon. Gentleman, who also is a lawyer, should have read the report more carefully. The letters in question were immediately passed by my office to the Treasury Solicitors' Department. The principal method used by me to pass on my right hon. Friend's concerns was the public interest immunity certificate itself, which was read in open court, and was specifically noted and followed carefully by the judge, who studied every document and decided what should and should not be disclosed.

Point of Order

3.31 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. This afternoon we seem to have fallen among lawyers, of whom I am not one. Is it not a tradition of the House that those occupying the great positions of Attorney-General and Solicitor-General have special obligations to the House, outwith party politics, and one of those obligations is to give direct and factual answers to questions? You will have noticed that, on Question 29, asked by my hon. Friend the Member for Wallasey (Ms Eagle), no direct answer was forthcoming, either to the original question or to the supplementary question. Is there nothing you can do about these lawyers?

Madam Speaker: The hon. Gentleman has been a Member of the House long enough to know that—whether it is the Attorney-General, the Solicitor-General or any Minister of the Crown—they respond to questions as they think fit. It is not for the Speaker to make further comments on the answers given by Ministers of the Crown.

Mr. Spencer Batiste (Elmet): Further to that point of order, Madam Speaker.

Madam Speaker: It cannot be a further point of order on that issue, because there is nothing more I can do about it.

Mr. Batiste: It is a separate point of order on the same issue, Madam Speaker. Have you noticed that, on many occasions in the House and outside, laymen who do not like the advice they get from lawyers often complain about it? Would it not enhance the proceedings of the House if the Law Officers were not criticised for party political reasons?

Madam Speaker: That is a very reasonable comment.

Opposition Day

[7TH ALLOTTED DAY]

Employment Rights

Madam Speaker: I have selected the amendment standing in the name of the Prime Minister.

3.32 pm

Mr. Michael Meacher (Oldham, West): I beg to move,

That this House, noting how widespread job insecurity has become in Britain and the damage this has done to economic performance, calls on the Government not to proceed with the removal of the right of appeal to an industrial tribunal for employees in small firms.

The background to the debate is quite clear. On 7 March, it became known that the Deputy Prime Minister was proposing the removal of all employment rights from employees of small businesses. A leaked letter from the Secretary of State for Trade and Industry—the right hon. Gentleman did not oppose the proposal as unreasonable or unjust—queried whether it was sensible to proceed before obtaining the Law Officers' advice, presumably because the proposal almost certainly breaches several European directives.

Although it was hastily decided that the Deputy Prime Minister would not include the proposal in a deregulation package for the small business conference in London a week ago, Downing street later confirmed that the move was still under active consideration.

A press report that appeared in *The Times* on 12 March put the episode in context. One passage reads:

"But this is the tip of the iceberg. Despite John Major's coyness last week in the Commons and his diplomatic silence yesterday at the small business conference in London, Downing Street policy advisers and senior ministers are studying recommendations for a far wider assault on legislation that dates back to the 1960s and 1970s."

The article refers to a recent pamphlet prepared by somebody called Warwick Lightfoot, who was adviser to the Prime Minister when he was Chancellor of the Exchequer. Apparently it has been widely circulated. I obtained a copy of the pamphlet. The introduction reads:

"The piecemeal changes to legislation made over the last 15 years are not enough. It is time now to remove the over-arching framework of employment protection legislation on redundancy compensation and unfair dismissal. The existing regulations, though lighter than they were, still distort employers' decisions, reduce economic activity and raise unemployment."

When the Prime Minister was challenged last week to the effect that the proposal would create a hire-and-fire mentality among employers, he replied:

"We are encouraging a hire mentality."—[*Official Report*, 7 March 1996; Vol. 273, c. 450.]

That is not what the Lightfoot document states, from which I shall quote again. The relevant passage states:

"The unfair dismissal and redundancy legislation provides workers with extensive legal protection from routine managerial decisions, making it more complicated and expensive to dismiss workers who are either incompetent or not needed."

That is what the Deputy Prime Minister's package is all about.

If there is any doubt, the article in *The Times* makes the position clear. The article states that the Prime Minister and the Downing street policy unit

[Mr. Michael Meacher]

"swiftly concluded . . . that it would be politically impossible to try to sweep away overnight the vast body of law covering workplace rights. Instead, the Government is understood to be intent on adopting the tactics used by Margaret Thatcher in her assault on trade union rights in the 1980s. This involved five key Acts of Parliament between 1980 and 1990, gradually chipping away at the unions' legal immunities. Mr. Heseltine's suggestion of starting with small firms was the first step."

There we have it. Seventeen years of Tory Government have produced a Britain where employees work longer and more unsocial hours than workers in any other country in the European Union.

Mr. Michael Fabricant (Mid-Staffordshire): Does the hon. Gentleman accept that people are at least in work in this country? Is he aware that unemployment has inexorably risen in France and Germany, whereas, apart from the blip in the past month, there has been lower unemployment in this country for the past 29 months, contrary to the European trend? Does he welcome that?

Mr. Meacher: The hon. Gentleman fails to note that what he calls a small blip may turn out to be a very embarrassing rise.

Mr. Fabricant: We do not know.

Mr. Meacher: No, we do not know, but there are good reasons to expect it will be the case. If one considers that there have been 28 changes in the unemployment count, I suspect that the unemployment figure in Britain is probably not 2.5 million but closer to 3 million.

Mr. Fabricant: It is going down.

Mr. Meacher: No, it is going up.

In particular, the hon. Gentleman should consider the fact that, in the past three years, unemployment has decreased in this country only because the Government were forced, kicking and screaming, out of the exchange rate mechanism in 1992, which allowed a reduction—*[Interruption.]* I am glad that the hon. Member for Mid-Staffordshire (Mr. Fabricant) is nodding his assent; perhaps we have taught him something. That event allowed an interest rate cut, from about 15 per cent. to 6 per cent. If that had not happened, unemployment would still be nudging 3 million, even on the Government's figures; so let us hear no more about that matter.

In our country, after 17 years, employees have less protection—

Mr. Bernard Jenkin (Colchester, North): Will the hon. Gentleman give way?

Mr. Meacher: No, no at the moment.

Employees have less protection against unfair dismissal and fewer rights in redundancy than in any other European country.

Mr. Jenkin: Will the hon. Gentleman give way?

Mr. Meacher: I shall in a moment.

Seventeen years of Tory Government have made Britain the only country in Europe without legal pay protection for the poorest workers, without legal limits to working hours and in which discrimination against part-time workers in relation to pay and employment rights is legal. None of that is good enough for today's Tory party: it now wants the systemic destruction of employment rights, to move this country down towards the sweatshop economies of Latin America or the far east—*[Interruption.]* The hon. Member for Mid-Staffordshire may not like the reference to the direction in which his Government have been taking us for 17 years, but that is the clear implication of their policies. He is rather squeamish. Ministers are much more willing to admit that that is the type of economy they want.

Mr. Jenkin: Is the hon. Gentleman under the impression that none of our European partners provides some exemptions from employment legislation for smaller businesses?

Mr. Meacher: The latest working time directive?

Mr. Jenkin: No.

Mr. Meacher: I am sorry; I was distracted and did not hear what the hon. Gentleman said.

Mr. Jenkin: Is the hon. Gentleman under the impression that none of our European partners provides exemptions for smaller businesses from some obligations under employment law?

Mr. Meacher: Of course; if one examines the European directives, contrary to the impression Ministers regularly give, one sees that they provide a great range of flexibility and are nowhere near as tight and limiting as is often said. The directives take account of the need for small businesses to succeed and, I suspect, small businesses succeed a great deal better on the continent than they do here. This policy is so objectionable not merely because it is grossly arbitrary and discriminates against up to half the work force, but because it patently does not work.

Our case against the Government is that they are now trying to ram down policies into the economy that have demonstrably failed. Ministers never tire of saying that deregulated labour markets are the only way in which to achieve steady improvements in economic growth, competitiveness and job creation, and the Prime Minister never misses an opportunity to lecture European leaders about the superiority of the Government's deregulation model.

Mr. Jenkin: Hear, hear.

Mr. Meacher: I note that the hon. Member for Colchester, North (Mr. Jenkin) strongly supports that model, but perhaps he would like to consider its effects. We have had 17 years of deregulated labour markets, flexible and casualised working, deunionisation and the steady chipping away of employment rights—*[Interruption.]* Conservative Members are falling over themselves to express their support of the policies, but what has been the result? The relevant comparison is with other members of the Group of Seven leading

industrialised countries. On that basis, since 1980, we have had the lowest growth of GDP of any of those seven countries. We have had the worst record in competitiveness—indeed, a 9 per cent. loss in competitiveness since 1980 in terms of export volume relative to world trade—and the second biggest increase in unemployment.

Mr. Fabricant: Will the hon. Gentleman give way?

Mr. Meacher: No, I will not give way to the hon. Gentleman.

That is a record of which Ministers should be ashamed. It is certainly not a performance to preach about to other European leaders or to encourage them to copy.

The Deputy Prime Minister—he is always at it—has been banging on again about making Britain the enterprise capital of Europe. It is essentially his policy of deregulation in the past decade that has made Britain the competitive backwater of Europe. [HON. MEMBERS: "Come off it."] Conservative Members simply do not like to take account of the facts. The Government's policies are intended to produce growth, competitiveness and jobs. On the OECD evidence, they have produced none of those things.

Mr. Fabricant: Will the hon. Gentleman give way?

Mr. Anthony Coombs (Wyre Forest): Will the hon. Gentleman give way?

Mr. Meacher: I want to move on.

Ministers constantly claim that the only way to increase jobs is through more flexible labour markets, lower wages, deskilling and cutting employment rights. They have been doing that for 17 years, and what has happened? There are fewer people in employment in Britain today than in 1979. More than 1 million fewer people are in employment in Britain today than the day the Prime Minister entered Downing street.

Mr. Fabricant: What about the rest of Europe?

Mr. Meacher: We are not talking about Europe. We are talking about Britain. This policy is expected to work in Britain. It has worked in reverse. There is higher unemployment than in 1979 and substantially higher unemployment than in 1990, even after the fall of the past two and a half years.

Mr. Fabricant *rose—*

Mr. Meacher: The hon. Gentleman can keep bouncing up and down if he wishes—perhaps that is where his skill lies—but I shall not give way, given the kind of points that he makes.

There has been a huge switch from full-time to part-time working. If we count two part-time workers as the equivalent of one full-time worker—that is roughly right—the rise in part-time employment since 1979 compensates only for less than a quarter of the loss of full-time jobs. In terms of full-time equivalents—which is probably the fairest comparison to make—the number of people in employment in Britain has dropped by 2 million since 1979. If that is a record of which this deregulating Government are proud, perhaps those who preach flexibility should be made to suffer it.

Mr. Anthony Coombs: Will the hon. Gentleman answer one question? Which major country in Europe has the greatest proportion of its population of working age in work?

Mr. Meacher: The fact is that if one looks—*[Interruption.]* Perhaps I could just answer. The work force in employment has fallen by 2 million in full-time equivalents since 1979. I do not believe, although I do not have the figures to hand, that any other major European country has a worse performance than that.

One of the consequences of the deregulated Tory Britain has been that, at the same time as more and more people have no job at all, other people have to work more and more excessive hours. Britain now accounts for half of all the employees in the European Union who regularly work more than 48 hours a week. Not only is it absurd to have so many employees overworked, some dangerously so, while 2.25 million people have no work at all, but it is extremely destructive of jobs.

The excess over 48 hours worked by employees totals almost 1.25 million basic working weeks of 39 hours. That could create up to 1.25 million more full-time jobs. Ministers are now gearing up for another major round of deregulation which has done so much damage in creating the mass unemployment we already have.

Mr. Graham Riddick (Colne Valley): The hon. Gentleman will be aware of the ruling by the Advocate General last week on the working time directive. Who should take those decisions, the European Court or this House?

Mr. Meacher: The fact is that the Conservative party supported the European Communities Act 1972. The only reason why the matter went to the European Court was that the British Government challenged the view that the Commission was right to advance it under health and safety legislation. The Government wished the matter to be advanced either under article 100 or article 118 so that the veto would operate. As we now know from the Advocate General—I suspect that that view will be followed by the Court—the Commission was perfectly within its rights in advancing the matter under health and safety legislation. Working more than 48 hours a week—sometimes up to 60 hours or even more—is clearly a health and safety issue.

Mr. Denis MacShane (Rotherham): Does my hon. Friend agree that the 48-hour directive is a tremendous blow for family life? The institution that suffers most from the excessively long hours that men and women are expected to work is the family. More and more, children never see their parents for quality time, or any time at all.

Mr. Meacher: That is an important issue. There is no doubt—I had not intended to mention this, but it is an important issue—that increasing strains and pressures are imposed on social and family life as a result of deregulation and the requirement, which employees feel that they cannot resist, to work excessive hours of overtime. That is an important issue and although it is not part of the economic calculus, it needs to be taken into account.

Mr. Patrick Nicholls (Teignbridge): Will the hon. Gentleman give way?

Mr. Meacher: No, because I want to make progress.

[Mr. Meacher]

The third claim constantly made by Ministers is that social costs are too high in Britain and that burdens on business must be reduced if more jobs are to be created. There are several things wrong with that argument. Britain does not have high social costs. In terms of taxes and social security as a proportion of gross national product, Britain is ninth lowest of the 11 leading industrial countries. From figures produced by the Organisation for Economic Co-operation and Development, it is clearly not the case that the lower the tax take, the lower the level of unemployment; if anything, it is the reverse.

If social expenditure is reduced and private incomes are increased, at least for the highest paid, as has happened in Britain over the past decade, it matters a great deal where that extra private income is spent—whether on yachts or on investment in new technology. All that one can say is that, in Tory Britain, it must have gone predominantly on yachts because it has certainly not gone on investment in new technology or on research and development, which has fallen in real terms under this Government. Manufacturing investment is no higher today at constant prices than it was in 1979.

Mr. Fabricant: Will the hon. Gentleman give way?

Mr. Meacher: Out of kindness to the hon. Gentleman, I should not expose him to a further opportunity to ask questions.

The real irony in the Government's denunciation of the costs falling on businesses is that those burdensome costs do not come, in general, from the employment rights that the Government are now so determined to sweep away—whether health and safety protections, anti-discrimination measures or unfair dismissal rights. The main cost burdens now afflicting small businesses come from a quite different source.

A report to the national small business conference in London last week summarised the views of small business men; they had been collected from a range of regional meetings across the country. The report states:

"Most of the costs associated with employing somebody are no longer met by the state and retrospective legislation places new burdens on individual employers. This is obviously acting as a disincentive for small businesses to take on an extra person. Things like statutory sick pay, maternity pay and redundancy pay were thought to be a particularly crippling burden on small businesses."

The fact is that all the statutory impositions about which small business men are complaining have come from the Government. The Statutory Sick Pay Act 1994 transferred the whole cost of statutory sick pay to employers. In 1987, the administration of statutory maternity pay was transferred to employers. It is true that, at first, those costs were reimbursed in full, but from 1994 that was reduced to 92 per cent. It was the same with redundancy payments—originally employers were able to claim substantial rebates from the redundancy fund, but in 1989 all the rebates were abolished. The problem is not the employee; it is not employment rights; it is Government-imposed burdens. That problem lies with Conservative Members.

It is a bit rich that, at a time when the Government propose to take away protection from employees of small firms—ostensibly to ease the pressures on them—they are also proposing to add to the responsibilities and burdens of small firms under the proposals in the Asylum and Immigration Bill. I do not know whether the Government properly considered the impact of such measures on small businesses. Instead of pointing a finger at employees as the cause of financial and administrative burdens on small businesses, they might consider pointing it at themselves, because that is where the problem lies.

Mr. Nicholls *rose—*

Mr. Meacher: The hon. Gentleman is nothing if not persistent. I doubt whether what he wants to say is relevant, but I shall give way to him.

Mr. Nicholls: The hon. Gentleman is nothing if not always courteous. I do not want to misrepresent him—I do not need to—but is he seriously suggesting that no one should work more than 48 hours a week? Is he seriously trying to tell the House that he does not work more than 48 hours a week? Has he any conception of what self-employed people, who actually provide jobs for employees, will think when they hear that those employees must not be allowed to work more than 48 hours a week, when they will be working 60, 70, 80, 90 or 100 hours a week? Is it not about time that the hon. Gentleman injected some reality into his remarks?

Mr. Meacher: The hon. Gentleman is losing his touch. A whole range of exclusions are written into the directive—

Mr. Nicholls: Ah!

Mr. Meacher: Perhaps that is a great revelation for the hon. Gentleman, although one would have thought that he would actually look up the details of the directive before intervening. I can inform him that it excludes many public service workers such as police, ambulance staff, nurses, doctors, fire fighters and, perhaps surprisingly, lorry drivers. In addition—this is crucial—it does not impose a limit of 48 hours; it says that an employer cannot force an employee to work more than 48 hours. Of course, that employee is perfectly able to work more than 48 hours if he so agrees. That is extremely important. Perhaps we should examine the facts rather than indulge in a great paroxysm based on absolutely nothing.

The tragedy for Britain is that this Government have ruthlessly pursued the wrong model for economic success. That is the essential point that I want to make. Low wages and skills, few or no employment rights, de-unionisation and casualised working do not produce efficiency, productivity or jobs; they produce fear and economic uncertainty, which undermine long-term commitments. That is shown by the damage that has been done to the housing market and to manufacturing investment.

I am glad that the President of the Board of Trade is here, because it was he who recently cynically observed that job insecurity was a state of mind. It is now a plague that affects all regions, all classes of workers and almost all workplaces. Economic success and competitiveness do not come from robbing people of their employment rights and security but from strong motivation, pride in the job, up-to-date skills, high morale and mutual, long-term commitment between employer and employee. All those are undermined by an insecure labour market.

This Government have become the Burger King Government, with their obsessive drive for low wages, no rights and anti-unionism. The Tories have become the party of social devaluation. Ministers cannot see—or perhaps they refuse to see—that any advantage that could be derived from low wages is more than outweighed by poorer education, inadequate infrastructure and lower levels of skills and capital investment. They cannot understand that Britain's low productivity is, in part, the result of long working hours, poor employment conditions, high staff turnover, high absenteeism and poor training.

I remind the President of the Board of Trade of one his predecessors who said:

"We believe that decent conditions make for industrial efficiency and increase rather than decrease competitive power."

He also argued that, without proper regulation,

"the good employer is undercut by the bad and the bad employer is undercut by the worst."

That was Winston Churchill, who must be turning in his grave with revulsion at the dogma of today's Tory party.

Finally, although I suspect that this least concerns the Conservative party, a wholesale removal of employment rights will perpetuate and deepen injustice in the workplace. Cases involving the growing exploitation of part-time and agency workers have flooded into my office, as I am sure they have to that of my hon. Friend the Member for Makerfield (Mr. McCartney). I shall mention some of them.

A low-paid employee was forced to sign away his employment rights in return for a succession of temporary, three-month contracts. A skilled draughtsman was required by his employment agency to accept, in advance, legal liability for anything that he did when on work placement. A citizens advice bureau in the Chilterns reported to me the case of a young man who had been working for his employer for 18 months and who was working seven days a week, with no time off allowed. A citizens advice bureau in the south reported the case of a man who was dismissed when he asked his employer for a written statement of his terms and conditions of employment and raised health and safety conditions in the workplace.

That is not efficient management but Gradgrind economics. It is also dangerous to employees and to the public. In the case of employees, the Department of Health commissioned a stress guide for employers to examine the effects of working excessively long hours in a week. The guide concluded:

"Working more than 48 hours per week doubles the risk of coronary heart disease."

What did the Government do? They suppressed that guide because they found its results embarrassing.

Working excessive hours is also dangerous to the public. Health and safety information bulletin No. 169, which reported on the Clapham rail disaster that killed 34 people, found that, in the three months preceding that accident, a quarter of the work force had worked seven days every week and another third had worked 13 days out of 14. It found that the technician who made the fatal errors had had just one day off in the three months leading up the accident. Such levels of overtime and the mental and emotional stress that they produce are not confined to the railways, but extend to many other areas of work. An act of deliberate policy to extend such long hours to yet more areas of employment would be sheer madness.

The leaked letter from the President of the Board of Trade has revealed what the Government would do if the electorate gave them another chance. The wholesale removal of employment rights would not make Britain competitive or create jobs, it would merely generate even more widespread insecurity and greater injustices. I believe that the House should throw out that cock-eyed plan even before the electorate throw out the obsessional Government who produced it.

4.5 pm

The President of the Board of Trade and Secretary of State for Trade and Industry (Mr. Ian Lang): I beg to move, to leave out from "House" to the end of the Question, and to add instead thereof:

'recognises the vital contributions of small firms to economic and employment growth, and supports the Government's policies to minimise legislative burdens on this sector while maintaining a fair balance with the rights of employees.'.

The best that can be said for the speech of the hon. Member for Oldham, West (Mr. Meacher) is that it matched the Opposition's motion for today's debate: it was completely detached from reality. The motion talks of "small firms", "economic performance" and "job insecurity". Let me say something about each of those before talking about industrial tribunals, to which the motion also refers.

First, small firms are an essential part of our economy, and one of the great economic successes of the Government. There are now some 3.7 million firms in this country, of which 97 per cent. employ fewer than 20 people. That is well over a million more than existed under the previous Labour Government, and they are providing many more jobs. In addition, the numbers in self-employment have risen by more than 75 per cent. since 1979, and the small firms sector has grown more rapidly than in any other country. So small business is now very big business.

Unlike the last Labour Government, however, who oppressed and persecuted all businesses, large and small, with high taxes, interference and controls, incompetent management of the economy and appalling industrial relations, the Government are committed to working with small firms to set out a policy framework which will take them into the 21st century in an era of low inflation, low taxes, excellent industrial relations and the prospect of sustainable growth. We are listening to what they say they need, and we are doing things to help them.

Mr. Ian McCartney (Makerfield): Would the right hon. Gentleman care comment on the fact that, since the general election, 141 small businesses have closed each and every day?

Mr. Lang: Of course small businesses close. It has always been difficult to guarantee their survival rate, but the point is that there has been a net expansion in their number. There are now a million more small businesses than there were when the Labour Government were in office.

In recent months, we have undertaken the most extensive consultation exercise with small firms in memory in the "Your Business Matters" conference programme. We have already announced a number of measures to help address the concerns that they have raised. On late payment, we announced measures to

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improve payment performance in both the public and private sectors, including league tables for Government Departments. We also announced our intention to consult again on whether companies should publish their payment performance as well as policy.

We renewed our commitment to fight red tape with fairer enforcement of good regulation and measures to give businesses a right of appeal against judgments of enforcement officers. We are looking at substantially reducing the bureaucracy surrounding taxation—I might add that taxation is now down from 42p in the pound, as it was under Labour, to 24p. We have the highest VAT threshold in the European Union at £47,000.

Mr. MacShane: Is the right hon. Gentleman aware that the first schedule in the new self-assessment system that the Government propose to introduce will contain 151 questions for answer, and that the eight succeeding schedules contain more complicated forms than those compiled by any other country? With only 24 hours in the day, how on earth will the small business man keep up with that form filling for the wretched Government?

Mr. Lang: The hon. Gentleman has brought me exactly to my next point: at our small business conference last week, we announced our intentions to streamline the taxation and the insurance systems. We announced a major review of all the Government support schemes for business to make them simpler and easier to understand, and we announced a number of further measures of assistance. We are also completing the roll-out of business links.

Mr. Meacher: One notes that all the answers that the right hon. Gentleman gives are about future prospects. The Government have been in power for 17 years—and it is the consequences of those 17 years that small business men complained about bitterly at last Monday's conference. What are the Government going to do about the matter that concerns small businesses most: transferring the financial and administrative burdens of statutory sick pay, statutory maternity pay and statutory redundancy pay on to their shoulders?

Mr. Lang: We announced further measures to that end last week. We have been trying to simplify and to streamline the burdens of handling national insurance, PAYE, VAT and the other administrative burdens that small businesses face. If the hon. Gentleman had come to one of our conferences, he would have been aware that that is happening, and that small businesses are welcoming it.

As I was saying, the Government are also completing the roll-out of business links: the network of one-stop shops providing a range of valuable and relevant advice to small firms—small firms that are now consulting business links at a rate of almost 5,000 a week and expressing a consistently high satisfaction rating in all our early surveys of business links' efficiency. We are now carefully considering a number of further points to emerge from our small firms conferences, and a more detailed Government response will follow in June.

As a result of these policies, a higher proportion of the population is in employment in the United Kingdom than in almost any other European Union country—unemployment is well below the average, and there is much less youth unemployment and long-term unemployment. Employment has been rising for more than two years—rising for men, rising for women, rising for temporary and for permanent jobs, rising for all ages, rising for full-time and for part-time work, and rising in almost all areas of the country.

It is a great pity that the hon. Member for Oldham, West could not recognise and welcome that dramatic fact—it is something that no Labour Government have ever experienced. There are 600,000 more people in work now than at the end of the recession, and it is about time the Opposition parties came into the real world and recognised that fact.

Mr. Fabricant: Will my right hon. Friend confirm that, despite what the hon. Member for Oldham, West (Mr. Meacher) said, this country has the lowest rate of corporation tax in Europe? Therefore, does that not show that there is a high correlation between low corporation tax and high employment?

Mr. Lang: My hon. Friend is absolutely right to draw attention to that fact, and I always discount what the hon. Member for Oldham, West says. After all, in *The Times* in July 1989, he said:

"The Government is incapable of cutting inflation without pushing up unemployment."

If the hon. Gentleman looks at the figures for the past three or four years, he will see what a dramatic fall there has been both in inflation and in unemployment. At the same time—over the past three or four years—we have seen the longest period of low inflation for 50 years, and the lowest mortgage rates for a generation.

Mr. Ken Eastham (Manchester, Blackley) *rose—*

Mr. Lang: I shall not give way to the hon. Gentleman, because I wish to make some progress.

We are the first choice in Europe for foreign investment, and we are exporting more per head than Japan or the United States. This is good news for all businesses—particularly for small businesses—and for those who work in them. It arises because the Government have taken the hard decisions to create the stable and sustainable economic conditions in which the economy can expand.

One of those conditions is the atmosphere of vastly improved industrial relations and a flexible labour market. In the past, the Government have been too quick to play the part of nanny—and it is quite clear from the hon. Member for Oldham, West's speech today that he is keen to resume that role. We believe that, given the right conditions, employers and employees can be encouraged to make the best decisions themselves, without Government interference.

Since 1980, we have introduced major legislation to free the labour market: employers have freedom to manage their businesses according to their circumstances and their needs; union monopoly power has been reduced and individual choice has been promoted; and there is now greater democracy in trade union affairs. The Government's policies have transformed industrial relations. No longer do we invite ridicule as the sick man of Europe.

Hon. Members will remember the 1979 winter of discontent, when 29.5 million days were lost through strikes. Compare that with what we have now: on average, only 37 working days per 1,000 employees have been lost as a result of strikes in recent years. That is the lowest figure since records began more than a century ago. It has been achieved by managers reclaiming their right to manage, by ordinary workers standing up against union power, and by the Government creating the right conditions.

Mr. Anthony Coombs: In contrast to the drivel talked by the hon. Member for Oldham, West (Mr. Meacher) about the competitiveness of the United Kingdom, will my right hon. Friend remind the House that the President of the German equivalent of the CBI recently said that the British economy is the best placed in Europe to deal with the challenge of global competitiveness? Does that not illustrate the revolution in competitiveness that has happened under Conservative Governments?

Mr. Lang: My hon. Friend is right. As the hon. Member for Oldham, West also mentioned Germany, let me quote the chairman of the German equivalent of the CBI:

"We have too rigid labour laws. We have too high social costs and taxes. We work the shortest working week in Europe. The German government spends 50 per cent. of GDP as opposed to 42 per cent. in Britain. No wonder we have a problem."

Employees value their new-found freedom from intimidation. The show of hands at mass meetings is a distant memory. Secondary picketing has been banned. Closed shop practices are unenforceable. We have yet to hear, and we did not hear today, a clear undertaking by the Labour party not to bring back those terrible scourges.

Individual employment rights have also undergone major changes. We have progressively taken steps to reduce the weight of legislation. We have ensured that tribunals take account of an employer's size and administrative resources in deciding whether a dismissal was unfair. We have given employers greater freedom in redundancy dismissals, while ensuring that employees' rights are not compromised.

We have exempted small firms from some onerous requirements in relation to maternity absence, from the new disability discrimination employment provisions, and from the notification of disciplinary procedures. We have abolished the out-dated and onerous wages councils. The consequences of all that have been more jobs and rising real living standards at all levels of the income scale.

Our aim, however, is to produce a fair balance between rights and responsibilities, so at the same time we have increased the protection given to individual employees when it was right for us to do so.

Mr. Andrew Mackinlay (Thurrock): What does the President of the Board of Trade say to the principle that for every wrong there should be a remedy? There is no remedy for people in small outfits and those who have been employed for less than two years. If there is demonstrably a wrong—an unfair dismissal—how can he look that person in the eye and say, "You have no remedy"? That is the position at present.

Mr. Lang: I am saying that we must achieve a balance between rights and responsibilities, in the interests of employers and employees and the interests of creating employment and creating a prosperous economy. We are succeeding in that, but I am drawing attention to the increase in protection that the Government introduced when it was right for us to do so.

The Trade Union Reform and Employment Rights Act 1993 was, I believe, the most significant addition to employment protection for nearly 20 years. It gave all pregnant employees a right to 14 weeks' maternity leave. It ensured protection against dismissal on specified health and safety grounds, or for asserting one's statutory employment rights. It gave employees better rights to information about their terms and conditions of employment. Since then, further significant legislation has ensured freedom of choice whether to work on Sundays for shop workers and for betting workers.

So let no one pretend that the Government have failed to respect individual rights of workers. The best job security is more jobs. We have achieved that, with fairness and balance, and with good sense. That is the right way to proceed—not to have trade unions and other organisations again towering over the industrial scene, staking out their claims in Labour's interfering stakeholder initiative.

Mr. Nick Harvey (North Devon): If the Government introduced that string of new rights as recently as 1993, how can they be right to contemplate taking them away from almost half the working population in 1996?

Mr. Lang: The hon. Gentleman was speculating on a matter that I shall discuss shortly. I want first to discuss industrial tribunals.

Efficient and straightforward enforcement of rights helps minimise costs to everyone. A major priority of our reforms has therefore been the industrial tribunal system. Dealing with claims can be costly for employers, and especially for small firms. In December 1994, we published the Green Paper, "Resolving Employment Rights Disputes", setting out many proposals for reform of the system, the majority of which were well received by employers' and employees' representatives.

I announced last week that we proposed to publish, for further consultation, a draft Bill designed to implement these measures. It will be published in the summer, and will introduce important reforms to streamline the industrial tribunal system. It will also aim to increase the proportion of employment rights disputes resolved by employees and employers themselves—or through conciliation by ACAS or by other third-party means—so that they need not enter the system at all.

I consider it of the utmost importance for employers and employees to attempt to resolve individual disputes themselves, but I recognise that there are occasions when a third party can help. That is why we value the services of ACAS, and why we shall propose in the draft Bill the extension of its powers to conciliate in individual disputes.

We shall also propose that ACAS be given powers to set up a scheme to enable an employee and employer to opt for voluntary arbitration on a particular complaint as an alternative to a tribunal hearing. That will offer a

[Mr. Lang]

quicker, simpler, less costly and more private option for resolving individual employment disputes, and we believe that it will be attractive to both employers and individuals.

Mr. Andrew Miller (Ellesmere Port and Neston): In referring to conciliation, did the right hon. Gentleman mean that that would be the end of the line for those employees, or is he saying that he will increase the scope of ACAS by increasing resources under existing legislation? Is he trying to block access to tribunals, or to improve the conciliation service by extending it?

Mr. Lang: We are trying to make tribunals the last rather than the first resort, and to emphasise the importance of conciliation. We shall consult on the way in which that should be done, and, when we publish our Bill in the summer on a consultation basis, the hon. Gentleman will have an opportunity to express his views. I believe that consulting on a draft Bill will produce better, not more, legislation. Any contentious issues can be identified and discussed, which will help us to ensure that the changes we propose are beneficial and workable.

That is not removing rights, as the motion suggests; it is building on the improved industrial relations that we have achieved in recent years. It is sound common sense. I believe that the proposed measures will be a major improvement in cutting the legalism, and especially the expenses, incurred by all parties bringing and defending complaints. The Bill has been welcomed by hon. Members on both sides of the House, and our approach shows how the interests of employers and employees can be furthered together.

Ms Joan Walley (Stoke-on-Trent, North): Given the concern that has been expressed, can the right hon. Gentleman give an absolute assurance that, regardless of the number of people employed in a business, their rights will not differ? Will that be the case regardless of whether a firm employs more or fewer than 10 people?

Mr. Lang: No, I will not give that assurance. As I have said—and I am about to enlarge on it—there are already different arrangements for firms of different sizes. The matter is worthy of further consideration in this country, as it has been considered in other countries.

We are always vigilant in regard to further steps that should be taken. Reform is a continuing, evolving process, and the proposed tribunals Bill is one of a series of possibilities that we have been examining. Excluding small firms from legislation would clearly be another way of removing significant quantities of red tape from those who are particularly vulnerable to being tangled up in it.

The hon. Member for Oldham, West (Mr. Meacher) has attacked the Government for not doing enough to lighten the burden on small firms. We would not be doing our job if we did not give serious attention to that. Other countries already take such an approach. In Germany—prayed in aid by the Labour party—unfair dismissal requirements apply only to firms with six or more employees; France, too, has a less restrictive regime for small firms.

Obviously, there would be drawbacks in introducing an exemption, not least for the employees concerned. There would be no question of our changing the legislation in this way without taking legal advice on the implications, and carefully weighing the benefits against the disadvantages.

Mr. Fabricant: I am grateful to my right hon. Friend for giving way to me a second time.

Further to the point that my right hon. Friend has just made, and the thoughtful point made by the hon. Member for Thurrock (Mr. Mackinlay), does my right hon. Friend agree that we have a duty of care not only in regard to the employed—the hon. Member for Thurrock put it both eloquently and kindly—but in regard to the unemployed? It is all very well considering how we can or cannot protect those who have been employed for only two years: people must be employed in the first place. That is the balance we must get right in red tape.

Mr. Lang: My hon. Friend is absolutely correct: balance is very important. The best employment conditions are to have a job, and the worst employment conditions are to have no job. That is the precise problem that the Government have tackled so successfully, with rising employment in recent years.

The Government do not propose to be rushed into reform on the basis of dogma. How different from the Opposition, who, at the drop of a hat, seem keen to sign up to any number of regulations under the social chapter that would destroy employers' freedoms and employment.

A survey conducted last summer by the European Enterprise Centre found that two thirds of Europe's smaller companies were worried that higher social costs resulting from the social chapter would make them less competitive. The Government's recent White Paper on the intergovernmental conference, which we published last week, says:

"To accede to the Social Chapter could generate a one-way process in which European employment laws were increasingly imposed on the United Kingdom".

That is the same social chapter that the Leader of the Opposition, in his ignorance, thought was just a set of principles from which he could pick and choose what to accept. I suppose that that is an academic point, as it is clear that, in his stakeholder's society, Labour would pick and choose them all—and add to them.

The social chapter gives no option to member states to pick and choose the measures they like and to reject the ones they do not. The whole point of the draft social chapter, which we rejected at Maastricht, is that it would give the Community greatly increased powers to pass social legislation by qualified majority voting. We would have no veto over damaging measures, such as the European works council directive or the draft directive on parental leave which the other member states are likely to adopt soon.

If we were to give up our opt-out now, future proposals could be imposed on us against our will in a whole range of areas, including working conditions, information and consultation, and equal opportunities.

The Government opposed the European works council directive because we believe that companies should be free to decide the arrangements that best fit their own circumstances. The overwhelming advice from British business was that the directive would impose costs without bringing the corresponding benefits.

That advice is now echoed painfully by employer organisations in Europe. British companies were not alone in their opposition: businesses across Europe made their objections known. UNICE—the main organisation representing employers across the European Union—also opposed it, but other member states decided not to heed the views of European industry.

Of course, some British-based companies—a tiny proportion of about a hundred—are affected by the directive because of the size of their work forces in other member states. But they remain free to decide whether to include their United Kingdom workers in their arrangements.

Mr. Gerry Sutcliffe (Bradford, South): Did the Minister and his colleagues consult employee representatives about the works council directive? He has talked about consultation with employers, but what consultation did he have with employees representatives, notably trade unions?

Mr. Lang: We consulted widely before we decided on our stance, which fell in with our own inclinations. As a result, it is clear that there are many more employees now than would have been the case if we had accepted the social chapter.

The social chapter is a blank cheque which, if we had signed up to it, could have imposed unlimited costs on British business and the British economy. It could have been used to pass a whole range of job-destroying measures which the United Kingdom could not block. Our IGC White Paper makes the Government's position on the social chapter quite clear. It states:

"The United Kingdom will not give up its opt-out and cannot be forced to do so."

In the words of my right hon. and learned Friend the Foreign Secretary, our opt-out is "here to stay". But the Opposition would not be satisfied even with the straitjacket of the social chapter.

Mr. Meacher: Will the Secretary of State give way?

Mr. Lang: Yes, for the last time.

Mr. Meacher: The right hon. Gentleman has made great play with the risks posed by the social chapter. However, the Government became concerned about the costs of the social chapter only in 1993. In the previous 15 years, Conservative Governments had accepted the Transfer of Undertakings (Protection of Employment) Regulations, equal retirement ages, the application of sex discrimination legislation, the granting of 14 weeks' maternity leave to pregnant women, written particulars of employment to all employees, protection against whistleblowing, the extension of the TUPE regulations to non-commercial ventures and transfers of franchises, the removal of the upper limit on compensation in sex discrimination cases, and a host of other provisions affecting redundancy payments and unfair dismissal. Why did Conservative Governments accept those measures?

Mr. Lang: The hon. Gentleman appears to be making a second speech, but he is wrong. We did not become concerned about the social chapter in 1993. We were concerned about it when it came up for negotiation in the Maastricht treaty. That is why we negotiated our opt-out.

We have accepted other changes in employment conditions where we thought it right and appropriate to do so and where we achieved the balance of which I spoke—between the rights of employers, the rights of employees and the interests of the economy.

The hon. Gentleman spoke about the non-wage social costs, and claimed an extraordinary concept about Britain being disadvantaged. Let me point out that in Britain, for every £100 spent on wages, employers have to pay an extra £18 in non-wage costs. The figure is £32 in Germany, £34 in Spain, £41 in France and £44 in Italy. That is the burden of the social chapter in Europe, and that is why employers in Europe are so jealous.

It is not just the social chapter: the Opposition want further to damage Britain's competitive edge, which has taken us from the bottom of the productivity growth league in the 1970s to the top in the 1980s and 1990s. They would not be satisfied with the social chapter; they want to go further and enforce a national minimum wage. We are told that it would increase pay, eradicate poverty, remove pay inequalities and even reduce the size of the taxpayers' bill for benefit payments. For all I know, it would probably cure the common cold. If that new wonder drug can do so much, why will they not tell us the level at which they will set it? The reason—as any fool will know—is that they know that it will destroy jobs.

The Opposition continually refuse to disclose any details of their proposals. They do not tell us the rate at which it would be introduced, how it would be uprated, how it would be enforced, how many jobs would be lost, and how pay differentials would be resolved.

Let me tell the House the real consequences of a national minimum wage. It would increase employers' wage bills, suppliers would raise the prices of their goods and services to cover their additional costs, and the upward ripple of the restoration of pay differentials would destroy competitiveness and generate inflation.

The CBI estimates that the minimum wage would add some £4.5 billion a year to employers' costs. The university of Cambridge suggests that the figure could be £6.4 billion. In the absence of improved productivity, that would cause a loss of competitiveness. Company profits would fall, inflation would rise and unemployment would increase by up to 1 million if only half the pay differentials were restored. In short, the minimum wage would be a disaster for the country.

The brunt of the job losses would be borne by the very people whom the minimum wage was designed to help—the low-paid, the young, the part-timers and the less skilled. British workers should not be fooled. They need only look at Europe to see the misery, poverty and joblessness that would follow.

In sum, the Government live in the real world. Our policies are fair, balanced and sound and, above all, they are delivering. In contrast, the policies of the Opposition—should they ever have the opportunity to experiment with them in the real world—would spell disaster for economic recovery and for employment growth. I therefore urge the House to throw out the motion and approve the Government's amendment.

4.33 pm

Mr. Don Touhig (Islwyn): I have recently spent a lot of time debating and considering the rights of employees, as my Public Interest Disclosure Bill addresses that issue.

[Mr. Don Touhig]

During the debate on the Bill on 1 March, we had some interesting discussions about employees' rights, companies' productivity and the burdens placed on business and industry. Many of us reached the conclusion that only through a valid partnership between employers and employees can firms prosper.

We noted that, by extending the rights of employees, the Public Interest Disclosure Bill would help employers, as it would encourage employees to bring malpractice, crime and misconduct at work to the attention of those who were in a position to act in such matters and correct them. The Bill hopes to engender a culture of communication in the workplace by requiring that matters are raised internally before any public disclosure, to give the persons responsible time to act.

A climate of communication and trust exists already between many employees and their employers. Widening that spirit of communication can only benefit the economy in general and small companies in particular. Once the individuals accountable know what is going on, they can act—perhaps to stop a fraud that is costing the company money, or a malpractice that could irrevocably damage the firm's reputation if it were made public.

Beth Cawthorne was a young lady employed by a supermarket chain, and worked on a delicatessen counter. She discovered that her manager was changing sell-by dates on dairy products, patés and other items. When Beth was leaving the company, she brought that practice to the attention of her employers, who were pleased and grateful that she did so. The consequences of her not taking that action could have been horrendous for customers, who might have eaten contaminated food, and for the firm's good reputation.

The Bill is not about regulation but about protecting employees' rights. A good employer already does that, and recognises its value. The Bill is not about compliance costs, but is a classic case of self-regulation. It will encourage companies to keep their own house in order.

Public Concern at Work states that one third of the serious concerns raised with that organisation relate predominantly to tax, value added tax frauds, consumer rip-offs and abuse of the vulnerable or of individuals in public care. If such matters are not raised responsibly, damage will be done to this country's vital small business sector, and more bureaucratic rules will be required to be imposed on companies. More to the point, if such malpractices are not deterred and detected, the competitiveness of many companies will be threatened.

Employment rights are the key to good relationships in any company. The right of protection from reprisal if an employee blows the whistle on a serious malpractice is one example. Such employment rights are about respect. By agreeing to such rights, an employer shows respect for his employees. I speak from experience, as someone who ran a small company before entering the House. Good trust is developed between the employer and employee, and that bond leads to increased efficiency and productivity.

If an employee feels threatened, insecure or unhappy at work, he or she will not work well—as anyone who has run a company can tell you. The employee will carry that worry around and be less inclined to be loyal to the company. He or she will not perform to the best of their ability.

Employees who are secure at work, are able to communicate and can raise matters with their employer, feel that there is a safety net, which will catch them if they speak up when something goes wrong. Such employees will be loyal to their companies, happier and more productive. Comprehensive employment rights make not just ethical but economic sense for Britain in the last part of the 20th century.

If the Government remove the right of appeal to an industrial tribunal for employees of small firms, they will prove how out of touch they are with sensible and effective management practices in British business and industry today.

4.39 pm

Sir John Cope (Northavon): The Opposition motion seems to be worded as if only two parties were involved in this matter—the employer and the employee. Of course, a third party is involved—the unemployed.

The background to this debate is the fact that small firms are at present, and are likely to continue to be, the main generators of new jobs. Large firms are likely to employ ever fewer people, however efficient and successful they are. Several large firms in my constituency have reduced their staff in recent years because of new technology and other developments—at the same time as increasing their turnover, sales and profits. More efficient methods often mean fewer employees. The great national firms that have in the past been the major employers will not produce the new jobs that we need. This is why we need small firms and new firms, and why we need to give them every opportunity to build up their businesses and take on more people.

There is another fundamental misunderstanding in the minds of those who drew up the motion. The Labour party proceeds as if employers have an automatic duty to be employers—to take on and keep on staff, regardless of other conditions. The fact is that neither the Labour party nor anyone else can compel someone to employ someone else. Employment comes from a person deciding to take risks and to set up a business on his or her own—increasingly these days, it is women who are doing this. They must also assume the additional risk and responsibility of taking on staff and providing them with a living.

If we want to continue bringing down unemployment, we must make it easier to employ people, especially for small firms. People need to be persuaded to take the risks of self-employment and starting businesses on their own. That is one of several reasons why it is right to reduce bureaucratic burdens that impose more heavily on small businesses than on larger ones. That is particularly true when it comes to employee rights.

In a small firm, the boss is much closer to the employees, of whom there are only a handful. He or she sees them every day in the course of their work; they know how hard the boss works, and he knows how hard they work. The elaborate mechanisms necessary in giant firms employing thousands of people are not needed.

The hon. Member for Islwyn (Mr. Touhig), whose constituency I find it difficulty to pronounce, spoke of his experience in running a small firm and of the necessity for partnership. I profoundly agree with him on that. It is therefore important that small businesses enjoy good

relations between employer and employees. The threat of industrial tribunals hanging over them will not necessarily help.

Sir Donald Thompson (Calder Valley): Northavon may be difficult to find but it is not difficult to remember. An international company operating from Northavon has just stated that it is suffering from an inability to employ young people. Its social costs are grindingly high, its taxes are too high, and it cannot modernise or refit because the unions would go on strike. The French franc is also too high, and the company in question—Brittany Ferries—is longing for the freedom that most large British companies enjoy.

Sir John Cope: Although my hon. Friend has been to Northavon, I think I know what he means about not being able to find it. It is quite a long way from any substantial investment by Brittany Ferries—but I suppose that Northavon is nearer than Yorkshire to the centre of the company's activities.

Small firms face other burdens as well. Anyone running a small company has to keep up with a huge range of regulations—governing employment, health and safety, fire, taxation and local authorities' requirements. The back-up mechanisms enforcing the various regulations are all different and are managed by specialists who can understand complicated regulations in their own fields because they deal with them every day, but the poor chap trying to run a small firm has to understand the whole lot himself if he is to be successful.

It is no use the Labour party saying that it wants to help the unemployed if it is not prepared to help small firms. Nor is it any use the Opposition supporting a motion of this kind while trying to pretend that they are friendly to small firms. The Opposition sometimes claim to be in favour of deregulation, but at the first hint of any possible changes in this area, they flinch. That is unsupportable—

Mr. Ian McCartney: I understand that the right hon. Gentleman is a former Minister with responsibility for small businesses. Would he care to offer the House any examples of rights that he would like to see removed as part of the Government's review?

Sir John Cope: The hon. Gentleman is right to say that I have some experience of the matter, both as a Minister and in other ways. I am discussing the total burdens imposed on small businesses, and arguing that the Government are right to take a look at them. They were right to produce their Green Paper; they are right to introduce the Bill about which my right hon. Friend the President of the Board of Trade spoke towards the end of his speech.

On the subject of hours of work, the hon. Member for Oldham, West (Mr. Meacher) complained that some people work too long hours while other people are out of work. To me, that shows that employers are reluctant to take on more staff and prefer instead to get their current staff to work longer hours. If the burdens of employing someone else were smaller, they would be more likely to take on more people and less likely to want their staff to work longer hours. There are many different reasons for overtime—they vary from company to company and from period to period—but the argument advanced by the hon. Member for Oldham, West did not stand up.

Sir Harold Walker (Doncaster, Central): The right hon. Gentleman seems to be arguing in favour of giving employers incentives to remain small employers, since encouraging them to use the same staff to work longer hours discourages them from expanding. At its logical extreme, the point seems to be that employers should dismiss employees so as to stay below whatever threshold is set.

Sir John Cope: I absolutely accept that providing a small firm with an advantage of any sort may produce difficulties at the threshold below which small firms want to remain—in terms of numbers of employees, or turnover, or profit. Giving small firms a particular benefit does create a threshold problem of the kind that the right hon. Gentleman suggests. At the same time, the highest threshold is between employing nobody and employing somebody. We need to get people to start businesses and take on employees. We would reduce unemployment best if we made it easier, not harder, for small firms to employ people, but I accept the right hon. Gentleman's point about the difficulty of the threshold.

I congratulate my right hon. Friend the President of the Board of Trade and his colleagues on initiating the series of conferences for small businesses. My right hon. and hon. Friends were right to put the management of the conferences in the hands of the Institute of Directors and the other organisations, but it was a good initiative for the Government to start the conferences. I was glad to see the full backing that the conference had from my right hon. Friend the Prime Minister and other Ministers last week.

The hon. Member for Oldham, West read out a paragraph from the report, which was produced not by the Government but by the small firm organisations, presented to that conference. He did not read out the next paragraph, which states:

> "The restrictions on firing employees were also called into question and a lot of people said that they would be much more willing to take people on if they knew that it wasn't going to be expensive to lay them off, if it turned out that they didn't need them any more."

Later, it states:

> "Industrial Tribunals were also seen as a problem area and many small business owners said that they resented the fact that they could get landed with a big legal bill over the pettiest dispute with an employee."

That is not from the Government but from the small firms, and it shows the problems that the Government have addressed in the Green Paper and propose to address in the draft Bill.

Mr. MacShane: One would think that employment was fixed and static and that no firm, small or large, had the ability to get rid of anyone. How is it that nearly 9 million people have lost their jobs—have been churned, laid off or dismissed—since the general election? Small businesses are laying off willy-nilly every day of the week.

Sir John Cope: I do not know where the hon. Gentleman gets his figures. I have the unemployment figures to hand and, since April 1992, unemployment has fallen by 15.8 per cent. It has fallen in Oldham, West by 20.8 per cent., which is not quite as good as in Northavon.

The end of the report given to the small business conference last week shows the results of the statistical survey that was prepared for the conference. On page 20,

[Sir John Cope]

figure 15 shows the ranking of burdens of government on business. One of the highest—almost the highest—rated burdens is "Employment Regulations". It is rated slightly lower than "Cost of Compliance", and slightly beats "VAT Administration", for which I have also had some responsibility, although we made some improvements and further improvements are coming.

I have no doubt that many small firms are inhibited in taking on staff by the potential problems that they face from employment protection legislation. Over the years, various employers have come to my constituency surgery and told me about employees taking them to industrial tribunals. They face the burden of legal bills, and we heard opinions about lawyers just before the debate began.

The Government are right to consider the whole area, and they have been steered in the right direction by the report of the small business conference. The House will have a duty to study the proposals in the draft Bill and examine the balance of which my right hon. Friend the President of the Board of Trade spoke. It is wrong to suggest that we should throw out the suggestions before they have even been made in the draft Bill. I approve of the system of publishing Green Papers and draft Bills in legislation of this kind. The process of producing new law is helped by the publication of draft Bills for study by all concerned. That improves legislation, and we will be able to minimise the burdens through effective, lasting legislation. I support the amendment moved by my right hon. Friend the President of the Board of Trade.

4.55 pm

Mr. Nick Harvey (North Devon): The President of the Board of Trade was right to stress the importance of the small business sector to the economy. That must be beyond any serious doubt or debate. He and the right hon. Member for Northavon (Sir J. Cope) were also right to stress that none of us would wish small businesses, or any other businesses, to be burdened unnecessarily with regulations; but there is a world of difference between being burdened with regulations and the fundamental issue of people's rights. I shall explore the difference in a minute.

When I talk to small businesses and their representative organisations, I find that they view with healthy scepticism pledges by the Government to do away with regulations. No doubt they remember only too clearly that Lady Thatcher came to power in 1979 committed to doing away with regulations every bit as much as she was committed to doing away with quangos. They know that the numbers of regulations and quangos since then have rocketed. When small businesses hear that the Government have made a commitment to removing the regulatory burden, they reflect that the Government brought in the vast majority of the regulations and have gone to the Council of Ministers and readily agreed to more burdens.

The burden that small businesses most often bring to my attention is the very one that the hon. Member for Oldham, West (Mr. Meacher) mentioned earlier. Despite the fact that small firms continue to pay employers' national insurance contributions, they are now expected to cough up for statutory sick pay and redundancy payments. They do not understand why they should have to pay twice.

It has been said that individuals' rights in the place of work are red tape and burdens on their employers, but why should an individual worker's rights depend on how many other employees work for the same enterprise? People should have the right to feel safe in the workplace, not to be discriminated against, to have equal value put on their work compared with any other employee, to feel confident in employment and to know that an employer cannot turn around and fire them simply because their faces no longer fit. Those are every bit as much fundamental human rights as the right to choose one's religion, the right of freedom of expression and association, or any other right.

The discussion this afternoon about the rights of employees should not be confused with the burdens of regulation. If a case can be made that the enforcement of those rights is placing an unacceptable burden on employers or on small firms, let us by all means look at the methods by which rights are enforced and the procedures for individuals to seek remedies. Perhaps better, more streamlined alternatives could be put in place. That would be sensible, and I welcomed the President of the Board of Trade's comments about the review that the Government are conducting on the ways in which individuals can enforce their rights.

If the services of the Advisory, Conciliation and Arbitration Service or of any other body are to be expanded so that a conciliation service can be used more widely in dealing with individual complaints, that is to be welcomed. If that process goes a step further and those involved in a conciliation service are able directly to arbitrate, that is entirely sensible and is to be welcomed.

Arbitration is already being used in the workplace. It is used when there are collective disputes. Many individual contracts of employment provide for arbitration in some areas of disputes. It would probably be far cheaper, quicker, simpler and sensible for arbitration to be used in dealing with individual employment contracts. If alleged unfair dismissal is examined through the process of arbitration, there is a far better chance of a sensible outcome. Perhaps someone will have visited the workplace. He or she will have heard both sides of the argument. That person will be able to produce a remedy that will facilitate a re-cementing of the working relationship. There will be a far better chance of that re-cementing succeeding in those circumstances than if a judgment is handed down by an industrial tribunal, a process which all too often costs far too much for all concerned and takes far too long to arrive at a conclusion.

Much as the President of the Board of Trade wished to open up a divide between his position and that of the Opposition, he sought to disguise a clash between himself and the Deputy Prime Minister. The only difference of approach is to be found within the Government. That is represented by the letter that the President of the Board of Trade wrote to the Deputy Prime Minister on 5 March, when he warned that employees in small firms being denied employment rights would be controversial and that the Government might appear to be imprudent if they attracted criticism only to retract the proposals later.

In essence, there is a dispute between the President of the Board of Trade and the Deputy Prime Minister. I wish the President every success in prosecuting his side of the dispute. I think that he will have the support of many Members of this place if he can win general support for the approach that he outlined this afternoon, which

involves introducing a new arbitration procedure to enable employment rights to be enforced. There is a world of difference between that approach and the Deputy Prime Minister's proposal of considering the "feasibility" of introducing "exclusions" into employment legislation. The difference is whether to reduce rights or provide a different way to enable individuals to enforce rights.

Much is said about the advantages or benefits that stem from having a flexible labour market. It is essential that there is flexibility in the supply side of the labour market. In future, not many people will work throughout a career for one employer or even in one industry or discipline. In selling their labour, people need to be flexible. As we move into a more technological age, it seems likely that many people will have to retrain, perhaps several times, during a career.

We must beware of a flexible labour market being used as an excuse for disguising bad employment practice. Many firms, in the name of the so-called flexible labour market, begin to act in a way that is counterproductive to the economic good of the country and to the best interests of their employees. For example, many people are being given self-employed contracts when they are not self-employed. They are rather surprised when representatives of the Inland Revenue take the view that they are not in self-employment but in what I shall describe as ordinary employment. They find themselves taxed accordingly.

Other moves are short-term contracts and the contracting out of work. In other circumstances, whole jobs are split into bits and taken up by part-time workers. There are firms that lay people off—I have encountered this in my surgery work—after 102 or 103 weeks of employment. They do so to prevent them clocking up two years' employment, when they become entitled to employment rights.

There is a variety of employment practices. The ingenuity of employers to dream them up is almost limitless. The practices of which I am talking are damaging to the labour market and to society generally, not to mention the economy.

Ministers speculate about when the feel-good factor will return. They should be thinking at the same time about employment practices and the effect that they have on people feeling good. If employees are in fear of where their pay packet will come from in the weeks or months to follow because of the unsatisfactory nature of their contracts of employment, it is small wonder that they are not plunging into the housing market, buying cars or doing the various other things that the Government are waiting for them to do so that they can arrive at their much-vaunted feel-good factor.

There must be some flexibility, but it would be better if overall pay levels were slightly lowered and in return employees had more security and confidence in their employment. If the Deputy Prime Minister had his way and employment rights were removed, employees who had given 10, 15 or even 20 years of loyal service to one small company could have their entire career blown away. They could be thrown out without any justification and they would have no remedy. There are some who perceive that approach as part of a so-called flexible labour market. We need some flexibility, but we must be cautious. Flexibility can be used to justify practices that should not be implemented.

Employees' loyalty and motivation are important assets that good employers nurture. Not for nothing has Toyota adopted the motto "Quality goods, quality work force". That has stood the company in good stead. A working environment in which people feel fulfilled and fairly rewarded contributes to improving economic performance and frees people's talents.

The Minister for Competition and Consumer Affairs (Mr. John M. Taylor): The hon. Gentleman has referred to Toyota as an exponent of good practice. I remind him of Land Rover in my constituency, which is rather closer to home. At Land Rover, productivity is very high. A plenitude of good ideas comes up from the shop floor, which leads to best practice. That is a token of job satisfaction. The rate of strikes is the lowest for 100 years. New vehicles are rolling out of the Land Rover factory as fast as they can be made. Is that not a closer-to-home success story?

Mr. Harvey: It is indeed. I am delighted to pay tribute to the work that is being achieved by Land Rover. I am sure, however, that the Minister is not suggesting that its success is being enjoyed because Land Rover employees have fewer rights than their counterparts elsewhere. If Land Rover has been able to succeed with a work force that has full employment rights, it provides a fine example that other firms should seek to emulate. They should recognise that they, too, can succeed.

Mr. MacShane: Is it not a tribute to the managements of Land Rover and Toyota that they recognise trade unions and work solidly with them? As the Minister will know, co-operation from the trade union side has revolutionised Land Rover. Nothing positive stems from the pathological hostility to trade union representation that is represented by Conservative Members.

Mr. John M. Taylor *rose—*

Mr. Harvey: Many issues would not end up at industrial tribunals if they could be better dealt with in the workplace. It is beginning to emerge from academic research that small firms that have trade union recognition and have devised procedures in the workplace for resolving disputes are beginning to enjoy a great advantage. As a result, fewer disputes end up being dealt with by the costly industrial tribunal process. The issues are dealt with on site.

Mr. Taylor: Notwithstanding the intervention of the hon. Member for Rotherham (Mr. MacShane), surely the hon. Gentleman accepts that the ultimate liberation of Land Rover was as a result of privatisation? When I first became the Member of Parliament for Solihull, in 1983, there was a communist for a shop steward, appalling industrial relations and spare parts flying over the wall. Privatisation has made Land Rover.

Mr. Harvey: I certainly will not dispute that point with the Minister. In principle, there is no reason why the car industry should have been in public ownership. If Land Rover is succeeding in the private sector, everyone should be very pleased about it.

Employability, flexibility and employment are underpinned by the creation of a work environment in which people feel fulfilled in jobs that are rewarded fairly

[Mr. Harvey]

and are satisfying. We should have a framework of employment rights that will foster that environment and cause it to spread, and which will provide access to consultation and participation. In time, I hope that the framework will be expanded, giving an ever-increasing number of employees rights to participate in the decisions made at their workplaces, to share in the profits and to become shareholders in the company itself.

Mr. Fabricant: The hon. Gentleman will know that Toyota, which he mentioned in the earlier part of his speech, is based only a few miles down the A38 from Lichfield. Some of my constituents work there. Does he accept that Toyota would never have come to Britain if the same conditions of employment operated here as operate in Germany? Toyota is a few miles down the A38 from Lichfield and not a few miles down the road from Bonn because of our conditions of employment.

Mr. Harvey: If Toyota is willing to come to Britain with our current employment rights, the necessity for anyone to take away or water down those rights any further seems to be negated.

The most successful companies know how to involve and motivate their employees by ensuring that they have a real say in decision making, a share in the ownership of the enterprise and a share of the profits that they help to create. We should be creating a climate in which management and employees come to share a common interest in the future of their enterprise and a joint commitment to success. The creation of that climate will require a legal framework that encourages and rewards companies that take a long-term view of their profitability and invest in their work forces as a positive asset, rather than regarding employee rights as a source of red tape or as a burden.

We should be creating an industrial climate in which employees are motivated co-operatively to meet the challenges of competitive markets. The creation of that climate will involve creating the right industrial relations and legal framework, and the provision of ready, easy, cheap and quick access to the means to enforce those rights and to get proper and meaningful remedies.

5.12 pm

Mr. Patrick Nicholls (Teignbridge): There was a great deal—to our mutual embarrassment, I suspect—in the speech made by the hon. Member for North Devon (Mr. Harvey) with which I could agree. Fortunately, there were some things on which I could draw the line between us, which I am sure will come as a great reassurance.

For many years, I have had the great good fortune to take part in debates, in the Chamber or in Standing Committee, with the hon. Member for Oldham, West (Mr. Meacher). He is a tremendous debater, and combines an engaging charm outside the Chamber with a great degree of brazen, bare-faced cheek inside it. When we hear him talk about job insecurity and the circumstances in which jobs arise or fail, we can forget that he is one of the relatively few Opposition Members who was a Minister in the previous Labour Government.

I know that the old brain cells go down as the years roll by and that we cannot remember what happened but, as a member of that Labour Government, the hon. Gentleman should cast his mind back to job market conditions in 1979. We should remember car-park democracy, Red Robbo, flying pickets being able to impose their will on people, the scenes on the Grunwick and Wapping picket lines, and the inequities and evils of the closed shop. Often, unless people were prepared to sign up to trade union membership, they could not even work. Trade union ballots were unknown or, if they were known, the idea that they should have been secret was unknown.

Where did all those job market features come to pass? They came to pass in the winter of 1979, when a cancer patient who wanted to know their priority on the operating list did not ask the consultant surgeon but the hospital porter, because it was he who worked on the priorities. Cancer patients were queuing up in the snow for ambulances that never arrived. In the streets of the capital city, great heaps of refuse were sprayed with rat poison because public sector unions would simply not shift them. And we had to have temporary mortuaries because it was not possible to cremate or bury the dead.

That extraordinary series of events—which now seems light years away, except that we still have a few former Labour Ministers who have cause to remember it—can be summed up in the marvellous phrase of the Labour Prime Minister who, returning from the sun-blessed shores of the West Indies, asked, "Crisis? What crisis?" Those events were the real crisis in the jobs market.

The incoming Conservative Government had to dismantle all the conditions that made that situation possible, and all the underpinning trade union law that put trade unions above the law. Labour Members voted against every provision and reform that we made: abolition of the closed shop, the provision of secret ballots, and ballots for the election of trade union officials.

The present Leader of the Opposition used a marvellous phrase—which the hon. Member for Oldham, West, to be fair to him, would probably still go along with; he might have the honesty to say so—to describe the idea that there should be ballots for the election of trade officials: "monstrous effrontery". That attitude towards the jobs market and the industrial climate destroyed jobs on a grand scale. No thanks to Labour, all that has been swept away by this Government—in the teeth of opposition from the Labour party. Any debate about job insecurity, especially one that is opened for the Opposition by a member of that deplorable Government, has to start from that point.

The hon. Member for North Devon said—I hope that I paraphrase him without being unfair—that there must be some balance between the types of protection given to people in different types of work. I do not think that anyone would deny that. I am not sure whether it was intentional, but he suggested that, in a sense, it was all or nothing, and that it was possible that, under the Government's proposals—and because of the direction in which they are moving—for certain employment rights to be denied to people who work in small firms. That is not my understanding of the law, and it is certainly not my understanding of the Government's intentions.

Employees have certain rights that are absolute and which apply even when one person is employing another. No matter how few they are, all employees automatically have absolute rights if, for example, there are attempts at discrimination on grounds of race, sex or trade union

membership. I cannot imagine for a moment that the Government would make any proposals that would destroy those rights. Beyond that, we are into territory in which it is possible to ask to what extent a growing business can take up, and survive the burden of, particular types of employee rights.

It is extraordinary, but if we listen to Opposition Members it sometimes seems as if employers are people who are guilty of wanting to introduce jobs into the workplace. It seems that, when an employer creates a job, something bad has happened and that we must right away cover the job with all sorts of responsibilities and burdens, almost as a punishment.

To adopt that attitude is to ignore what a job is in the first place. A job arises because the employer or entrepreneur sees an opportunity to create a profit for himself and to create a job for someone else. The job is real if it answers a commercial need. The job is real for the employee who might fill it if it is allowed to flourish. Ultimately, if so many conditions and responsibilities are imposed on a person who is creating a new business that he simply says, "No, I am not going to put up with that," the job will be killed off. Who benefits from that?

We see the problem clearly in the context of minimum wage legislation. If the boss of someone who works part time in a corner shop for what may seem a relatively small amount of money—but who wants the job—is told that he cannot pay that person at £3.50 an hour but must pay £4.50, what will happen? The job will certainly disappear. There is nothing unusual or radical about that. It is sheer common sense.

Mr. MacShane: In the Register of Members' Interests, the hon. Gentleman is listed as having some 10 remunerated employments. Could he perhaps give up one or two of them and take an unemployed person off the register in exchange?

Mr. Nicholls: Even for the hon. Gentleman, that was a particularly puerile question. All that I will say to him is that, unlike him, when I talk about employment matters, I know what I am talking about, because I have been the senior partner in a firm that creates work for employees who would not have had work otherwise.

I have no idea what the hon. Gentleman has done in his past life, but I hazard a guess that he has never been out there in the marketplace having to take commercial decisions, being prepared to live off his own risks and his own wits and at the same time creating positions for other people. When I look at the hon. Gentleman, it is clear that, in an age when even street cleaning has been mechanised, there is only one job he can be confident of knowing that he can fulfil—that of Labour Member of Parliament for a safe seat.

Mr. Fabricant: Would my hon. Friend be surprised to learn that the hon. Member for Rotherham (Mr. MacShane) was a journalist in Switzerland, complete no doubt with a Swiss bank account?

Mr. Nicholls: I did not realise that he had a Swiss bank account, but there is so much that one does not know about journalism.

Mr. Deputy Speaker (Mr. Michael Morris): Order. Let us return to the subject of the motion.

Mr. Nicholls: As I was saying before I was so—as you have ruled, Mr. Deputy Speaker—unnecessarily interrupted from the Opposition Benches, as an employer I have some knowledge of what it means to create employment.

We can see the effect that a minimum wage would have on this country when we consider the effect that it has already had on Germany and France. I was talking, recently, to a British business man who is in a small way of business based in France. He had been thinking of taking on a typist. It was not a particularly elevated position, but there was a job there. When he investigated what the total package of social on-costs that he would have to add into the system would be, he found that it was almost £40,000 a year. As a result, he did not create the job. Somewhere out there now there is an unemployed typist who might have been employed.

The idea that the basis of the legislation to restrict working to 48 hours a week is concern about health and safety is nonsense. It has been proposed for a perfectly straightforward reason—Germany is the dominant power in the European Union and it is in the business of trying to impose on Britain the social costs that are making it increasingly uncompetitive.

I asked the hon. Member for Oldham, West where was the logic in saying that, if people work more than 48 hours a week, they run a risk to their health. I pointed out that the hon. Gentleman certainly works more than 48 hours and that self-employed people had to work longer hours. He said, "Oh, there are lots of exceptions." Of course there are lots of exceptions. That, in the end, is what will make the 48-hour rule liveable with to some extent—it is such nonsense because there are so many exceptions to it.

It says something about the Labour party's attitude that its ideal is that someone should work 48 hours and not a jot more. What would be the effect of such a policy? The answer is perfectly straightforward. Some people would lose their job and others would find that the hours for which they could work would be restricted. Far from being able to take home more wages, people would take home less.

Mr. Ian McCartney: As an employer or former employer, will the hon. Gentleman tell me whether an employee of his, who had already worked 48 hours in a week and decided that he did not want to work additional hours that week, should be protected in law? Does the hon. Gentleman have an absolute right in all circumstances to make employees work more than 48 hours?

Mr. Nicholls: The contract that I had with employees I might need to work more than 48 hours a week would state that they would work for my firm at a wage or salary to be agreed. The hon. Gentleman might say, "I do not care what crisis you have got on, what orders you have to satisfy or what cases you have to prepare to go to court at short notice, in no circumstances will I work more than 48 hours a week," but, in case he is thinking of writing me a job application, let me tell him that he would not get the job. It is not possible realistically to limit hours as is proposed. It does not begin to make any sense.

There is a fault line running through the argument, made on the Opposition Benches, that low pay is not better than no job. It is. The hon. Member for Oldham, West made the point that the jobs market is not static. If people are on low pay, they are not there for ever. There are circumstances in which people have to work longer hours, but sometimes they have to work shorter hours.

[Mr. Nicholls]

What we need is a climate in which those who offer jobs are able to reach an accommodation with those who may be able to fill them. The idea that it is possible to increase the job security of some of the less able and less well cared for members of the jobs market by restricting the hours that they work is nonsense.

What people in general, the unemployed and the country need is a climate in which jobs can thrive without industrial disruption, in which people can reach sensible arrangements and in which foreign courts do not try to impose social chapters. That is the climate in which jobs thrive. It is not the vision that we find in the Opposition motion before us today.

5.26 pm

Mr. Andrew Miller (Ellesmere Port and Neston): I shall refer in some detail to the remarks made by the President of the Board of Trade about the industrial tribunal system. I agree with one point that he made; that is it not working as well as it could. That point is clear to any hon. Member who has ever conducted an industrial tribunal. The problem is that, as case law has developed, industrial tribunals have by their very nature become more and more legalistic and have involved more lawyers, barristers, appeals to the employment appeals tribunal and so on. There is an underlying problem there, and I grant that the President of the Board of Trade is right to undertake a review of the mechanism in force.

When the tribunals were first set up, it was clear that they should have due regard to the circumstances of the case before them. Against that background, it was proper and possible for the tribunal to take into account factors such as the size and nature of the company. I remember some years ago taking a case against a company which used the defence that it was only a small company, and therefore did not have the expertise to take cognisance of all the facets of the law in the same way as a large corporation could. The tribunal chairman acknowledged that that was a fair point, but when it was pointed out to him that the small company was part of a conglomerate in a large corporation, he took a slightly different view. That was a perfectly proper balance to strike.

The industrial tribunal system, as it is currently constructed, is of importance to employees and employers in small businesses, if it is used properly. It has become over-legalistic. If we could find a mechanism to bring back the informality that existed in its earlier years, we would do a service to both employees and employers in small businesses.

Employees in small businesses obviously do not have the collective power of their fellow workers in larger companies. Reference was made earlier to large companies such as Rover. Clearly, the working environment in such companies is entirely different. It is clear that in small businesses, which may supply companies such as Rover, the employees do not have access to the collective power of the work force of a successful company such as Rover or, in many cases, to the professional advice that trade unions offer. There is a shortage of expert advice.

Small businesses, through some of the employer organisations, have limited access to advice, but they do not have the expertise of the professional personnel departments of the large corporations. As a consequence—they may not even have a personnel officer—their natural inclination is to go to a local law firm. I submit that that is a mistake and that it propagates a system that is creaking at the seams. A number of Conservative Members who are lawyers are rapidly looking at their diaries; perhaps they are looking for cases in which they are involved. However, when matters of common sense need to be examined, it is not helpful to use such a system.

Sir John Cope: The hon. Gentleman's advice is not sensible or practical for a small firm. If a small employer is taken to an industrial tribunal, he needs proper advice. Where is he to get it? One of the places to get advice is from his solicitor or from another expert. Just to wander into an industrial tribunal is to be taken to the cleaners. Many people—this is my experience and that of others—are told when they go to a solicitor, "Look, you would do much better to settle. Pay them a few thousand pounds now. Don't bother going to the tribunal. Just settle now and clear up the matter."

Mr. Miller: I thank the right hon. Member for Northavon (Sir J. Cope) for that helpful intervention. If he listens to the rest of my contribution, he may understand the basis of my argument. I put it to him that his argument applies to employees as much as it does to the employers, to whom he referred. However, it is often the case that because the system is creaking at the seams, it is not doing justice to the underlying remit of the tribunal which is to try to resolve matters on the basis of common sense.

I will answer the right hon. Gentleman's point specifically, because it is important. I believe that the role of the Advisory, Conciliation and Arbitration Service—ACAS—is breaking down in this area. It is not delivering the kind of service that it should deliver to small businesses that need help and advice. ACAS should be able to advise—"advisory" is the first word in its title. It should have the resources properly to advise small employers who ask, "Am I doing the right thing here? Am I within my legal rights?" The problem is that, with the cuts affecting ACAS, time and again, officers are not available to give the detailed advice that is needed within the time frame. There is an underlying problem.

The President of the Board of Trade referred to conciliation; that is an important service provided by ACAS and it takes place before a case is heard by an industrial tribunal. My experience is that ACAS officials have only limited time at their disposal in which to seek to address the problem between the two parties. When they find the time to bring the two parties together, solutions can often be found through the conciliation process.

Mediation, which is also within the remit of ACAS, is not often used. I have no doubt that when we discuss the Family Law Bill next week, we shall hear cries of derision from one or two hon. Members, such as the hon. Member for Sutton and Cheam (Lady Olga Maitland), about mediation. Let us look at mediation in the context of ACAS, although that function is seldom used because it requires resourcing.

The arbitration function tends to deal more with collective issues and may not be relevant to this debate. However, within the framework of advice, conciliation

and mediation, there is an important role for ACAS. That is the kind of resource that the state should provide for employers and employees to help them to get on with their business. It is not a case of saying, "This is the nanny state," to use the phrase of the hon. Member for Teignbridge (Mr. Nicholls). ACAS is an example of the Government providing a service that is available to the parties to enable them to resolve their differences without going to industrial tribunals. That point should be thought about carefully.

The President of the Board of Trade did not respond to Labour interventions by saying that he sought to reduce the formal legal structures within the industrial tribunals, and he did not say that he intended to limit access. However, as is well known from the leaked letter to the Deputy Prime Minister, such a view is circulating inside the Government.

I put it to the Government that, if there is a need to carry out a review of the industrial tribunal system, the way in which to do it is to look at the mechanisms that lead up to tribunal hearings and then to look at the mechanisms during the hearings. Such an attempt could also reduce the heavy burden on the system. The industrial tribunal system has many roles associated with it. Some of them have developed in recent years and others developed long before this Government came to office. It is ludicrous to assume that the industrial tribunal system could operate with an arbitrary cut-off point based on the size of the company involved.

The list of items is so long as to make the Government's suggestions nonsense. I do not believe that any member of the Government is considering removing race relations from the list of items covering all employees. It would be ludicrous to say that small employers were able to discriminate but that larger employers were not. Clearly, there are many areas in which a tribunal must, if pressed, take a view of the claim before it—and this was set out in the original legislation—to have due regard to the circumstances.

One example might be time off for public duties. Clearly, it is difficult for a small employer to give time off to somebody who has become a justice of the peace, whereas it is less difficult for a larger corporation. Society needs to deal with that problem. Given the trend towards smaller and smaller companies, it would be wrong for no justices to come from that background. Inevitably, tribunals need to consider the problem in the way that I have described.

Mr. Nicholls: I am following what the hon. Gentleman is saying. He is making a responsible speech and I agree with a great deal of it. However, is there not a difference between the rights and safeguards that can be given to those working in a small business and those working in a large business? It is a question of where the balance lies, and that needs debate. This Government have started that debate. Therefore, at least on that issue this evening, what is the difference between us?

Mr. Miller: Quite simply, the difference is that the Government are suggesting an arbitrary cut-off, whereas current law requires a tribunal to have due regard to the circumstances. That gives equality across the board, irrespective of the size of the firm. For the sake of argument, let us consider what would happen if the arbitrary cut-off was set at 20 employees and someone was wronged first, in a company of 21 employees, and secondly, in a company of 19 employees. It would be ludicrous to discriminate between the two cases. Indeed, the wrong done to the employee in the firm of 19 might be far greater than that done to the employee in the firm of 21. The key point is that there must be due regard to the circumstances.

Britain is moving towards smaller and smaller employment units. The contracting-out ideology has dominated many large corporations, although it is interesting to note that as they have flattened out and examined their management structures, some have begun to question the logic of contracting out everything just for the sake of it. Nevertheless, the fact is that more and more employees will be working in smaller companies, so we need to ensure that their rights are properly protected.

The small business sector is undoubtedly important. The hon. Member for North Devon (Mr. Harvey) made a pertinent point about the feel-good factor. I intend to refer to the trade union of which I am a member, the Manufacturing, Science and Finance Union. Usually, that would result in an instant response from the hon. Member for Teignbridge, but I notice that he has now left his place.

MSF conducted a survey, published in December 1995, of 366 public and private sector workplaces. It is a regular, systematic and professionally conducted survey, and Ministers have seen the results. It found that 33 per cent. of respondents felt that their jobs were less secure than in the previous quarter. Some 5 per cent. said that their jobs were more secure, while 61 per cent. reported no change. That does not represent the hoped-for feel-good factor. In a separate survey, 58 per cent. of those questioned felt that their jobs were insecure, while 65 per cent. felt that their jobs would not be secure by the year 2000.

That is the real background against which this debate is taking place. There are smaller and smaller employment units, and there is a lack of any feel-good factor among employees.

Mr. Spencer Batiste (Elmet): The lack of a feeling of security is well documented beyond the survey to which the hon. Gentleman referred. Does he agree that the reason for it is that the pace of technological change has resulted in a shift in the nature of employment? Have not the newly emerging countries on the Pacific rim produced a range of new competitors? Unfortunately, whereas people used to expect to go into a job for life, the present reality is that most people starting work now expect to change employment a number of times. That is one of the causal factors behind the figures that the hon. Gentleman cited.

Mr. Miller: The hon. Gentleman has been reading my speech. My next line refers to high-tech companies and the change in employment structures. I agree with his points to a certain extent, but just because some of the factors are technologically driven does not mean that there is not a problem that must be addressed. As a nation, we need desperately to restore a feel-good factor, and we should do so by having an early general election.

Mr. Ian McCartney: The hon. Member for Elmet (Mr. Batiste) referred to technological change, but what he said is also true for many of our competitor countries.

[Mr. Ian McCartney]

In the league table for industrial competitiveness and job creation, Britain comes 20th out of 24. All our major competitors have dealt with technological change, but have still been able to create employment.

Mr. Miller: My hon. Friend is absolutely right. We need only look at the extraordinary rate of development of small and medium-sized enterprises in the Stuttgart area, in California and in parts of the Asia-Pacific countries.

My point is that our centres of excellence in research offer tremendous potential benefits, but we are not exploiting them, especially in such areas as information technology, electronics and genetics. We also run the risk of losing our lead in areas where we have been traditionally strong, such as pharmaceuticals and aerospace. If we are not careful, the employment opportunities in those areas will drift away. Time and again, research and development conducted by some of our household names is being undertaken outside this country.

We need to revive R and D from the bottom up, and the role of small and medium-sized enterprises in that is enormously important. That revival is not happening. That is nothing to do with some arbitrary cut-off in employment rights; it is not happening because of the basis on which those companies exist inside this country. For example, they do not get proper taxation treatment. A recent report by the Select Committee on Science and Technology—the hon. Member for Elmet (Mr. Batiste) was a co-signatory—called for tax breaks for companies conducting R and D at the high-tech end of industry.

Mr. Batiste: The hon. Gentleman and I have worked together on two Select Committee reports that have touched on the points that he is making. I should be grateful if he would confirm two points for the benefit of the hon. Member for Makerfield (Mr. McCartney). The first is that biotechnological research has been driven out of Germany almost entirely by over-regulation of the German market. The second is that the average German worker costs his employer 25 per cent. more than the average Japanese worker, and for that he works 25 per cent. fewer hours—yet the Japanese do not regard themselves as competitive.

Mr. Miller: On the hon. Gentleman's first point, he knows that he is talking nonsense because there are historical and cultural reasons why the Germans have been slow in investing in biotechnology. It is important to realise that now that there is a greater understanding of the protections and mechanisms, that trend is changing.

On employee costs, the hon. Gentleman will recall that a machine tool company told the British parliamentary delegation that, when it noticed the recession, the first thing it did was to invest in training and in R and D. It is extraordinary that our companies have not responded in the same way. The reason for that has more to do with the Government's attitude to training and to support for investment and tax breaks for R and D, and the lack of structural support for company development than with employment law.

The Government are fond of telling us that countries such as Germany and France are grossly over-regulated in employment law. However, those countries do not have the same problem with the high-tech end of small and medium-sized enterprises. It is not valid to draw a universal comparison and say that all SMEs are the same, but that sector is vital to the growth of our economy and we have a severe problem within it. To tackle those problems, while we need to consider the mechanisms of the tribunal service and the Advisory, Conciliation and Arbitration Service, we should not create an arbitrary cut-off that disadvantages employees in an important sector of the economy.

It is against that background that I urge hon. Members to support the motion, which sets out the argument concisely. Let us go forward in a way that is in the interests of small and medium-sized employers and their employees together.

5.51 pm

Mr. Michael Fabricant (Mid-Staffordshire): I had not intended to take part in the debate, but I became so incensed by the naive comments of the hon. Member for Oldham, West (Mr. Meacher) on what he thinks creates employment that I felt compelled to speak.

I notice that the only Opposition Member with any business experience is the hon. Member for Islwyn (Mr. Touhig), who I am pleased to see still in his place. The hon. Member for Rotherham (Mr. MacShane) points agitatedly at himself. As I understand it, his only expertise is in choosing in which Swiss bank account to deposit the money that he collected from his journalism when he was employed in Geneva.

Mr. MacShane *rose—*

Mr. Fabricant: I give way to the hon. Member for Rotherham and Geneva.

Mr. MacShane: I am deeply flattered by the hon. Member for Wig's view that I am a journalist. However, I have not been a paid journalist since 1977. I am grateful for his recognition of my writings but the hon. Gentleman must count me out as a paid, full-time journalist.

Mr. Fabricant: I am sad to hear that the hon. Gentleman is one of the few people in this country who is unemployed—or least that he was unemployed before he became a Member of the House of Commons. Certain people are unemployable. The hon. Gentleman's rather puerile comments on my personal appearance—which, I might add, are technically wrong—show why he is unemployable. Unlike the hon. Gentleman, I have never had a Swiss bank account, but I have been in business. I started a small firm, and it grew into one that supplied radio studio equipment to 48 countries worldwide, including radio stations in Geneva, Basle, Lucerne and Zurich. I am sure that he listened to some of those stations.

If my company had had to exist under the regime proposed by the hon. Member for Oldham, West, it would never have got off the ground. Some 200 people employed by my company directly, and several hundred—perhaps several thousand—others who were employed indirectly by my company would be unemployed as a direct consequence of what is being proposed by new Labour. I propose to show that there is no difference between new Labour and old Labour. Plus ça change: it remains exactly the same.

The speech of the hon. Member for Ellesmere Port and Neston (Mr. Miller) was especially interesting, but some of his arguments were unbalanced and lacked logic. Although he recognised—on this there is no difference between the Government and the Opposition—that small businesses have to be treated differently from large businesses, he then said that there should be no arbitrary cut-off. What sort of cut-off should there be? He implicitly said that it should be non-arbitrary. Does that mean that there will be an employment scheme for judges who would decide in every instance whether a business should be treated as small or large?

Mr. Miller: The hon. Gentleman was not listening. I said several times that the original guidance to tribunals, which still stands, was that they should have due regard to the circumstances of the case. That includes—case law from senior courts has supported this—a justifiable defence for a small employer who does not have the same expertise as a large one and who takes a slightly different route in tackling problems. That is perfectly sensible. It is up to the courts to determine whether an employer has acted reasonably in the circumstances.

Mr. Fabricant: As I said, the hon. Gentleman is a woolly thinker without a woolly hat. He would create an employment scheme for judges and those who care for ACAS. The whole point of the debate, Mr. Deputy Chairman—

Hon. Members: Deputy Speaker.

Mr. Deputy Speaker: Order. Let us get the terminology correct.

Mr. Fabricant: Mr. Deputy Speaker, you are correct. You know that I am a new Member who has been here for only three years. At times I forget—unlike other, experienced Members who are present. Perhaps I get it wrong because I am so emotionally involved in the issue. I am concerned about job creation, but Labour Members are concerned only with a political dogma based on no practical experience whatsoever.

Job insecurity does not affect this country alone. The issue has come up time and again in the Republican primaries in the United States of America. It is alive—and, sadly, flourishing—in France, Germany, Spain and elsewhere directly because of the changing industrial scene worldwide, as my hon. Friend the Member for Elmet (Mr. Batiste) said. It would be foolish in the extreme to ignore that.

There is clear evidence that job insecurity is decreasing. The John Lewis department store in Oxford street is much frequented by the Leader of the Opposition, especially as he likes to talk about stakeholding. I am quite familiar with the management of the John Lewis store in Milton Keynes.

Mr. Ian McCartney: Name dropper.

Mr. Fabricant: For the record, I should say that I am not a discount taker. I have no interest to declare in the John Lewis Partnership, other than the fact that I am probably one of its bigger customers.

Mr. McCartney: How can you afford that?

Mr. Fabricant: I know that the hon. Gentleman has been searching nervously through the Register of Members' Interests to find out about me. It is simply because I was able to build up a business and sell it at the right price—I would not have been able to do that had the Labour party been in power in the 1980s—that I am able to be such a good customer of the John Lewis Partnership.

The John Lewis Partnership is a good employer, but for the first time it is experiencing difficulties in recruiting and retaining staff. People are leaving the partnership to go to other jobs, because the job market is picking up. We should be aware of that, and the Labour party should acknowledge it, instead of constantly carping and criticising the Government's record.

The hon. Member for Oldham, West said that Sir Winston Churchill would be turning over in his grave at the thought of the Government's proposals. I dispute that. Sir Winston said that there should be a safety net below which no one should fall. I do not believe anyone in the Opposition or on the Conservative Benches would argue that the welfare state should not protect those least able to protect themselves.

But this debate is all about balance. We know from experience not only in this country but in the United States, which has a far less extensive welfare system than we do, that too much protection acts as a disincentive to work. That part of the balance must be got right.

As I said in an intervention, the House of Commons has a duty of care not only to Members' constituents but to the nation. That duty extends not only to those in employment—the issue we are debating—but to those currently unemployed. Unless the balance is right with regard to ACAS and industrial tribunals, we will find that small businesses will not survive. As a consequence, we would no longer be the nation with the greatest percentage of its people in employment among the large economies of the European Union. We would experience far greater unemployment as a result. I know that no one in the Opposition or in the Conservative party who would want to see that, but such is the consequence of the Opposition motion.

The hon. Member for Oldham, West talked about the OECD, and came up with a series of statistics to try to prove that this country is a non-performer. Yet the OECD has said that the greatest cause of unemployment in continental Europe are the on-costs specifically arising from the social chapter. The Labour party advocates, however, that this country should sign up to that chapter. As my right hon. Friend the President of the Board of Trade has said, not only would the adoption of the social chapter cause unemployment to rise by a further 1 million, but it would be equivalent to a blank cheque.

The terms of the social chapter would mean that we could merely use qualified majority voting to prevent future legislation dreamt up by the unelected wide boys in Brussels, who have probably never had a real job in their lives. Those are the very people who have created unemployment in France, Germany and Spain. Those are the very people who, along with their cohorts in the Labour party, would create unemployment in this country, too. That is the sadness of it, because the will on both sides of the House is to see the unemployment rate fall, but the very policy advocated by the Labour party would cause unemployment to rise.

We cannot divorce the state of the economy from levels of unemployment. Let us now compare and contrast new Labour, as espoused today, with old Labour of a few years

[Mr. Fabricant]

ago. The hon. Member for Oldham, West criticised at length our reforms of the trade union movement. He said that we are the guilty party. If we are accused of forcing the unions to adopt a democratic selection of their leaders rather than trade union leaders appointing themselves for life, as Arthur Scargill did, mea culpa—we are guilty. If we are accused of forcing unions to hold secret ballots before commencing a strike rather than adopting the Red Robbo tactics of intimidation, mea culpa—we are guilty. If we are accused of forcing unions to opt for a cooling-off period before calling a strike, mea culpa—we are guilty.

Mr. MacShane *indicated dissent.*

Mr. Fabricant: I note that the hon. Member for Rotherham and Lucerne is shaking his head in disagreement. Does he care to intervene? No. He is emptily shaking his head in disagreement, yet the House notes that he has nothing to say.

Under old Labour, Britain was the sick man of Europe. It lost 29 million working days through strike action in Labour's last year of office. In 1995, thanks to the Government's reform of trade unions—a policy so loathed by the hon. Member for Oldham, West—415,000 working days were lost through strikes. I accept that that is 415,000 too many, but compare that with 29 million working days. Old Labour, new Labour—there is no difference, we learned that today.

Inflation is one of the biggest enemies of small and large businesses alike. The inability to predict future expenditure and to budget for inward purchases destroys employment. Let us compare and contrast what new Labour and old Labour has to say about that.

The hon. Member for Oldham, West seeks to submit the country to the blank cheque of the social chapter and the minimum working wage. The Labour party, however, still cannot admit what that minimum wage should be because, at its heart, it recognises that it costs jobs. The inflation that would be caused by a minimum working wage would be reminiscent of the rate achieved in the days of old Labour.

Under the last Labour Government, the inflation rate averaged 15.5 per cent. and peaked at 27 per cent. In January, under the Conservative Government, the inflation rate was less than 3 per cent. Yes, mea culpa, we are guilty of rejecting the minimum wage to keep jobs in the country. Yes, mea culpa, we are guilty of rejecting that minimum wage and thus attracting firms like Toyota to the United Kingdom. Old Labour, new Labour—there is no difference. Just look at those on the Opposition Front Bench.

In this debate, we have heard the same old arguments from the Labour party—arguments for high inflation, industrial strife, high levels of unemployment and job insecurity. Old Labour, new Labour—there is no difference. I oppose the motion.

6.8 pm

Mr. Denis MacShane (Rotherham): I listened, hoping for some profit, to the text delivered by President of the Board of Trade. He read it at breakneck speed, and, frankly, he did so more quickly than the time it took Mike Tyson to dispose of Frank Bruno yesterday. I had hoped for some guidance.

I apologise to the hon. Member for Mid-Staffordshire (Mr. Fabricant), but because the President of the Board of Trade represents a seat in Wigtownshire, I made a slight mistake in appellation.

I am sorry that the hon. Member for Teignbridge (Mr. Nicholls) has left the Chamber—he certainly entertained us. He took us back to 1979, when the then Prime Minister said, "Crisis, what crisis?" Do hon. Members remember when a newspaper journalist knocked on the door of the hon. Member for Teignbridge to ask about the Register of Members' Interests, and he said, "Consultancy, what consultancy?"

We have had a fairly even-tempered debate this afternoon, but I place on record my passion. Conservative Members—of very great wealth—speaking today have explained to my constituents and to the majority of people of this country why the life they will face in future will be poorer, meaner and deprived of many rights.

The President of the Board of Trade referred to Europe, to small businesses and to employees' rights, and he was wrong on every single issue. He was wrong—of all things—in his boast about employment. If one looks at the most recent *Economist*, one sees that the employment rate is falling in Austria, in Denmark, in France, in Germany, in Holland, in Sweden and in other European Union member states. I would welcome any fall in the unemployment rate in this country or in any other country—but, according to the latest figures, we are currently faced with an increase in unemployment in Britain.

Mr. Fabricant: The hon. Gentleman is right to point out that, in one month, unemployment has increased, and, like him, I condemn that fact. For those who are now unemployed but who were employed a month ago, it is unfortunate and devastating. Just as the hon. Gentleman condemns that fact, will he welcome the fact that, for the 29 months before that, unemployment decreased, whereas in France, Germany and Spain it increased?

Mr. MacShane: According to figures provided by the Library of the House of Commons, between February 1991 and February 1996, unemployment increased by 26 per cent. in the south-east, by 56 per cent. in Greater London, by 17 per cent. in the east midlands, and by 9 per cent. in the west midlands. That was the point of my earlier intervention, which the right hon. Member for Northavon (Sir J. Cope) did not quite understand.

I pointed out that, since 1992, 8.7 million people had lost or exchanged their jobs—obviously, many of those people got new jobs, but all those 8.7 million people spent a period in unemployment. For many of them, the transfer was downwards, to a worse-paying job. I emphasise the point I made: that the laws as they stand have not prevented the small, medium or large firms from laying off, dismissing, making redundant and showing the door to almost 9 million people in recent years.

The President of the Board of Trade also prayed in aid British inflation rates. Inflation in Britain is significantly higher than in most of our European partner competitors. A long-term perspective ensuring a stable value of the pount is simply not available to the small, medium or large enterprises in this country.

The social chapter is an outline document, not a detailed blueprint that has been imposed from Brussels on the employers of Finland, on the employers of Greece,

on the cork factories of Portugal, on the new state-of-the-art factories being set up in east Germany. There is a paradox. I remember writing in *The Guardian* on the very morning—

Mr. Fabricant: For which the hon. Gentleman was paid.

Mr. MacShane: No, I was not paid for that one.

On the morning that the Prime Minister proclaimed the social chapter opt-out after Maastricht, I wrote that it would make absolutely no difference. I said that, on the contrary, because Britain's voice would not be heard in the Council meetings where these things are decided, the other member states would go ahead without us—as they have done with the European works council directive and indirectly, through the European Court of Justice, on the 48-hour directive. That is why it is in the interests of British business that we again have our voice heard and our vote counted in the shaping of the social policy of Europe.

Mr. James Couchman (Gillingham): I should like the hon. Gentleman to clear something up for me about the social chapter. Am I not right in thinking that it is like a skeleton on which flesh is gradually hung—a bit like a Christmas tree on which decorations are added—as burdens are added upon burdens for business? Is it not something that will grow like Topsy? If we are not a part of the Council that is deciding what burdens should be placed on business, that will not be a great disadvantage to our people, because they will not have to take on those burdens.

Mr. MacShane: The hon. Gentleman referred to Topsy and to Christmas trees—I do not know whether he is the shiny fairy on the top of all this. The assumption that every employer in the rest of Europe—or indeed, the Conservative Governments that govern France and Germany—are somehow left-wing patsies to be pushed over is absolute nonsense. We will get more rulings from Brussels that may affect our business interests negatively if we continue our absurd opt-out.

Sir John Cope: The hon. Gentleman needs to clarify what he has just said. If the working time directive is held to have been made under health and safety articles, as opposed to the social chapter, we have a voice in it—of course, it is still by majority voting, and we may or may not agree with the particular proposals. In so far as it applies to us—because it is held to apply to health and safety—we shall have a voice in it. The only areas in which we shall not have a voice are those that do not apply to us.

Mr. MacShane: Given that, in 1876, Benjamin Disraeli—who I think was a Conservative—passed a law introducing the 56-hour week in this country, I find the fuss made over the reduction to a 48-hour week in 1996 absurdly exaggerated. The President of the Board of Trade said that this measure would help small businesses. He is wrong. Since 1979, there have been 450,000 business failures—at the moment, there is one business failure every three minutes of every working day. Since February 1995, 1,000 new statutory instruments have affected small businesses—a new regulatory burden.

The Asylum and Immigration Bill, which was debated recently, obliges small businesses to act as unpaid immigration sneaks—they have to check the immigration status of their employees. Self-assessment, to which I referred during an earlier intervention, will impose a massive new burden on small businesses and will cost them—according to Government figures; I was on the Finance and Services Committee that discussed this issue—£130 million a year. The Government claim to be a friend of small business—there is no small business in the country that would accept that nonsense.

The President of the Board of Trade was also wrong about employee rights. We have to distinguish between the rights that are there to protect small businesses—good small businesses support adequate fire regulation, do not want to produce dirty food and do not want to construct unsafe buildings; those rights need to be enforced and regulated on a partnership basis—and the fundamental rights of citizens that may be taken away.

Frankly, I did not even understand his speech and the dispute that he is currently having with the Deputy Prime Minister. He talked about increasing conciliation processes. We know that that may open the road to any employee—as is the right of every discontented employee—to appeal to ACAS. I fear that, if one removes existing rights, one will open the way to a lawyer's paradise of judicial appeals and judicial reviews, which might impinge far more heavily on small businesses.

I do not have time to report, as I had hoped to, many cases from my surgery of people woefully and badly mistreated in terms of their rights at work. I pay a short tribute to the work of citizens advice bureaux, which now are in the front line of representing so many citizens.

The aspect of workplace rights that most concerns me is race discrimination, on which Britain has a record that other European countries do not. We should be proud of that. Unfortunately, appeals to industrial tribunals on race relations grounds have been increasing. The work of industrial tribunals should be reduced; the number of cases should be reduced as fast as possible. That can be done by moving to a culture of workplace consultation and representation. Rather than causing the return of the feel-good factor, that would create a "feel-fair factor".

While the President of the Board of Trade, the invisible kilt in the Cabinet, continues to represent two-nation Britain—my goodness, we have heard it tonight—the "feel-fair factor" will not return to our workplaces. When it does, such legislation will not need even to be discussed, because I hope that, in a partnership economy, employers and employees will solve their problems and build together the new firms, the new jobs and the new added value we need to make Britain a great, prosperous and full-employment country again.

6.21 pm

Mr. Ian McCartney (Makerfield): Throughout the debate, hon. Members have deployed arguments, some more skilfully than others. My hon. Friends the Members for Islwyn (Mr. Touhig), for Ellesmere Port and Neston (Mr. Miller) and for Rotherham (Mr. MacShane), and the hon. Member for North Devon (Mr. Harvey) have more than adequately put the case about the rights of employees to minimum standards at work.

There is a clash of cultures—of ideology—because, throughout the debate, Conservative Back Benchers have been trenchant on the issue of burdens rather than the issue of rights.

[Mr. Ian McCartney]

When the President of the Board of Trade wrote a note on 5 March 1996 to the First Secretary of State, which was leaked, was the issue between them that the President of the Board of Trade supported employment rights but the Deputy Prime Minister wanted to withdraw them? There is no disguising the fact that they both want to withdraw the rights.

The President of the Board of Trade simply did not want the British public and the British work force to know that that was the case, because it would cause a great deal of controversy. Indeed, he said that it would be immensely controversial, and that it would be imprudent to attract criticism. There is no disagreement between one member of the Cabinet and another; the disagreement is only about timing—about when the Government will withdraw the rights of up to 10 million workers in the United Kingdom Labour market.

When the President of the Board of Trade spoke to the Confederation of British Industry in November 1995, he commented that job insecurity was no more than "a state of mind". That comment proved what we already knew: that the President is a bungler—incompetent, ineffective, uncritical, unthinking, out of touch, and, as the Scott debacle made clear, unable to distinguish between fact, opinion and Government-inspired gossip.

Three months after the President of the Board of Trade uttered the immortal words

"Job insecurity is a state of mind",

a business run by his cousin, Mr. Graeme Lang, went bust with debts of £420,000, leaving seven workers on the dole. A case of "Out of pocket, out of mind."

The President of the Board of Trade argued that, in the real world, such things are not happening. What kind of real world is he living in? Two days before his speech, it was revealed that 700 jobs were to be lost in MANWEB. Two days after his speech, a survey showed that 9,200 teachers had been made redundant in the summer of 1995. On 24 November, 326 people were made redundant by First Choice Holidays.

On 12 December, a further 350 job losses were announced at MANWEB. On 16 January, 1,600 job redundancies were announced by Scottish and Newcastle Breweries. On the same day, 220 jobs were lost at Marconi in Chelmsford.

On 2 February, Hanson announced the loss of 2,300 jobs, with the closure of almost 2,000 Powerhouse stores throughout the UK.

On 5 February, a further 1,500 jobs were lost. Scottish Widows made 700 people redundant; Amstrad shed 150 jobs; engineering group Suter axed 440 jobs; and Sears announced 300 job losses as it restructured the British Shoe Corporation's control of its retail shopping chain.

On 13 February, worse was to come. The construction industry forecast another 45,000 job losses this year. That adds to the 460,000 construction jobs that have been lost since 1989.

In February, the unemployment benefit count increased by 6,800. The latest figures from the National Association of Citizens Advice Bureaux showed that citizens advice bureaux had dealt with more than 669,000 employment-related problems in the past year, while 91.5 million days were lost in the British economy as a result of stress at work.

Is the Minister suggesting that those job losses did not take place; that those employment problems did not exist? Was it a fantasy league of redundancies, with the Secretary of State at the top of the league? This is the Mystic Meg economy; every one a winner, irrespective of the evidence. The Secretary of State ploughs on, telling us that insecurity is all in the mind.

To have one bungler in the Cabinet could be a mistake, to have two sounds a little careless, but to have a full Cabinet of bunglers is not carelessness but a crisis at the heart of the government. That is what we have—a crisis at the heart of government.

As an economic strategy, for 17 years they have ploughed on with the deregulation of the labour market. Every deregulation caused further job losses. We have had two recessions. Three million jobs have been lost in manufacturing. Forty per cent. of manufacturing capacity has been lost. There are a million fewer jobs than there were in 1990. Still the Government bungle on, repeating that there is no problem—it is all in the minds of British people.

The Government are careless, not only with statistics, but with the responsibility of developing the economy and providing job security for the British public. If job insecurity, deregulation and exploitation are the key to industrial success, why are the majority of third-world countries in massive debt and massive poverty? Insecurity is not the way to create employment opportunities. Securing employment opportunities for the British worker means investing in training, new technology and new markets. In all those factors, the Government have failed the test; we have lost in each.

It is not only the President of the Board of Trade; the Deputy Prime Minister is the high priest of job insecurity. In October 1992, he announced plans to close 31 of the 50 British collieries. In the event, 36 of the 50 ceased production. Thirty thousand jobs were lost directly, and 26,000 were lost in associated industries. Constituencies such as mine, in which mining had been important, were left to get on with the task of reconstruction. They were alienated and left on their own because of the ideology of the deregulation of the electricity and gas industries.

What has happened since the electricity and gas industries were privatised? The number of directors has increased by 21 per cent. and total boardroom pay is up by a staggering 571 per cent. The Government allow that excess, but contend that people on £2.50 an hour or less should not have a national minimum wage. Between them, the gas and electricity industries have sacked 61,000 workers in the period during which they increased boardroom pay by 571 per cent. Boom in the boardroom; bust for the work force.

The Tories claim to be friends of small business—a claim as hollow as their promises to cut tax and reduce crime and to be the party of family values. Since the Conservatives came to power in 1979, 450,253 businesses have failed, including more than 200,000 since the last general election. The Prime Minister said:

"Vote Tory on Thursday and the recovery begins on Friday."

The President of the Board of Trade did not answer the question I asked him, so I ask him again. Will he apologise for the fact that 141 small businesses have

failed every day since the Government were re-elected? They are the Government of small businesses. No doubt, since the debate started, 141 small businesses will have gone down, and 141 will do so tomorrow and 141 the day after. That will continue until we have a Government who are better at investing in and developing our economy.

Business failures on such a scale lead not only to joblessness but to homelessness. Since the Prime Minister took office, the homes of a third of a million people have been repossessed; 1,000 homes are repossessed every week. The homes of 325,000 families have been taken from them since the Prime Minister came to power, and more than 420,000 people are currently more than three months in arrears with their mortgages. Under the present Government, people lose not only their jobs but their homes—but, according to the President of the Board of Trade, it is all in the mind.

We have been here before. Rights have been removed to promote an "economic miracle". Regulations covering the working week of women were removed; young workers lost the right to wages council protection before the rest of the nation; laws protecting young people from working long hours were repealed. Did that result in an economic miracle? Hardly: it was followed by the second recession in a decade.

Mr. John M. Taylor: The hon. Gentleman is right to point out that the rate of closure of small businesses is quite surprising. In the name of fairness, however, let me point out that what is more surprising is the rate of new business starts, which, in net terms, is higher. Moreover, not all closures represent failures; they are often due to amalgamations.

Mr. McCartney: The Minister will tell us next that losing a job is not a disaster but an opportunity. The Government find phraseology with which to say, in a language that no one else understands, that we are not experiencing a crisis. Suddenly, it appears that 141 businesses did not fail; they amalgamated because they were so successful. In fact, the Government have put small businesses on the rack—and, having been put on the rack, a record number of those businesses have snapped. No Government in history have allowed so many companies to fail, and done nothing about it.

Only in the run-up to the general election are the Government scurrying around to try to protect their base vote in the small business community. Only now are they prepared even to concede that there is a problem in the development of small businesses. The creation of such businesses with medium and long-term strategies does not mean success; ultimately, it means that a huge proportion will fail.

Let me return to the so-called economic miracle. What the Government proposed in the letter from the Deputy Prime Minister is what they did in the 1980s, and they want to do the same in the 1990s. What has the "miracle" given us? Eleven million people have endured at least one spell of unemployment since the Prime Minister took office—one in five households in England. Not a family in England, Scotland, Northern Ireland and Wales does not have a member, friend or acquaintance who has become unemployed under the Government's economic policies.

That is why insecurity is so feared in every part of the land. People know from observation and experience that, under the present Government, they are as likely to lose their jobs as to keep them. More important, those who lose their jobs have only one chance in three of regaining full-time employment. An increasing number of those who are being locked out of the labour market can return to that market only by taking temporary, part-time or low-paid jobs—and the Government wonder why there is no feel-good factor.

Since the last general election in April 1992, 8.7 million people have been unemployed at least once; yet the Government continue to say that it is all in the mind. The evidence against their proposals is overwhelming. Precarious employment has a negative effect on employee commitment, innovation, flexibility and loyalty: the four key factors that would ensure success for small and medium-sized enterprises are being attacked by the Government's attitude to the labour market.

The Tory approach leads to high turnover and an inability to recoup investment in training. The Government are attacking the employment rights of employees in small firms, and their excuse that they are removing burdens from business is revealed as nothing more than a sham. Their real intention is further to undermine fairness at work.

Will the Minister tell us which of the following measures is a burden on business, and which is the right of employees? It is a legitimate question: in his letter to the Deputy Prime Minister, the President of the Board of Trade said that he wanted Law Officers to examine some of the issues involved, and that he had grave doubts about the wisdom of making any announcement. In fact, he had grave doubts about the removal of rights of access to tribunals from individuals working for small companies.

At present, such individuals have the right not to be unfairly dismissed on medical grounds relating to health and safety. Is that at risk? They have the right to receive redundancy payments. Is that at risk? Safety representatives have the right to paid time off. Is that at risk? There is the right to time off for public duties. Will that right be removed?

Will the Government remove the right of shopworkers not to be dismissed or made redundant for refusing to work on Sundays, or the right to receive a written statement of reasons for dismissal? Will the Minister tell us how the right to discriminate against workers who are black, who are women or who are married will increase competitiveness?

Those measures are all covered by industrial tribunals. If the rights that I have listed are not those that the Government plan to withdraw, perhaps the Minister will tell us what the intentions were of the President of the Board of Trade and the Deputy Prime Minister. What were the concerns of the President of the Board of Trade when he went to the Cabinet and the Cabinet decided not to make an announcement at the press conference that was held to assess the state of small businesses?

The leaked proposals of the Deputy Prime Minister caused uproar. An opinion poll of nearly 1,000 people, commissioned from NOP by the TUC, found that 85 per cent. of the British public thought it wrong for the Government to consider abolishing the employment rights of people working in small firms. Even Tory supporters waded in with a barrage of protests: 78 per cent. of those who voted Tory at the last election said that the Government were wrong to consider such plans. It is not

[Mr. McCartney]

all in those people's minds; they know that insecurity at work is a plague that will affect everyone in the labour market if the Government continue in office.

The next Labour Government will give a commitment that all employees—whether full or part-time, permanent, casual or temporary, including those who work at home—will be entitled to basic standards at work from day one of their employment. A major employment right, from the first day in a job, will be the right to earn a national minimum wage. We will build an economy based on partnership, and we will promote the interests of good rather than bad employers. Good employers are fed up with being told to compete through low pay, poor conditions and contempt for their employees.

We will establish a fair framework of rights, to be exercised collectively or individually, to give the work force a strategic involvement in the development of companies. We will work with social partners to promote good practice, and develop methods to allow good employers to prosper in difficult markets. That is a vastly different agenda from the one that the present Government are offering the British people.

The Government have shown tonight, as they have shown for the past two or three years, that they are sleazy, greedy and bungling. The only way in which to restore the feel-good factor is to elect a Labour Government at the next election. Let us start that process this evening, by passing the motion.

6.37 pm

The Minister for Competition and Consumer Affairs (Mr. John M. Taylor): It falls to me to reply to the debate, overwhelmed though I am by the presence of no fewer than six Labour Back Benchers.

The hon. Member for Oldham, West (Mr. Meacher) gave the impression of a man looking down the wrong end of a telescope. We have a balanced labour market, the lowest rate of strikes for 100 years and a staggeringly successful rate of inward investment. Just as Jacques Delors predicted, Britain will become a paradise for inward investment. That is possibly the only instance of my agreeing with Jacques Delors, from whom I shall now distance myself by saying that I have personally employed every number of employees between one and 12. I doubt whether Jacques Delors can say that, and I doubt whether the hon. Member for Oldham, West or the hon. Member for Makerfield (Mr. McCartney) can say it, either. Nor, if I may humbly say so, can I have been a bad employer, as my personal secretary is still with me after 25 years—a silver jubilee of which I am very proud.

Mr. Ian McCartney: For the record, all hon. Members are small employers because we all employ staff—and some of us try to be good small employers. I have also been a company director, with responsibility for employing staff and managing a large budget. I know how industry works—that is why I have this shadow portfolio and why I shall be at the Government Dispatch Box in a few months' time and the hon. Gentleman will be in opposition.

Mr. Taylor: That interesting intervention does little to advance the debate. My right hon. Friend the President of the Board of Trade covered a wide range of subjects, but in particular he anticipated draft legislation that will introduce greater versatility in industrial disputes, claims and complaints. I invite Labour Members to support the Green Paper—not least the hon. Member for Ellesmere Port and Neston (Mr. Miller), who I am sure has read it—and the draft legislation which the hon. Gentleman, like me, has not yet read.

Mr. Miller: Does the Minister expect me to support it without looking at it?

Mr. Taylor: No, I expect the hon. Gentleman to support the Green Paper and I ask him to join me in anticipating the draft legislation.

Listening to the speech by the hon. Member for Islwyn (Mr. Touhig), I felt a sense of deja vu of a Friday not long ago. However, I shall not be drawn into a collateral debate about his private Member's Bill, and I do not think that he seriously expects me to do so.

My right hon. Friend the Member for Northavon (Sir J. Cope) reminded the House that the culture of small businesses is necessarily different from that of large firms, such as Land Rover in my constituency where productivity is at record levels. So far as I can tell, the company's industrial relations are good and the employees on the shop floor suggest many good ideas for best practice.

My right hon. Friend made many good points in his speech, drawing from his considerable experience, particularly as Minister with responsibility for small businesses. He congratulated my right hon. Friend the President of the Board of Trade on his initiative regarding small firm conferences. He said that he approved of introducing draft Bills and releasing Green Papers in the interests of good, well-developed legislation which can be considered in parallel by those who have to work with and under it. Having expressed his approval of draft legislation, he was not quite so approving of lawyers, but I can probably live with that stance for the time being.

The hon. Member for North Devon (Mr. Harvey) picked up the Oldham, West telescope and he, too, looked down the wrong end of it. He maintained that employees' rights should not be confused with burdens on business. He may be confused about the matter, but the Government are clear about seeking to balance fairly the interests of employers and of employees. There is evidence that we have been successful in terms of job satisfaction and the least number of strikes for 100 years.

I was pleasantly surprised to hear the hon. Gentleman concede that he considers privatisation of Land Rover to be a virtue. I thank him for those comments, but I shall develop another point concerning an unsung virtue of privatisation. The hon. Gentleman was perfectly correct in asking what business the Government have in making motor cars, and I agree with him completely. An unsung virtue of privatisation is that, as large numbers of workers in the former nationalised industries move from the public sector into the private sector, the possibility of politically motivated strikes against a Government proprietor no longer exists. I think that that is one of the healthiest developments associated with privatisation, and it has improved industrial relations at Land Rover beyond all recognition.

My hon. Friend the Member for Teignbridge (Mr. Nicholls) reminded the House of the vivid realities of life under the last Labour Government. He also

reminded us also that the hon. Member for Oldham, West was collectively responsible for that nightmare of discontent. My hon. Friend correctly pointed out that a range of proper, unnegotiable rights are at work in this country and he gave a litany of them. Drawing from his experience as an employer, he informed the House of the realities of the workplace, including hours of work. He made a very telling speech.

The hon. Member for Ellesmere Port and Neston spoke of his experience of industrial tribunals and he pronounced a role for mediation. He mused about what hon. Members make, or would make, of the word "mediation". I welcome it and I believe that it has a place in matrimonial law—although we are not debating that subject tonight—as well as in industrial law. It is a felicitous word, because it does not imply that the process intends to join things or to part them: it merely suggests that two sides are invited to talk and, if that leads to convergence, so much the better.

Mr. Miller: Does the Minister agree that the resources of the Advisory, Conciliation and Arbitration Service should be expanded?

Mr. Taylor: The hon. Gentleman anticipates a point that I shall make shortly in my speech. If he will forgive me, I shall reach it in due course. I noted that point in his speech and I acknowledge that it should be addressed.

The hon. Gentleman talked also about the changing world of employment, but he may have made a false point about the advisory role of ACAS. He said that ACAS should be resourced to provide an advice function to employers about handling disputes. It is important to remember that ACAS's conciliation role requires it to maintain its independence from either side in an industrial rights dispute. That independence would be put at risk if ACAS were given an advisory function in that area. However, ACAS's public inquiry points give information about the law.

The hon. Gentleman spoke also about an opinion survey carried out by his union—which I think that he said is the MFI—

Mr. Miller: MSF.

Mr. Taylor: I apologise to the hon. Gentleman if I do not have the correct acronym: I withdraw it.

He referred to the opinion survey that dwelt upon insecurity—a subject that is fashionable these days with Opposition Members. The worst form of insecurity is unemployment and jobs will be created only if British industry is efficient and competitive. Flexibility—including pay flexibility—is an important factor in achieving that. Rigid pay systems take little account of business performance or labour market conditions. Such inflexibility jeopardises competitiveness, investment and jobs. A national minimum wage would be a major destroyer of jobs.

Mr. MacShane: If a minimum wage destroys jobs, how is it that so many jobs are being created in America, where there is one, or in Taiwan, which is a full employment economy?

Mr. Taylor: Because it is pitched at a very low level indeed. If the hon. Gentleman and Opposition Front Bench Members would come clean with the House and acknowledge that it is Labour policy to set a national minimum wage—regardless of local variations in the economy—at £4.15 an hour, we could start talking about its effect on employment, the economy and jobs. It will have a very deleterious effect on jobs and particularly on those who are most vulnerable—young people and those still training.

It does not stop there. Fixing a national minimum wage creates a group of people whose earnings are just above it and who wish to have their differentials restored. That is the secondary effect of a national minimum wage and the damage that it would cause to the economy.

Flexible pay has mutual benefits. It can help to improve business performance and it can mean better pay for employees as a result of increased efficiency. It can also help employees to feel properly valued and give them a sense of ownership over their pay.

The DTI booklet "The Rewards of Success", published last month, contains a number of case studies of flexible pay systems in Britain. Employers have increasingly recognised the need for flexible pay systems. For example, a survey of employers just published by the Industrial Society found that nearly all respondents had some flexible pay arrangements. Nearly two thirds operated monetary bonuses or incentives to reward individuals; more than half operated performance-related pay and just under a third had profit-related pay.

My hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant) abandoned his usual shyness and told us some interesting facts about the building up of his business in the radio and communications world. He drew some American comparisons, but more than once—rightly, in my view—he spoke of balance and the need to recognise an obligation to the unemployed in seeking to strike that balance. He also told us in no mean terms what he thought about the social chapter. He doubted whether there was any difference between old Labour and new Labour. Having heard the closing speech from the Opposition Front Bench, I am disposed absolutely to agree. He despaired of the same old arguments for high inflation, high unemployment and deteriorating industrial relations.

The hon. Member for Rotherham (Mr. MacShane) recalled how the works council directive had been adopted in the rest of the European Union. I have to tell him something about that. The voice of business was opposed to the works council directive throughout the 15 member countries, but only in the United Kingdom did the political and ministerial voice and action follow the business voice. The Government have been faithful to their business interests.

The hon. Gentleman paid tribute to the citizens advice bureaux. Having helped to start a citizens advice bureau in 1973, I join him in that tribute, and it is a source of modest pride to me that, 23 years later, I am still president of that citizens advice bureau.

The hon. Member for Rotherham said that the opt-out from the social chapter makes no difference because European employers will go ahead without us. I find that difficult to understand. Without the opt-out, many more United Kingdom-based companies would have been caught by the works council directive because employees here would have counted towards the directive's thresholds. They are now completely excluded. The opt-out also means that United Kingdom employers will

[Mr. Taylor]

not have to apply provisions on paternity leave, assuming that the social partners agreement is adopted as a directive of 14 member states.

The hon. Member for Makerfield spoke of a clash of ideology between the two sides of the House and returned to the confusion between rights and burdens—or at least the confusion in his mind. It is our view that employers and employees have their considerations, as do the unemployed—a point returned to often by Conservative Members—and that employers, employees and the unemployed need to have their rights taken into account, balanced and recognised. Nor is it a coincidence that we now have the lowest level of strikes for 100 years, which is hardly a symptom of tyranny in the workplace. I should also tell the hon. Gentleman that 50 per cent. of people who lose their jobs are no longer on the unemployment register within three months.

The hon. Member for Makerfield spoke of a national minimum wage. The Labour party—old or new—still will not come clean on that. Do the Opposition intend to leave us at this unfinished stage of the debate with the impression that their national minimum wage will indeed be national and will apply in the north-east the same as in the south-east, the south-west and the midlands?

We have had a lively debate and I have listened carefully to all the points that have been raised. I congratulate my hon. Friends on their thoughtful and constructive contributions. By contrast, Opposition Members have seemingly paid no heed to the speech of my right hon. Friend the President of the Board of Trade and have continued to promote a gross distortion of the Government's policies and intentions.

I repeat that we fully recognise the legitimate entitlement of employees to a minimum level of statutory safeguards against unreasonable treatment by their employers. There exists a comprehensive framework of employment protection legislation designed to secure that entitlement and I can reassure all hon. Members that we have no plans whatever for dismantling that framework. However, it would be of absolutely no benefit to employees—and certainly not to job seekers—if businesses were weighed down with unreasonable legislative restrictions which constrained their competitiveness, damaged their profitability and destroyed job opportunities. That is why, since 1979, we have pursued a policy of appropriate deregulation in those matters.

Mr. Ian McCartney: Before the Minister sits down, will he tell the House which rights that people have at present they will no longer have under the Government's proposals? He has given us no information whatever other than generalisations. Which specific rights will be lost under the Government's proposals?

Mr. Taylor: I will not answer the hon. Gentleman in those terms because that is a false question. The Government live in a veritable millrace of ideas, particularly as we have invited small businesses to give us their ideas in conferences, and they are worth considering. It is no use asking firms for their ideas and then dismissing them out of hand. There is no shortage of ideas, and so far as I can tell they have come to us in good faith. All are worth considering, and some may be worthy and require legal advice.

The Government are not ruling anything in or ruling anything out. We are pleased consistently to receive ideas and we evaluate them. Ideas that survive that process and look fruitful can be candidates for further implementation down the line, after the fullest consultation. That is the proper answer to the hon. Gentleman's question.

Mr. McCartney *rose—*

Mr. Taylor: I said that I was giving way for the last time. With only a minute or two left, I intend to draw my remarks to a conclusion.

The measures that we have taken include increasing the qualifying conditions. In unfair dismissal cases, we have removed from employers the burden of proof and made the balance neutral between the parties. In deciding such cases, industrial tribunals are now required to take into account the size of a business and its administrative resources. Furthermore, we have extended the scope for costs to be awarded in tribunal cases against parties who act frivolously, vexatiously, abusively, disruptively or otherwise unreasonably. Our current proposals for reform of the industrial tribunal system mentioned by my right hon. Friend will continue the process of sensible improvement. They have been widely welcomed.

A balance must be struck between safeguarding the legitimate interests of employees and placing administrative and other cost burdens on employers. That commitment to a balanced approach has always been and remains at the heart of our policies. I urge the House to resist the Opposition motion and to support the Government amendment.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 237, Noes 284

Division No. 78] **[7.00 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*

Davies, Ron *(Caerphilly)*
Denham, John
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Kilfoyle, Peter
Lestor, Joan *(Eccles)*
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McCartney, Ian
McCartney, Robert
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Nicholson, Emma *(Devon West)*
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Randall, Stuart
Raynsford, Nick
Rendel, David
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stott, Roger
Strang, Dr. Gavin
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony

Tellers for the Ayes:
Mr. John Cummings and Ms Janet Anderson.

NOES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & C'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy

Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Derek Conway.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments), and agreed to.*

MADAM DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House recognises the vital contributions of small firms to economic and employment growth, and supports the Government's policies to minimise legislative burdens on this sector while maintaining a fair balance with the rights of employees.

HMSO (Privatisation)

Madam Deputy Speaker (Dame Janet Fookes): Madam Speaker has selected the amendment in the name of the Prime Minister.

7.13 pm

Mr. Derek Foster (Bishop Auckland): I beg to move,

That this House, notwithstanding the guarantees sought by Madam Speaker in her letter to the Leader of the House dated 28th November 1995, Official Report, 11th December 1995, columns 455, 456 and 457 and the assurances given by the Chancellor of the Duchy of Lancaster in his reply placed in the Library on 14th December 1995, believes that the privatisation of HMSO so risks the standard of service to the House and to Members of Parliament, and so dilutes ministerial accountability to the House for those services, that it should not proceed until further consideration after the next general election.

I must tell the Chancellor of the Duchy of Lancaster that it is a shame that the Labour party has had to ask for this debate at all. I remind the House of the statement by the Chancellor in the November 1995 issue of "Public Sector Purchasing" that the new arrangements for HMSO would not proceed without parliamentary approval. What could that possibly mean except that there would be a debate with a vote in both Houses of Parliament?

The House will have seen early-day motion 331, tabled by my hon. Friend the Member for Norwich, South (Mr. Garrett), two Chairs of House domestic Committees, the chair of the parliamentary Labour party, and the Whip or leader of every Opposition party in the House, calling for this privatisation not to proceed without a debate and a vote.

In January this year, I wrote to the Chancellor, sending him a copy of the early-day motion and quoting the clear understanding of the hon. Member for South Staffordshire (Sir P. Cormack) that there would be a vote. In that letter, I quoted the Prime Minister speaking about the privatisation of the Post Office on 7 January this year:

"I would like to have seen it but there was no parliamentary majority for it. We are democrats, and if we can't get something through Parliament then we can't do it."

Despite mounting evidence of the House's desire for a vote on the issue, the Chancellor of the Duchy has treated that wish with contempt.

The Chancellor is the least arrogant of Ministers. Indeed, he could be mistaken for a one-nation Tory—if that will not damage his reputation and ruin any leadership pretensions that he may entertain. Even he, however, must stand accused of an arrogant use of power characteristic of a Government too long in office—

Mr. Robert G. Hughes (Harrow, West): The right hon. Gentleman said this last time.

Mr. Foster: The hon. Gentleman obviously was not listening on the first occasion—this is a different speech.

The Chancellor of the Duchy has denied the House its constitutional right to determine this issue, which has such an impact on its requirements. It has therefore been left to the Opposition to safeguard parliamentary democracy by initiating this debate.

This issue, thought by some to be a minor privatisation, goes to the heart of how great institutions of government and Parliament should be dealt with. The House will know that the Government were heavily defeated, by 124 votes to 64, in another place on Friday 8 March on a proposal to privatise another civil service agency, the Recruitment and Advisory Service.

I appeal to Conservative Members who care about the British constitution—I know that some of them supported the Government over Scott with heavy hearts—to read the debate in the Lords, which was so apposite to the privatisation of HMSO. Lord Bancroft, a former distinguished head of the civil service, described this proposal as a

"flippant destruction of an essential pillar."

Lord Callaghan said:

"the Civil Service is not the private property of temporary, fleeting Ministers to trifle with as they please. It is the property of us all".

Now, strangely enough, the Government are supposed to believe that too, for the Chancellor's predecessor, in the civil service debate of 23 March 1995, quoted the Treasury and Civil Service Committee report of November 1994 as follows:

"The British civil service is a great national asset. Since the 1870s, it has been the permanent and impartial instrument of all administrations. Governments have always seen it as their duty to preserve its efficiency and honesty for their successors."—[*Official Report*, 23 March 1995; Vol. 257, c. 549.]

Lord Callaghan continued:

"They have been so long in power that they are insensitive to the limits of their responsibilities."—[*Official Report, House of Lords*, 8 March 1996; Vol. 570, c. 545-46.]

Mr. John Sykes (Scarborough): The right hon. Gentleman is quoting extensively from the House of Lords debate two Fridays ago. Why is his party so keen to abolish the House of Lords?

Mr. Foster: I wish we were. The truth is that we have a policy for minor changes to the House of Lords, which would improve it immeasurably. We have no proposals to get rid of the Cross Benchers, who initiated the debate. I hope that the hon. Gentleman will listen as carefully as he obviously did before if I repeat what Lord Callaghan said.

Madam Deputy Speaker: Order. I must make it clear to the right hon. Gentleman that it is not in order to quote from the speeches of Back Benchers in the other place.

Mr. Foster: Thank you for bringing me to order, Madam Deputy Speaker. My point is that changes to the great institutions of government, such as the civil service, have historically been proposed only after careful deliberation by, for example, a royal commission or some other independent body, or at least after some consideration by a Select Committee. Governments are well advised to proceed with caution and to attempt to arrive at some consensus across the political parties, yet the Government have imposed wave upon wave of change on the civil service, until Sir Robin Butler himself described the current situation as one of

"low morale and a climate of insecurity."

The Government are proceeding to change agencies of the civil service with breathtaking recklessness and carelessness, without attempting to produce consensus, with minimal consultation with staff and without seeking

[Mr. Foster]

parliamentary approval except when it is required by law. The *Financial Times* was provoked, in a leader column today, to state:

"And the process by which agencies are designated for privatisation should be made more open to parliamentary scrutiny—even if this opens up the possibility of future defeats in the Lords."

Mr. Ian Bruce (South Dorset): The right hon. Gentleman is proposing that we should continue to have a single stationery office so that all the work from this place goes to HMSO. I did some checking in the Labour party's box in the Library about how it gets its confidential documents printed. It will not surprise the right hon. Gentleman to learn that the Labour party does not print its own glossy documents, but uses five different printers in London. Clearly, the Labour party is using the proper market. If that is good enough for the Labour party, why is it not good enough for the Government and the House? Is that another case of the Labour party saying one thing and doing another?

Mr. Foster: The hon. Gentleman obviously has not read the motion on the Order Paper; we suggest that further consideration of the measure should be deferred until after the next general election.

Mr. Michael Brown (Brigg and Cleethorpes): Will the right hon. Gentleman give way?

Mr. Foster: I shall give way to the hon. Gentleman when I have made a little more progress.

This proposal is coming at the fag end of a Parliament. The Chancellor's original deadline was July this year.

Mr. John Garrett (Norwich, South): Does my right hon. Friend realise that that last intervention was completely ignorant? First, HMSO is not under the control of the House of Commons and, secondly, the great bulk of HMSO printing is done by outside printers.

Mr. Rhodri Morgan (Cardiff, West): And always has been.

Mr. Foster: I am grateful to my hon. Friend for his intervention. It just shows how wise I was to let him intervene and not, just yet, the hon. Member for Brigg and Cleethorpes (Mr. Brown).

The proposal comes at the fag end of a Parliament. The Chancellor's original deadline was July this year. He later agreed to adjust his deadline to meet the requirements of the House. I hear rumours that that schedule has slipped. Can the Chancellor confirm that he now does not expect the privatisation to be complete before November 1996? Clearly, that could be crucial. The House has been involved in considerable extra cost and work purely because of the privatisation. The House will want to know whether all that extra work and cost has been to no avail.

After all, the leader of the Liberal party yesterday put his party on alert for an October election. It is now widely assumed that the Government will find it difficult to stumble on beyond October. Labour, of course, is ready whenever the Prime Minister has the courage to go to the country. If the privatisation of HMSO may not be complete before the general election, it is surely bordering on the constitutionally improper for a Government, whose authority is ebbing away faster than their majority, to forge ahead with a proposal about which both Houses are so uneasy.

Mr. Michael Brown: The right hon. Gentleman thinks that the Government will have difficulties privatising HMSO. If the Government privatise it at what he calls the fag end of this Parliament, just before the general election, will the right hon. Gentleman renationalise it?

Mr. Foster: Hon. Members who were here last time will know that I was asked that question in the previous debate.

Mr. Robert G. Hughes: And did not answer it.

Mr. Foster: No, and I shall not answer it in the way that the hon. Gentleman wants me to answer it now. We are determined to prevent the privatisation if we possibly can. The whole thrust of today's debate is to try to urge the Government to proceed much more cautiously, to develop some consensus across the political divide and to defer consideration until after the next general election.

Mr. Hughes: Will the right hon. Gentleman give way?

Mr. Foster: I shall give way for the last time.

Mr. Hughes: That will make the rest of his speech a bit boring.

Mr. Garrett: This had better be fascinating.

Mr. Hughes: If the right hon. Gentleman is so concerned about the issue, can he explain something that I find rather odd about the terms of the Opposition's motion? It does not mention HMSO staff once. It is clear to me from the motion that the Labour party does not care about the staff of HMSO or about the success of HMSO. All it wants to do is cause a parliamentary row. That is rather grubby.

Mr. Foster: Far be it from me to cause a parliamentary row. I think that I rival the Chancellor in my approach to these matters, as the hon. Gentleman will know. The staff of HMSO do not need any proof that the Labour party cares about them. I have been to Norwich, as has the Chancellor, and we have frequent contact with the staff. I have seen for myself their demoralisation under the present Administration and the climate of insecurity. We need no challenges from the hon. Gentleman about how much the Labour party cares about the staff.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will my right hon. Friend give way?

Mr. Foster: For the final time, I will give way to my hon. Friend.

Mrs. Dunwoody: Will my right hon. Friend explain to some hon. Members that there is a certain dignity about

public office? The production of papers for the House of Commons is not a matter for hilarity and vulgar schoolboy jokes, but is important to the House and our constituents.

Mr. Foster: I am grateful to my hon. Friend for bringing to the House some decorum.

For what is this privatisation? I ask the Chancellor of the Duchy of Lancaster that question in all seriousness. It seems that there is no pot of gold for the public sector borrowing requirement. There are no votes in it. Indeed, the right hon. Gentleman has alienated Conservative support in Norwich, a constituency which the Conservative party must win if it is to avoid humiliation at the next general election.

The Chancellor of the Duchy of Lancaster will claim that he wants to end uncertainty for the staff of HMSO and for Norwich, but who caused the uncertainty in the first place? The right hon. Gentleman will claim also that HMSO's markets are declining and that privatisation will free HMSO to borrow and sell in wider markets. I accept that HMSO's central Government market may be declining because of other privatisations, but the public sector market is still enormous. At the same time, HMSO has just begun to scratch the surface of the European public sector market.

What did the Chancellor of the Duchy of Lancaster say when I questioned him about these matters in December? He said that, as a matter of policy, he did not want a public sector body to compete for business outwith the UK public sector. The truth is that the Chancellor, as a matter of policy, has so circumscribed HMSO that it cannot succeed in the private sector. It is not true, however, that HMSO can succeed only if it is privatised.

Is any further proof required that the Government are seeking to impose an entirely unnecessary privatisation for narrow reasons of dogma? It is a sop to the right-wing fanatics who drive today's Conservative party. It is a good wheeze because parliamentary approval is not required by law. For dishonourable reasons, the right hon. Gentleman is prepared to put at risk the standard and quality of the House of Commons papers that are so essential to the proper working of Parliament. It is no wonder that the hon. Member for South Staffordshire is so difficult to convince on this issue.

The Chancellor of the Duchy of Lancaster has given certain assurances to the House as required by Madam Speaker in her letter. Hon. Members on both sides of the House find the right hon. Gentleman's touching faith in market forces rather alarming. He can give no guarantee beyond the initial purpose. Indeed, he cannot guarantee that HMSO will be sold as a single entity. How can he deal with Madam Speaker's fear that HMSO will eventually fall into the hands of a foreign buyer? How can he give long-term guarantees that a privatised HMSO will not attempt to cut corners, force up prices or reduce standards, thereby making it difficult for the House to pursue its public service objectives?

Dr. John Marek (Wrexham): In fact, the process outlined by my right hon. Friend has already begun. The "Commonwealth Year Book" used to be published by HMSO. It was assembled by the Commonwealth secretariat. It was available free to hon. Members, although it was priced at £25. As from this year, however, HMSO is no longer publishing it. It is inconvenient, it seems, and it will not make a profit. It is still being published, however, and the cost is now £50. Hon. Members will have to pay £50 in future if they want the book. Is this not an example of standards deteriorating? Why should the book now cost double the price at which it was offered when published by HMSO last year?

Mr. Foster: That is a pertinent question and I hope that the Chancellor of the Duchy of Lancaster will answer it when he speaks. My hon. Friend's question reflects the fears of Conservative Members.

Mr. Nigel Evans (Ribble Valley): Will the right hon. Gentleman give way?

Mr. Foster: No. I want to press on now. I have given way on several occasions. This is a short debate and many colleagues on both sides of the House want to speak.

The Chancellor claims that everything will be taken care of in a legally binding contract. When pressed about redress if the contract is not fulfilled, he argues that the contract can be suspended. The hon. Member for Eastbourne (Mr. Waterson) claims that the House can sue or withdraw from the contract on the ground of fundamental breach. That is fine, but what happens to House papers in the meantime? The services are so specialised and delivery times so demanding that ad hoc arrangements are inconceivable. So what redress is there? The House requires its papers, not satisfaction in law or even compensation.

Who would be answerable to the House? At present, the Chancellor of the Duchy of Lancaster answers questions, makes statements or responds to private notice questions that are granted by Madam Speaker. If there are lapses in standards, the right hon. Gentleman will take some remedial action and report to the House. After privatisation, as I understand it, the Chancellor will have responsibility only for the residual HMSO. Presumably responsibility for taking action and reporting to the House passes to the Commission or to one of the domestic Committees of the House.

Has the Chancellor sought to consult the House on the apparent dilution of ministerial accountability? Will he consult the House? Will whoever is accountable to the House be able to answer written questions, make statements and respond to private notice questions? These are important questions that deserve early answers.

In the December debate, I suggested that certain aspects of the Chancellor's proposal might be in conflict with European law. The right hon. Gentleman dismissed that suggestion. I asked whether he would publish the advice sought and the advice given. He has not done so. I understand that the issue is not nearly as cut and dried as the right hon. Gentleman makes out. Will the Minister with responsibility for open government come clean with the House and make an early statement about the proposals and a possible conflict with European law?

The Chancellor promised the House that he would fully consult the trade unions. According to my information he has not done so. If he so easily breaks promises solemnly given to the House, why should the House believe any of his assurances?

The 1995 accounts should have been published in February. Rumour has it that they may be smuggled out during the summer recess. I gather that, for the first time,

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when the accounts are published, HMSO will show a loss. I am told that it will be a loss of £41 million, which will include £35 million-worth of exceptional items—for example, £24 million for redundancies, £3 million for property devaluations, £3.5 million for stock write-offs and £4.4 million for late purchase of equipment for the new Manchester site. Is the Chancellor able to confirm those figures?

Two fundamental questions arise. First, is the proposal not a blatant and clumsy attempt to load the costs of privatisation on the public sector? Secondly, if things are so bad, why sell now, except at a knockdown price to unload such an apparent liability?

The management and staff of HMSO deserve better than this. They have been proud of their efficiency and profitability. They have met all central Government targets. They are proud of their public service record. They must not go out under a cloud.

We are faced with an unnecessary privatisation that would seriously risk the services that are essential to the proper working of democracy in both Houses. It would dilute ministerial accountability. Both Houses are uneasy about the proposal. The House authorities are also uneasy. This flippant tinkering with one of the great institutions of government and Parliament at the fag end of a Parliament by a Government without credibility, a vanishing majority and little authority borders on the unconstitutional. Let the Government act wisely at this late stage and defer further consideration of the proposal until after a general election.

7.40 pm

The Chancellor of the Duchy of Lancaster (Mr. Roger Freeman): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'welcomes the Government's policy with regard to the privatisation of HMSO and the proposed safeguards to protect standards of service to Parliament and other customers.'.

Last December, I informed the House of the Government's plans to privatise Her Majesty's Stationery Office during 1996. I said that the intention was to seek to bring that transaction to a conclusion in the summer. I have said that consistently, and that timetable has not changed.

I should like to remind the House of the key reason for privatisation—to chart a more optimistic course for expansion of the business if the commercial freedom of the private sector became available. I should like to develop that argument. HMSO is, and has been for some 16 years, a fully commercial trading fund, operating from within the public sector and subject to the full rigour of public expenditure control, but, at the same time, having to compete for business from departmental and parliamentary customers, which are all perfectly free to take their custom elsewhere to private sector suppliers. Some of them have done so, obtaining perfectly satisfactory services. HMSO, meanwhile, has become more efficient in response, producing savings for all concerned, for which I pay tribute to the efforts of its management and staff.

Mr. Patrick Thompson (Norwich, North): My right hon. Friend has referred to the harsher climate in which HMSO now operates. Does he understand that the concerns of my constituents who work at HMSO are basically about their security and jobs? Will he answer two points? First, will he assure me that there will be no compulsory redundancies as part of privatisation? Secondly, will he reassure me that he will make it a condition of sale that the headquarters of HMSO remains in Norwich, because that is vital to my constituents?

Mr. Freeman: During my remarks, I hope that my hon. Friend will discover that I can satisfy him on both counts. First, I hope very much that as many of the redundancies as possible will be on a voluntary basis, although I cannot give any guarantees. The redundancies have been under way for the past several months and must continue, for reasons having to do with the trading conditions of HMSO, which I shall outline. I shall sketch out the financial problems that HMSO is now facing.

On the second point, I hope that I can give my hon. Friend the assurance he seeks. I hope that he will bear with me; if is dissatisfied with the remarks that I have carefully crafted to give him as much assurance as possible, perhaps he will intervene again—with your permission, Madam Deputy Speaker.

The public sector HMSO is caught in an unenviable position. It is necessarily subject to the constraints that apply to all Government bodies to protect taxpayers' money. It cannot trade significantly outside the public sector. Its borrowing strategy is controlled by the Treasury, and the range of its activities is restricted by its trading fund order. That means that if, in the normal course of business, HMSO wished to borrow money commercially to provide a new service to a new market, it could be prevented from doing so. However, those are precisely the sorts of decisions that its competitors can and do make quite routinely.

The consequences are obvious. HMSO is losing business, and therefore staff, because it cannot match its unfettered private sector competitors. Its turnover fell by some 10 per cent.—

Mr. Gerry Sutcliffe (Bradford, South): Will the Minister give way?

Mr. Freeman: I shall be happy to give way after I finish this section.

HMSO's turnover fell by some 10 per cent. between 1990 and 1994, and trading conditions are becoming increasingly difficult. In June 1994, the then chief executive forecast that 30 per cent. of jobs would be under threat if HMSO increased its competitiveness.

Mr. Garrett: Will the Minister give way?

Mr. Freeman: I shall give way to the hon. Member for Bradford, South (Mr. Sutcliffe) first and then to the hon. Gentleman, if he will allow me to finish this brief section.

Since that forecast, HMSO has lost about half the total jobs that were forecast as under threat. Several hundred more jobs are still under threat. HMSO needs the freedom of the private sector to compete on equal terms for public and private sector work. Such trading opportunities will mitigate those job pressures and, if a privatised Stationery Office is successful in marketing, will mean that more jobs will be available than would otherwise exist.

Mr. Sutcliffe: Did not the 1992 commercialisation study and subsequent events result in the contraction of

HMSO to its current size and prevent it from extending and obtaining extra work, as it wanted? The Government have streamlined the commercialisation study to create a system in which there will be privatisation, but in which HMSO will not be allowed to develop its commercial definition. The trading fund orders included the possibility of encouraging new business, but the Government have not allowed that to happen, as the study said it could.

Mr. Freeman: The current circumstances under the trading fund orders permit HMSO to use its marginal capacity to win business in the private sector. That is a relatively new permission, which, so far, has been used for £250,000 of turnover. It must inevitably be limited because it is for marginal capacity.

Mr. Garrett: Will the Minister give way?

Mr. Freeman: In a moment; I am answering a question.

The marginal capacity does not relate to the main thrust of HMSO's business. In a moment, I shall explain why it is important to retain that restriction. I do not want to see competition between a state-owned body and private sector suppliers on unequal terms.

The second part of the hon. Gentleman's question is a perfectly legitimate point of political difference—the Government have one view and the hon. Gentleman has another. On his second point, about the more recent lifting of restrictions, I must admit that I misunderstood the situation. Because of the most recent relaxation in trading fund status, HMSO can win public sector business abroad, not private sector business. I apologise for my misunderstanding of that point.

Mr. Garrett: The Minister, even though he knew the facts, was being less than open with the House, because HMSO has obtained contracts with the German post office and the French department of employment. It is not merely a question of getting private sector work, because HMSO can get public sector work in Europe. I know that the Minister has just said that, but he did not say it last time, and he had not said it up to then because he was emphasising the scope for HMSO getting private sector work.

The Minister has also not mentioned the fact that, for the first time, HMSO has developed its own corporate style and Banner trademark. It therefore has an opportunity for its own branded goods, which is a development, and a much better prospect of getting public sector work throughout Europe.

Mr. Freeman: On public sector work outside United Kingdom, the hon. Gentleman will agree that, so far, the record is relatively limited.

Mr. Garrett: So far.

Mr. Freeman: Yes, it is limited so far. My argument is that the vast bulk—well over 95 per cent. of HMSO's turnover—is domestic—

Mr. Garrett: So far.

Mr. Freeman: I think, realistically, the main bulk of HMSO's business will be domestic.

Mr. Tony Lloyd (Stretford) *rose—*

Mr. Freeman: The Government have decided that a state-owned business should not be allowed to compete with private sector companies to win existing business for the benefit of a state-owned company. That is a matter of policy, and therefore it is important to lift that restriction. The only way in which that restriction can be lifted, in my judgment and in the judgment of the Government, is to transfer the ownership from the public to the private sector.

Mr. Sykes: Will the Minister give way?

Mr. Freeman: I will certainly give way to my hon. Friend after I have given way to the hon. Member for Stretford (Mr. Lloyd).

Mr. Lloyd: Until the regulation change, I was sponsored by the Graphical, Paper and Media Union; I do not want there to be any doubt about that. Can the Minister explain to the public why the Government have an ideological blind spot in that, when privatisation occurs, HMSO can compete even though it will almost certainly be at the expense of pensions and other working conditions of the people there, yet the Government will not allow the rosy future for HMSO advocated by many people inside and outside the House if it is given commercial freedom? Why cannot HMSO be allowed to compete properly in the public sector?

Mr. Freeman: We hold it as an important tenet that a state-owned company such as HMSO has three clear advantages. First, it borrows at the gilt rate and not at the commercial rate. Secondly, it does not pay corporation tax whereas private sector companies do. Thirdly, it has the guarantee of the Treasury—of the state. It cannot go bankrupt; it cannot go bust.

Mr. Garrett: Can't it?

Mr. Freeman: As a state-owned company, it cannot—*[Interruption.]*

Madam Deputy Speaker: Order. There is an unwelcome tendency for sedentary interventions. They have been made this evening by hon. Members on both sides of the Chamber. I should like them to stop.

Mr. Freeman: In our belief, it is important that HMSO—the Stationery Office, as it will become in the private sector—has the ability to compete in the private sector for private sector work. It is important that that should occur on fair terms with other private sector companies because they will lose existing work to the Stationery Office if it can compete for and win business. At present, Government Departments are untied from HMSO so they can procure their printing and publishing requirements from the private sector—and they are doing so. That is one of the reasons for the contraction in HMSO's total business.

Mr. Sykes: I am grateful to my right hon. Friend for being so patient with me. I do not understand why the Government should take any lectures from the Labour party on competitiveness when the first thing that Labour would do if it ever got into power would be to undermine the competitiveness of HMSO by imposing the social chapter and the minimum wage. That would destroy jobs at HMSO.

Mr. Freeman: I add a postscript to what my hon. Friend has said. He has reminded me of the point that was

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raised by hon. Members on both sides of the House about the Royal Mail and Post Office Counters. I shall deal with that issue because the right hon. Member for Bishop Auckland (Mr. Foster) said that the Government had already relaxed the rules dealing with what the Royal Mail and Post Office Counters could do in the private sector.

There is no parallel here. If the right hon. Gentleman reads carefully the announcement by my right hon. Friend the Deputy Prime Minister when he was Secretary of State for Trade and Industry, he will find that there is no lifting of the bar on the Royal Mail or Post Office Counters competing with private sector companies for existing private sector work. We are therefore maintaining consistency.

Mr. Robert Jackson (Wantage): My right hon. Friend was making a point about the untying of Government Departments from the obligation to use HMSO. Inevitably, because of our interest in *Hansard*, we in the House are mainly concerned about the printing and publishing side. However, more than 40 per cent. of the work of HMSO is in bulk purchasing. Does my right hon. Friend think that the taxpayer is getting value for money from the increasing trend of diffusing responsibility for purchasing to a range of Government Departments, each acquiring its own purchasing facilities and each pursuing its own policies?

Mr. Freeman: The answer to that question, with one important caveat, is yes. The caveat is that some central advice should always be available to Departments to ensure that best practice is followed and that examples of good procurement practice are available. With information technology and information systems, for example, the Government Centre for Information and Systems—known as CCTA—which is untied from Government Departments, stands ready to provide best practice. It has been successful in ensuring that our procurement of IT and IS is effective.

The central unit on procurement within the Treasury should also provide best practice advice. I take the point made by my hon. Friend the Member for Wantage (Mr. Jackson) that, if one extends delegation too far, one sometimes gets confusion and that Departments sometimes seek to reinvent the wheel. The Office of Public Service and the Treasury seek to watch carefully for that danger, and I hope that we are successful.

Mr. John Gunnell (Morley and Leeds, South) *rose—*

Mr. Derek Foster *rose—*

Mr. Freeman: I must make some progress, but I will give way to the hon. Member for Morley and Leeds, South and then to the right hon. Member for Bishop Auckland.

Mr. Gunnell: The Chancellor of the Duchy is presenting what he is doing as being in the interests of HMSO. However, is it not true that, as a next steps agency, HMSO was ripe for privatisation on the basis of dogma? Is it not true that many next steps agencies are being privatised as a matter of dogma? Alternatively, will the right hon. Gentleman be able to find a different reason for privatising each one of them?

Mr. Freeman: There are different reasons for privatising each agency; the argument must be justified. So far, I have explained that HMSO is losing staff, as forecast by a previous chief executive. We are in the middle of that process; several hundred more jobs will go, not just in Norwich but elsewhere. I am trying to deal with the problems that HMSO faces.

I have explained why the solution offered by the right hon. Member for Bishop Auckland—which is simply to sweep away the restrictions and to let state-owned companies compete with the private sector for more business—is not an acceptable philosophy. I am trying to deal with the problems that HMSO faces at present, and I am, I hope, doing so in a responsible fashion.

Mr. Derek Foster: The right hon. Gentleman is pretending that these matters are far more settled than they really are. Let us consider, for example, the private finance initiative. The private sector has made it clear that it seeks further guarantees. The intention was that the private sector would take the risk, but it is so unwilling to do so in hospital developments, for example, that it insists on further guarantees. Indeed, that is why the Secretary of State for Health has introduced the National Health Service (Residual Liabilities) Bill. These matters are by no means as clear cut as the right hon. Gentleman pretends.

Mr. Freeman: The right hon. Gentleman held a different position during the successful development of the proposal to use the private finance initiative for the channel tunnel rail link. I think that he would admit that that development has been, so far, a tremendous success. A £4 billion project, instead of being financed at the expense of the taxpayer, will include a substantial contribution from the private sector.

HMSO's 1995 accounts have not yet been audited. However, 1995 was a difficult year; the right hon. Member for Bishop Auckland seems to have accurate but informal advice on the matter. When the accounts are published—I confirm that they will be published shortly—they will show a significant loss, largely because of the costs that HMSO has had to incur in streamlining its business under present trading fund rules. As a trading fund, HMSO has to bear the full cost of any redundancies; it does not share in the 80:20 scheme that applies to other agencies and to Departments.

HMSO has had to make extensive provision in its 1995 accounts against further redundancy costs. It has had to make provisions in other areas, including exceptional stock write-offs and the launch costs of a new brand to prevent further erosion of its office supplies market. HMSO has also experienced some difficulty in its relatively new public sector overseas operations and it may need to make some provisions for that, in particular in relation to trading with public sector organisations in Uzbekistan. HMSO management are confident that matters will improve in future years, but there can be no doubt that underlying problems will remain as long as HMSO remains in the public sector.

Mr. Ian Bruce: My right hon. Friend will know that the whole publishing world is moving towards the introduction of electronic publishing, both to produce the printed word and to produce material on the Internet and the super-highways. Can he confirm to the House that HMSO will be able to go ahead with the investment

needed to change the way in which it carries out its business, and that modern and dynamic management is needed to ensure that the change is pushed through?

Mr. Freeman: I am confident that, with a successful transfer to the private sector, such investment will occur.

I am happy to reiterate my earlier undertaking that the Government will seek a single buyer for the whole business and will not in any circumstances separate HMSO's printing and publishing operations at the point of sale. All bidders will be subjected to a rigorous assessment of their ability to meet customers' needs and of their plans for the business and its staff.

I cannot envisage circumstances in which a buyer would wish to move the organisation away from Norwich. For the avoidance of doubt, I now confirm that such a buyer would be expected to maintain its presence in Norwich. The House will be aware—*[Interruption.]*

Mr. Tam Dalyell (Linlithgow): Does this not encapsulate the root of the trouble? The Minister may stand there, doubtless in good faith, believing what he is saying. However, in no way can he guarantee the actions of future Parliaments or future Governments. Do not such pledges have to be enshrined in law?

Mr. Freeman: I was referring specifically to HMSO's presence in Norwich. As the House and any prospective business purchaser would assume, the operations of HMSO are represented in Norwich. In due course, we will publish the shortlist of bidders for the Stationery Office. I know that hon. Members will wish to understand precisely what is proposed not only by those on the shortlist generally but by the preferred bidder.

Mr. Chris Davies (Littleborough and Saddleworth): Will the Minister give a similar guarantee—if guarantee it can be called, and I suspect that it cannot—to the employees of HMSO in London and Chadderton?

Mr. Freeman: I have visited a number of HMSO's operations, but not Chadderton. There is also the Parliamentary Press and the distribution facility at Nine Elms. I am not aware of precisely what goes on at all operations, but no doubt the hon. Gentleman is. I would not wish to commit myself at this stage. If he would care to table a question, I should be happy to answer it.

The House will be aware that there is no need for legislation to effect the sale of HMSO's assets. However, I recognise that there will be a need to wind up the HMSO trading fund, and to that end the Government undertake to introduce the necessary order under section 6 of the Government Trading Act 1990 simultaneously with the sale.

I now come to the need to make arrangements for the future provision of services to this House and another place. I shall first deal with the point made by my hon. Friend the Member for South Staffordshire (Sir P. Cormack) in our last debate on the matter, when he asked about the possibility of separating out Parliamentary Press in south London and retaining its ownership in the public sector.

I do not believe that such a separation would be wise. Not all parliamentary business is dealt with at Parliamentary Press and not all the work of that press is for Parliament. There is no one-to-one relationship. Moreover, although 90 per cent. of the work of Parliamentary Press is for Parliament, its presses are only one third loaded, and more work—for example, private sector work—is needed to achieve fuller efficiency and cheaper prices for Parliament.

As the House will be aware, we will invite customers of HMSO to agree legally enforceable contracts with the Stationery Office, which will be assigned to the new owner at the point of sale. Such contracts can specify all aspects of a customer's requirements, including matters such as price, standards of service and, in the case of publishing services, arrangements to ensure satisfactory distribution. Those arrangements should give full assurance to customers that they will continue to receive the high level of service for which HMSO has become renowned.

It will, of course, be very much in the interests of the new owner of the business to continue to meet its customers' needs. That is especially true of work that the privatised business will perform for Parliament, including statutory business. No owner would wish to jeopardise relations with such a valuable customer accounting for some 10 per cent. of turnover. I intend that the safeguards requested by Madam Speaker in her letter to my right hon. Friend the Leader of the House last November, together with other concerns raised by hon. Members, will be incorporated in the draft contract.

In particular, the draft contract provides that the House has the right to terminate it upon any change of ownership of the privatised business. The importance of parliamentary work to the business is such that no prospective owner would buy it unless Parliament's custom were assured, so this part of the contract amounts to an effective veto on changes of ownership.

Sir Patrick Cormack (South Staffordshire): My right hon. Friend is dealing with this matter with his customary impeccable courtesy and thoroughness. However, can he not see that it is impossible to guarantee what might happen after the first sale? It is impossible to guarantee that a Maxwell or a Murdoch—to name one crooked potential purchaser, and another who, although not crooked, I would not want to have running Parliamentary Press—could not buy the business at a subsequent stage. Although I do not for a moment impugn the good faith and good intentions of my right hon. Friend, this is a matter of very real concern.

Mr. Freeman: My hon. Friend is right; he has put his finger on a matter of legitimate concern. I have some suggestions to put to the House. I do not wish to portray my position as inflexible or as not anxious to consider constructive suggestions. We wish to protect the position of this House and the other place.

One suggestion is to consider alternative suppliers to a second owner who might be unacceptable or who, indeed, might withdraw from providing parliamentary services. I understand that there are three or four City printers within a similar distance of the House as Parliamentary Press. The House will be aware of the notion that any acceptable supplier of parliamentary services should be within three miles of the House, so I am using that measure of distance.

No printer has exactly the same mix of plant and equipment as HMSO, but between them the printers are capable of taking on the work load. Of course, in the

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absence of competition for Parliament's work, I accept that the precise capability does not exist outside HMSO. However, there are printers in London who would no doubt be keen to invest on the basis of contracts with the Houses of Parliament.

By the time the first contracts are due for renewal, advances in printing technology are expected to have increased the range of likely competitors. I freely acknowledge the need for a contractual provision for sufficient notice of any change in ownership or unilateral desire to change the quality of service to this House, to allow the House to change its supplier if it so wishes. The draft also suggests a means by which this House could be guaranteed real savings year on year as technological improvements are introduced.

I am pleased to note that the price of the daily *Hansard* has fallen from £7.50 in 1991—the last time we debated this, my hon. Friend the Member for South Staffordshire explained why it rose to that level—to £5 in 1996, and I hope that the price can fall further in real terms.

Of course, the draft contracts will require careful examination, and no doubt amendment, before they are ready for the House authorities to consider and seek approval. It is for this House and another place to determine their requirements and the Government's role is to offer our resources to assist in bringing them into contractual form and incorporating them in the sale.

I can reassure the House that the Government attach the utmost importance to the services that Parliament receives from HMSO. I repeat the assurance that I have just given to my hon. Friend the Member for South Staffordshire: I look forward to constructive discussions on how we can satisfy not only my hon. Friend but the House in general on the security of suitable services to the House—not only on price but, more important, on quality, something that sometimes cannot be expressed accurately and comprehensively in a contract.

I understand concerns regarding accountability for those arrangements. In the interests of time, and as I am aware that many hon. Members wish to speak, I shall summarise the points that I had intended to make at greater length. It is important to appreciate that the chief executive of HMSO is responsible for the day-to-day operations. I am accountable to the House for policy and for answering questions put to me by hon. Members.

Mr. Dalyell: The Minister will recollect that, the last time we debated this matter, there was a good deal of discussion about consultation with and advice from the Department of the Clerk of the House. I understand that the right hon. Gentleman is having to curtail his speech and that he may have originally intended to cover that point. Has there been consultation with the Clerk's Department and, if so, has it given its full-hearted approval?

Mr. Freeman: I am grateful to the hon. Gentleman for raising an important point that also concerned Madam Speaker. I will explain the present position. It has always been my intention and that of my hon. Friend the Parliamentary Secretary to be as helpful as possible. Madam Speaker has made it quite clear—and I fully accept—that it is for the Government, not Officers of the House, to make a decision about the preferred bidder. The Officers of this House report not to the Government but to the House of Commons Commission and to the Speaker.

My understanding is that it was to assist the House of Commons Commission—although I understand that it has not yet considered a draft contract—that the Officers were to have offered their comments on early drafts of the contract. It was to clarify and question. They are not responsible for policy; I am. The hon. Member for Linlithgow serves a good purpose by enabling me to distinguish precisely what the respective responsibilities are.

Mr. Dalyell: Were the Officers' comments taken?

Mr. Freeman: I was not present at those discussions. I apologise to the hon. Gentleman. I have no idea what the Officials of the House have said, nor would it be right for me to comment on behalf of the House of Commons Commission or Officials. The respective responsibilities and the constitutional position are clear.

Mr. A. J. Beith (Berwick-upon-Tweed): The Commission would be surprised if Officers of the House were invited to give views about the desirability of privatisation. It was not at all in that respect that they were assisting the Commission; they were making sure that the drafts that were being considered were in a form that was likely to meet the House's requirements. Both the Chancellor of the Duchy of Lancaster and I have emphasised that it can be only in that role that the Clerks assist the process.

Mr. Freeman: I am grateful to the right hon. Gentleman for stating the position precisely. Comments were invited to clarify the position for the convenience of the House. It is for the House of Commons Commission and for the appropriate corresponding body in the other place to consider any draft contract between a House and a prospective buyer—a privatised owner—and to satisfy itself that a contract meets its requirements. It is not for Government but for the House of Commons Commission to decide how the matter should be approved. It is not a matter for me as the responsible Minister.

Sir Patrick Cormack: To clarify further, would it not be entirely within the jurisdiction of the House of Commons Commission to decide not to put the work to HMSO it if were privatised and the Commission did not approve of the person who was going to take it over?

Mr. Freeman: Of course, my hon. Friend is right.

The value of the business done with Parliament, including the statutory publications, is about 10 per cent. of turnover. That is significant and important. However, it is wholly in the power of the House of Commons authorities and the authorities in the other place to decide what is needed—what the contract is, the price requirements, the standards of service required. As the Minister responsible for the Stationery Office, I wish it not only to do its present business but for its privately owned successor to continue to do that business. It is important and prestigious business. It is profitable, but it will doubtless become less so as the House controls the prices of the publications even better.

I apologise if I have not covered all the points that the House would have expected me to cover. If there are such points, my hon. Friend the Parliamentary Secretary will deal with them in his winding-up speech.

In summary, HMSO faces an uncertain financial future. It has lost a number of jobs, which I regret. The reasons for that include its being untied from Departments, which can procure their printing and publishing requirements not only from the public but from the private sector. HMSO needs to become more efficient. It will have to lose more jobs. I believe that we can create more jobs than would otherwise have been the case by transferring its ownership to the private sector, allowing it to borrow and to operate freely. I know from the staff I have met that it will do so successfully. I urge the House to support the Government amendment.

Mr. Deputy Speaker (Mr. Michael Morris): Nine hon. Members wish to catch my eye and the debate must end by 10 pm, so I plead for shortish speeches.

8.13 pm

Mr. Michael J. Martin (Glasgow, Springburn): I shall try to be brief, Mr. Deputy Speaker.

I have listened to the speeches of my right hon. Friend the Member for Bishop Auckland (Mr. Foster) and of the Chancellor of the Duchy of Lancaster, and I heard some Conservative Members, appropriately, supporting their Minister. I ask them to support the valuable services that the House receives from the parliamentary press. As Back Benchers, we must always point out that we get a good service from it. It is not a privatisation in the normal sense of the word. If we make the wrong decision about this facility, we will lose some of our powers as Back Benchers.

My hon. Friend the Member for Linlithgow (Mr. Dalyell) is here and intervened earlier. We all appreciate his valuable probing over the years, which has benefited Back Benchers. The way in which he approaches Ministers has been an inspiration to us all. He would not be able to probe and question Ministers in that way but for the facilities extended by *Hansard*. When Parliament finishes at 3 am, *Hansard* is ready for us first thing the following day so that we can find out exactly what Ministers and other hon. Members have said.

As a Committee Chairman—other hon. Members who chair Committees will know this, too—I know that, if *Hansard* is not available, there is usually a point of order to say that it is not available and that hon. Members want it to ensure that they can conduct themselves properly during that sitting of the Committee. There are no two ways about it; it is a very valuable service.

It is also a valuable service to people outside Parliament. The moment that parliamentary publications and important papers become available in, or are made public through, the House, they are available in other major cities in the United Kingdom. We are talking not only about printing but about a successful distribution facility. If we are to have open government, it is important that that service should be available.

I have not had the privilege of visiting the Bermondsey printing facility. I dealt with the Chancellor of the Duchy of Lancaster when he was a Transport Minister, and I know that, when he gives assurances, he gives them in good faith. However, if a private printer takes over and in good faith signs a contract—however iron-clad—with the House or the Minister, and goes out of business or into liquidation, we may lose not only the printing facility but an important storage facility. If we are to get our papers in good time, it is important that we should have a storage facility. We all know about London's transportation difficulties. If the storage facility was in another part of London, the heavy traffic could cause delays in getting our papers. Once we have lost those facilities, although we may take the contract away from that printer, our storage facility assets could be lost and gone for ever. Back Benchers should always argue that we have an excellent facility and we should not lose it.

This is an important debate and other hon. Members want to speak. I shall ask a series of questions. If they cannot be answered tonight, I hope that replies will be given in due course. First, will the recent reductions in the cover price of *Hansard* be jeopardised by the Government's proposal? On small print runs, would the cost of Select Committee reports and the Standing Committee *Hansard* have to rise? Would the present policy of supplying libraries with copies at discounted prices continue?

Would those documents be available to hon. Members at the same time as they are now? Would they be available in all parts of the United Kingdom at the same time as they are available in London? Where would the House store those documents, and how would it distribute them? On confidentiality, HMSO's staff sign the Official Secrets Act 1911. Would private companies ensure the same confidentiality? Who would answer to the House if hon. Members were dissatisfied with the service provided? Has privatisation of the printing of parliamentary publications been successful anywhere in the world?

If the House is not satisfied with the service provided, could it withdraw from its contract? If the House publications made a profit, who would benefit? If they made a loss, would the House be expected to make it good? When the Minister replies, could he also comment on the loyalty and job security of the staff?

8.20 pm

Mr. Patrick Thompson (Norwich, North): I am grateful to speak briefly in the debate, because we have had more than one opportunity in the past few months to talk about the future of HMSO. This is an opportunity for me to talk mainly about the concerns of my constituents. I have had a chance to meet some of them in Norwich within the past fortnight and I should therefore like to explain to my right hon and hon. Friends on the Front Bench exactly what is worrying some of the employees of HMSO. I hope that the Minister will be able to give me some answers.

Although the issue involves a serious political debate about privatisation versus nationalisation, from which I am not trying to hide, the main concern of my constituents in Norwich, North is about jobs and security in the future. It is no secret that job insecurity is still a political issue. My constituents are concerned about their future—I do not think that there will be any disagreement about that in the debate—and I must therefore make those concerns the top priority in my short speech.

That fear about the future makes the issue involved difficult, and it is why guarantees cannot be given. I gather that during the past 15 years—I will be corrected

[Mr. Patrick Thompson]

if I am wrong—the number of jobs at HMSO has halved. As we have already heard from my right hon. Friend the Chancellor of the Duchy of Lancaster, a forecast was made in 1994 that a further 30 per cent. of jobs would be lost.

Mr. Eric Martlew (Carlisle): That is not the figure.

Mr. Thompson: I have read that that was the figure, but if I have not got the details right, someone else will put that right in his speech. The fact is that the trend is towards a decline in the number of jobs available. I want to discuss the figures as they are; I do not want to select or distort them in any way.

If, as my right hon. Friend has said, the job opportunities in my constituency and in other parts of the country will increase as a result of privatisation or any other change, I would be foolhardy simply to oppose it because of fears that may have been expressed. It is important to look at the opportunities and to discuss the issues on their merits.

I have heard the concerns of my constituents, and at the end of my speech I shall retail exactly what they are. I am sure that those concerns will be the subject of cross-party agreement and I hope that the Minister will try to answer them to my satisfaction and that of my constituents.

I heard today that many fears have been expressed about the future of Ordnance Survey. I gather that, since changes have been made, however, things have been going well. No doubt my hon. Friend the Minister will confirm whether that is true.

The Opposition motion, moved by the right hon. Member for Bishop Auckland (Mr. Foster), recommends that the decision about the privatisation should be delayed until after the general election. The trouble is that the debate about the future of HMSO has already started, and my constituents want to know whether it is moving towards privatisation or not. I cannot support an Opposition motion that simply recommends that the whole thing should be put off.

Mr. Garrett: Why not?

Mr. Thompson: I am about to explain. As my hon. Friend the Member for Harrow, West (Mr. Hughes) said, the Opposition motion makes no mention of staff or the good work that has already been done by—

Mr. Martlew: We have debated that already.

Mr. Thompson: We are debating the Opposition motion now. What is more important and significant is that the motion does not make any commitment about what the Opposition would do after a general election, should they gain power. Would they renationalise HMSO or not? Such continuing uncertainty is not good for the staff either.

Mr. Robert G. Hughes: When the hon. Member for Hartlepool (Mr. Mandelson) finished his speech in the previous debate on 18 December, his last words were:

"let us test the opinion of Parliament and put the issue to a proper vote in the new year."—[*Official Report*, 18 December 1995; Vol.268, c.1316.]

Does my hon. Friend agree that the people working for HMSO may well have thought that the hon. Gentleman was talking about their interests, and their work? Apparently, according to the terms of the Opposition motion, that cannot be true. Plainly, the Opposition do not care about the interests of the people who work of HMSO.

Mr. Thompson: I know that my constituents wanted the debate and they urged me to support the motion calling for it. They may have been rather surprised by the terms of the Opposition motion, for the reasons that I outlined earlier.

Mr. Derek Foster: Has the hon. Gentleman consulted his constituents about the terms of the motion? Has he spoken to trade union representatives, because they tell me that they are perfectly happy with its terms? They are happy to support it.

Mr. Thompson: The right hon. Gentleman is correct, because I have discussed the terms of the early-day motion, which is similar to the terms of the Opposition motion, with constituents. I apologise if I inadvertently misled the House, but what I should have said a moment ago is that I think that they will be surprised by the terms in which the motion was addressed by the right hon. Member for Bishop Auckland. We had better not pursue that argument now.

The Opposition motion also refers to the standard of service to the House.

Mr. Garrett: Will the hon. Gentleman give way?

Mr. Thompson: Just once more.

Mr. Garrett: The debate on 18 December was about employment in HMSO. I asked the hon. Gentleman then, straight out, whether he will support privatisation and the inevitable redundancies among his constituents and mine. He could not say one way or the other.

Mr. Thompson: The hon. Gentleman was not listening a moment ago, when I made it perfectly clear that I would support the Government in the Division. I hope that he will now listen. I support the Government because the Opposition motion—

Mr. Garrett: The hon. Gentleman did not mention that.

Mr. Thompson: I am answering the question. The Opposition motion is not cast in helpful terms and, as I said right at the beginning of my speech—I hope that the hon. Gentleman was listening—if I opposed the Government, I would have to do so in the knowledge that that decision would improve prospects for jobs in my constituency. Right at the start of my speech I gave a number of the reasons why I felt that that was not the case.

The Opposition motion also refers to the standards of service to the House. I am led to understand that all the safeguards requested by Madam Speaker in her letter to the Lord President in November have been incorporated

in the draft contracts. Time does not permit me to dwell on that important issue, although I accept that Hon. Members on both sides of the House are concerned about the future standard of *Hansard* and the commitment to it.

As others have said, I do not believe that we should separate parts of the business. I would not like parliamentary business to be separated from Crown business or the publishing or printing services split up. I do not know whether the Government welcome these remarks, but I would like to see HMSO continue its links with Parliament, through *Hansard*. I hope that—despite the interventions of my hon. Friend the Member for South Staffordshire (Sir P. Cormack) in earlier debates—the *Hansard* link with HMSO continues post-privatisation. I hope that all hon. Members fight to ensure that the appropriate safeguards are built into any contracts or into any changes that take place.

I conclude by listing the concerns that have been expressed to me by my constituents. I hope that my hon. Friend the Minister will respond to those concerns, and to others that have been expressed during the debate.

First, my constituents have asked for a debate—we are now having that debate, so I do not need to pursue that issue any further. Secondly, my constituents expressed a concern that has been mentioned by the hon. Member for Norwich, South (Mr. Garrett)—and he may refer to it if he speaks in the debate. They asked whether the provisions of the Transfer of Undertakings (Protection of Employment) Regulations 1981 will apply and whether there is a time limit on them. I hope that my hon. Friend the Minister will respond to a technical point, which I suspect will be raised by other hon. Members. There is concern about this matter in Norwich, and I would like to hear my hon. Friend's answers in this regard.

Hon. Members have already referred to guarantees for staff. There is concern that there could be asset stripping, but my right hon. Friend the Chancellor of the Duchy of Lancaster has made it clear that this will not happen. However, there is still real concern about this. The skill centre in Mile Cross is in my constituency. It was taken over by a firm called Astra, which then collapsed. I would like my hon. Friend the Minister to address these dangers and to assure my constituents—some of whom may be here listening to the debate—that there will be no question of asset-stripping should privatisation go forward.

Finally, I refer to the retention of the Norwich link. I understand the reaction of hon. Members when this was mentioned earlier. However, it is important to remind hon. Members of the link between Norwich and HMSO, and the link between Norwich and *Hansard*. Luke Hansard was baptised in Norwich, and he served his apprenticeship to a printer there before coming to London in 1774—I would continue in this vein if time permitted.

There is a strong historical link between Norwich and *Hansard*, and Norwich and the HMSO. I realise that what I am asking for—a strict guarantee—may be going slightly over the top, but I make no apology on behalf of my constituents and the people living in Norwich for saying to my hon. Friend that the Norwich link is important. As a Member of Parliament for Norwich, I will continue to stress the importance of it and try to get the strongest reassurance that I am able to obtain from him and his hon. Friends on the Front Bench.

I have explained that, as far as jobs and security are concerned, at this stage in the debate I am happy to support the Government and to vote against the Opposition motion. However, my constituents have concerns, which I have tried to put to the Minister in a straightforward manner, and I hope that he responds to them in some detail.

8.33 pm

Mr. Chris Davies (Littleborough and Saddleworth): This debate is about the straightforward principle whether there is a role for commercial enterprise within the public sector. The Minister was right to admit that the debate is about the ideological divide which separates the Government side of the House from the Opposition side. If an organisation such as Her Majesty's Stationery Office cannot stay in the public sector—where it has been for 210 years, serving Parliaments and Governments—what organisation can? The Liberal Democrats believe that there is no reason why HMSO should not stay in the public sector.

This debate is of particular interest to me. There are some 2,800 employees still working for HMSO, despite the reductions that have taken place in recent years. Many of those people work in London and in Norwich, and some 500 work at Chadderton in Oldham—where a great number of my constituents work. My hon. Friend the Member for Southwark and Bermondsey (Mr. Hughes) has also asked me to point out his concerns for jobs in his constituency.

Some vital documents are produced at the plant in Chadderton: passports, benefit books for the Benefits Agency and a variety of other printing and stationery tasks. My constituents are concerned for their jobs. Despite the so-called guarantees that we have had, they realise that those guarantees are not worth the paper they are written on—if, indeed, they were ever written on paper; it would be astonishing to see any such guarantees written on paper. My constituents are concerned that, if HMSO is sold off, it will be cherry-picked by a large printing or publishing organisation that takes its place; there will then be rationalisation and the plants in Chadderton, London and Norwich may close down regardless of what the Minister may say tonight. He has been given the opportunity to give guarantees on this, but he has specifically declined to do so.

Mr. Nigel Evans: The hon. Gentleman has talked about his hope of securing as many jobs as possible within the newly privatised HMSO. The Coopers and Lybrand feasibility study of HMSO showed that privatisation was not only achievable but the best way of securing those jobs. What does the hon. Gentleman have to say about that report?

Mr. Garrett: It did not say that.

Mr. Davies: The answer to that question has been given by the hon. Member for Norwich, South (Mr. Garrett) from a sedentary position—that it did not say that. Again, we have come down to the ideological divide over what is the best way of securing jobs. Restrictions are placed on HMSO, as it exists at the moment, which prevent it from securing jobs in the way that many hon. Members believe that it should be able to do. Over the past 15 years, the staff of HMSO has been reduced from 6,300 to 2,800

As a result of the changes introduced by management in that organisation, sales per head have increased substantially. Productivity has increased substantially. For

[Mr. Davies]

example, sales have increased from £41,000 per person to £121,000 per person. As an organisation, most aspects now have International Standards Organisation 9000 accreditation. HMSO is meeting the Treasury targets and paying money into the Treasury coffers.

As other hon. Members have said, there has been a 10 per cent. cut in turnover in the past five years. The growth has been restricted by Government controls. We are told that, if HMSO remains in the public sector, its costs will continue to rise because it will not be able to win other business or use its equipment to capacity. We are told that a sale to the private sector is the only realistic course.

From my perspective as a Liberal Democrat, I believe that that is the logic of the lunatic asylum. If HMSO cannot survive—despite the evidence that it is now doing well and management is meeting the targets set by the Government—it is because Treasury rules are restricting its development. But who makes those rules? The Government make those rules, and they can change them. They are not rules which apply in other countries of the European Union, where the targets for organisations in the public sector are different. The Government have the ability to change the rules.

The Government cry that they cannot do that because HMSO would be able to compete unfairly because it would not have to pay corporation tax and could borrow more cheaply than organisations in the private sector. I accept those points—and they must be addressed. The playing field should be level. My party has no problem at all with the idea that these changes can be introduced to level the playing field, but the Government should lift the controls so that HMSO can go out and win business, pay tax and maintain the work force at its existing locations.

What should we be looking for by way of return from this publicly owned organisation? It seems to me that the basic element that we should be looking for is that HMSO is able to provide printed requirements for Parliament and Government effectively and at no cost to the taxpayer because it generates enough money to meet that outlay through its work in the private sector.

I understand that at present only about 10 per cent. of HMSO's turnover arises from Government and official publications. If it can generate a 10 per cent. return from the work that it gains in the private sector, it will be doing very well indeed. Any money paid to the Exchequer on top of that would be icing on the cake. That would be a very good deal for the country and its taxpayers.

To return to the ideological divide, there is a belief that the private sector is good and the public sector is bad, and that only by sale to the private sector will the taxpayer get a good deal. I regard that as simplistic rubbish. With large organisations, it is not ownership that matters but the targets that are set for managers and the disciplines imposed on them.

The Post Office has been transformed in recent years by the setting of clear targets for management, who have been expected to get on with the job and manage according to the disciplines of the private sector and the market. In fact, the Post Office is doing so well that the Government are using the price of stamps as a tax to subsidise the public purse.

Strangely, railway managers did remarkably well throughout the 1980s. By the beginning of this decade, we had created the most cost-effective, least subsidised railway system in Europe. The Government did not recognise that, but chose instead to put their ideological complaints about the public sector up front—to castigate managers. As a result, they now have the public relations mess that I am glad to pass on to them.

In the past 15 years, managers in HMSO have demonstrated equally well their ability to turn what may have been an old-fashioned, out-of-date, lackadaisical organisation into one that is able to meet the tight disciplines of the marketplace, making the efficiencies that we would expect.

The public sector has a bad name in this country because of its inefficiency, high costs and need for subsidies. It is remarkable that the Government do not claim a bit more credit for their successes when there are successes to claim credit for. The turnaround of unprofitable, uncompetitive public sector organisations into ones that are able to compete in the private sector is something to be proud of. The Government should welcome that development instead of immediately thinking that such organisations should be sold off.

From my point of view—from the point of view of the Government's opponents—that is all to the good. The Government repeatedly throw out the baby with the bath water, not by accident but by design. As long as my party wishes to score political points at the expense of the Government, long may they continue to do so, but it is not good for the country that they continue to do so. Stripped of featherbedding and subsidy, it is good that some organisations in public ownership are seen to be doing well.

The retention of HMSO in public ownership will help to keep the private sector, which dominates more than 95 per cent. of the market for printing and publishing requirements, on its toes. Moreover, it will be good if it can manage to survive competitively while the managers of the organisation pay themselves reasonable salaries instead of meeting the excesses of the private sector, which have become all too common in recent years, especially in organisations that have been privatised by the Government.

I do not understand how selling a profitable, efficient organisation benefits the public. There will be a one-off payment to the Treasury and the public purse, but thereafter one loses the profits—the annual contribution to the country's coffers—which would be coming in for many years to come. Knowing the way the Government have privatised in the past, I suspect that the public cannot even be sure that they will receive the one-off payment.

The assets of many industries that have been privatised—public assets—have been written off so that those organisations may be privatised, to such an extent that I see from the weekend newspapers that it is said that the public are now subsidising the shareholders of those privatised companies to the tune of £2,000 each because of the billions of pounds of public assets that have been written off.

The public therefore cannot be confident that they will get a good deal from the privatisation of HMSO. I suspect that, in the accounts or the Treasury books, a trade-off will be made—a writing off of publicly owned assets—to make the sell-off of HMSO more attractive. Only later, if the right parliamentary questions are asked at the right time, will we belatedly discover the truth.

I urge the Government to put a stop to this dogmatic nonsense and to build on the existing success. I urge them to remember that the Stationery Office was set up 210 years ago to serve the needs of Government and Parliament and to benefit taxpayers, to prevent their being ripped off by organisations in the private sector which were in league to do down the public purse. I urge the Government to let the Stationery Office do its job.

8.45 pm

Mr. Robert Jackson (Wantage): I shall be brief, and I intend to focus on access to Crown copyright material.

First, a few remarks about privatisation. I served as Parliamentary Secretary to the Office of Public Service and Science with responsibility for HMSO when it was transferred from the Treasury to the Office of Public Service and Science in 1992. The House may be interested to know that there had been a full dress review of the issue of privatisation of HMSO in the Treasury only a year before that. This was conducted by my good friend John Maples, who is no longer with us but who we hope will return at the next election. That review in the Treasury concluded that HMSO should not be privatised.

In 1992, when HMSO came to the Office of Public Service and Science, the issue was again raised, and I was instructed to go into the matter all over again. I concluded, once again, that HMSO should not be privatised.

The wheels of Government grind on and now, four years later, we find that HMSO will, after all, be privatised. I have no particular quarrel with that decision because it seemed to me in 1992 to be a matter of finely balanced judgment, but I shall make three observations which I hope will be relevant.

First, I wonder whether Ministers can imagine what it must have been like trying to manage HMSO and its thousands of employees during those years, when one review after another and one ministerial decision after another failed to settle such a fundamental question.

Secondly, I put it to Ministers that the essential case for retaining an organisation such as HMSO is the case for collective bulk purchase. That point has hardly been mentioned in the debate, but it is the largest part of HMSO's business. When the Public Accounts Committee inquires into the performance of Government Departments as purchasers of their own office and other supplies, as I hope it will, I hope that it will find that the sum of their several efforts is as cost-effective—and as free from corruption—as the record of HMSO as a collective purchaser on their behalf has been. I doubt, however, that the PAC will find that this trend has been to the taxpayer's advantage.

My final observation about privatisation is that I hope that, after last week's vote in the House of Lords on the privatisation of the Recruitment Advisory Service, the Government will not underestimate the perhaps sometimes sentimental resentment that a policy of apparently ruthless privatisation can promote. We heard something of that in the speech of the right hon. Member for Bishop Auckland (Mr. Foster). It is quite a sight to see him with his hon. Friend the Member for Hartlepool (Mr. Mandelson) at his side—the new Labour paladins of institutional conservatism.

Not long ago, HMSO celebrated its 200th anniversary. Occasionally, a Conservative Government—like Labour Front Benchers—may like to recall that Conservatives used to hold that antiquity is a merit and that a tradition of public service over a long period is worth preserving: I believe that it is called civic Conservatism.

The specific matter that I want to consider today is the terms on which Government copyright material is made available for publication and for dissemination by the private sector, whatever happens in respect of the privatisation of HMSO.

At this point, I declare an interest, albeit expired. In 1994, the commercial publishers asked me to give them some advice; I did so, and duly declared it in the Register of Members' Interests. My relations with the Publishers Permissions Group have long since ended but, as so often with such transactions—a point perhaps not sufficiently recognised in the Nolan debate—through my dealings with the group I was able to learn about an important issue. How should the undoubted public interest in offsetting the costs of the Government's publishing activities be balanced against the public interest—another public interest—in the widest possible access to Government publications?

Three factors make that an increasingly important and difficult issue. The first is the advent of electronic publishing. Listening to the hon. Member for Glasgow, Springburn (Mr. Martin), who referred to such matters as storage, I wondered whether he understood the possible implications of electronic publication, which could transform the current position. Secondly, there is the increasing publication by Government of a vast range of non-statutory material, known in the jargon as "quasi-legislative material" or QLM. That includes a number of categories—planning policy guidance notes, circulars from the Department for Education and Employment, Home Office guidance on access to children in care—thousands of such documents are published every year. The third important factor is the growing commercialisation of government—both in HMSO in recent years and, in future, in Departments with delegated budgets, delegated authorities and a brief to maximise their earnings.

Those developments are taking place against a background of long-standing arrangements between the Government, through HMSO, and the commercial publishers, in relation to the old-fashioned printed legislative material. We have had a simple royalties system and a non-bureaucratic approach to licensing, which has made possible the growth in the United Kingdom of large-scale, high value-added commercial publishing operations—whose exports, incidentally, have risen substantially—and which has developed extensive services for users in the courts and elsewhere. This has helped to secure the public interest in the widest and deepest dissemination of legislation and governmental material.

However, with the emergence of the three factors that I mentioned earlier, those long-standing arrangements have come under increasing strain. The issue on which I advised the Publishers Permissions Group in 1994 related to its dispute with HMSO about the terms for the publication of quasi-legislative material in printed form, given that the growing commercialisation of HMSO was making it increasingly demanding in respect of royalties and licensing arrangements. That dispute was satisfactorily resolved, and I was able to help; but a dispute continues in regard to the electronic publishing both of legislative materials and of QLM.

[Mr. Robert Jackson]

What material are we talking about? My more technologically advanced colleagues will understand these matters better than I. They include multiple on-line information services, distributed databases—for example, CD-rom—self-standing electronic editions such as electronic books, multiple transaction support systems, licensed loadings on to user databases, and fax and satellite document delivery systems. All those are beginning to be important factors in the information marketplace.

In relation to all those new forms of publication, the Government must now decide how to balance the narrow perceived public interest that Departments have in exploiting their control over the publication of Government material with the wider public interest in facilitating publication of that material by commercial publishers using the most advanced technologies. Of course, such issues are not unique to the United Kingdom. A statement from the Office of Management and the Budget in the United States sums them up admirably:

"The information policies contained in the PRA"—

the Paperwork Reduction Act—

"are based on the premise that government information is a valuable national resource and that the economic benefits to society are maximised when government information is available in a timely and equitable manner to all."

That is surely the central issue at stake.

"Maximising the benefits of government information to society depends, in turn, on fostering diversity among the entities involved in disseminating it . . . some nations take advantage of their domestic copyright laws that do permit government copyright and assert a monopoly on certain categories of information to maximise revenues. Such arrangements tend to preclude other entities from developing markets for the information or otherwise disseminating the information in the public interest."

I consider that an admirable statement of the position. I was pleased to note that in his statement on 13 December my right hon. Friend the Chancellor of the Duchy of Lancaster said—speaking on behalf of the Crown—said that he would like much greater access to Government documents to be provided. That is reported at column 998 of *Hansard*.

I want to emphasise what the United States Office of Management and the Budget says about the way in which information markets develop and expand when a non-restrictive approach is followed. Not only is there an important public interest in promoting the use of new electronic media for disseminating information about Government; the commercial interest of Government in exploiting their copyright material will also be promoted if they pursue a less restrictive policy.

With the delegation of many decisions from HMSO and the Office of Public Service to various Departments, I believe that there is a real danger that these wider public interests will be forgotten as fragmentation in Whitehall increases. We need strong and effective central guidance in regard to this issue. I welcomed what my right hon. Friend the Chancellor of the Duchy said, in response to an intervention, about the importance of such guidance, and I hope that the Parliamentary Secretary will take the opportunity to expand on that point about strong central guidance in connection with what I have said about electronic material. Let me add that, when it comes, such guidance should be timely, and it should take account of the fact that, whatever Governments may be up to, their commercial partners have a business to run.

8.56 pm

Mr. John Garrett (Norwich, South): As I pointed out in our debate on the privatisation of HMSO on 18 December, I have a strong constituency interest: 900 members of HMSO's staff work in its head office, which is in my constituency. Notwithstanding the Minister's compliments, the morale of those employees is now very low, mainly because of the lack of consultation—consultation that was promised, but not delivered, by the Government.

Since that debate, all developments in HMSO have been shrouded in secrecy. The unions were told by Coopers and Lybrand, which is currently conducting the privatisation, that the sale timetable was confidential; yet it is known that that timetable has slipped. Will the Minister confirm that it is slipping more every day? The unions have not seen the information memorandum that goes to all bidders, or any other details of the tender. They have not seen the 1996 budget, although three months of the financial year have gone by. They have not seen the 1995 annual accounts, although such accounts are normally published in February. Although these accounts have not been published, it is believed that they show a huge and unprecedented loss—obviously as a result of the introduction of many exceptional items.

Such items have been packed into the accounts—for example, £23 million for redundancies in 1995 and 1996, £3 million for property write-downs, £3.5 million for stock write-offs, the cost of commissioning a new passport line, the establishment of the Manchester site, and the launching of the Banner trademark and corporate identity.

The Minister said that the aim of privatisation was to obtain more business from the private sector, but staff and managers, who know much more than he does, are not confident that that will happen. They also have no faith that the Transfer of Undertakings (Protection of Employment) Regulations will preserve their terms and conditions, given that the application of the regulations is weak in areas of technological change—and HMSO is an area of rapid technological change.

The Minister says continually that there will no break-up of HMSO, and that the printing will not be split from the publishing. However, he never mentions the 40 per cent. of the business that comes from office supplies, which enables a spreading of the overhead and makes the printing and publishing activities more viable than they would be otherwise. In other words, HMSO could price itself out of the business if it lost its office supply activities. That fact is never mentioned. Will the Minister confirm that, when he says that there will be no break-up, he is referring to printing, publishing, office supplies and other services?

The staff point out that their customers and suppliers are already holding back business because of HMSO's uncertain future. Some customers are not placing orders, and suppliers are not putting business their way. Why should they, when, under a privatisation arrangement, those suppliers could be in competition with HMSO? HMSO is no longer the publishing first choice for many of its former customers. Customers and suppliers, looking at the uncertainty hanging over it, are beginning to withdraw their business.

Recently, 100 jobs were lost, and 190 jobs will be lost in preparation for privatisation. The Minister must be aware that 90 of those jobs are from the south London Press. What will that do to parliamentary printing services? Of course, the most able people are leaving. Staff members have told me: "I've hardly done any of my proper work recently—I'm running around doing so much privatisation work".

The efficiency and effectiveness of the present organisation is suffering already. Staff fear that any purchaser would want primarily to asset-strip HMSO—it would want not only its property but its customer list. A purchaser would cash in on the years of fine service that HMSO has provided to its customers, and collar the customer list.

Mr. Nigel Evans: Will the hon. Gentleman give way?

Mr. Garrett: No, not for the moment.

Privatisation is purely ideologically driven: there are no strong arguments in its favour. In the public sector, HMSO can use that sector's purchasing power and huge economies of scale to hold down prices, and it can spread its purchasing across an enormous range of suppliers. Under public ownership, security is guaranteed: HMSO handles many secure and confidential Government and parliamentary papers with complete security. It has always been leak-proof, in spite of the very high security and confidentiality of the material that it prints and publishes.

HMSO publishes important, but limited-interest, publications—for museums, for example—that a private publisher would not publish, because they are not sufficiently profitable. Prices will increase in that area, or the supply of publications will disappear altogether. Many jobs are at risk, as we know from previous privatisation experiences. Redundancy is always the first act of someone who takes control of an organisation in that sort of situation.

Norwich is suffering record levels of unemployment, having lost at least 2,500 jobs in the past few years from Nestlé, Norwich Union, gas and electricity, Anglia Television and Colman's. HMSO—an important constitutional safeguard—is to be flogged off cheaply at massive cost to my constituents and their families. There is no need for, and no benefit to be derived from, that act of vandalism.

In his statement to the House on 13 December, the Chancellor of the Duchy of Lancaster said:

"I pay tribute to the management and staff of HMSO for their commercial success in recent years".

Why are the Government selling off such a successful enterprise—particularly when they have spent so much money on developing its services and slimming down its numbers?

The Chancellor continued:

"The public sector market in which HMSO competes is shrinking".

HMSO is the largest print buyer in the country, so why is it not allowed to compete in the market outside Government? Why is it not allowed to compete more effectively in Europe? The public sector market in Europe is not shrinking—certainly not for an organisation with HMSO's success record.

The Chancellor said:

"Under no circumstances will we offer the printing and publishing businesses separately".

I have already said that that is not the worry: it is printing, publishing and office supplies that matter as the latter help to spread the overhead. The publishing side clearly includes bookshops and warehouses. I seek the Minister's assurance that he will return to Parliament if anything should arise that affects the guarantees that he is now giving to the House.

The Chancellor of the Duchy went on:

"The key point is that the buyer must be fully acceptable to Parliament".

However, tonight he said that the buyer must be acceptable to the Government. Therefore, the House must be sure that, when a buyer is found, the matter will be referred back to Parliament for its approval.

The Chancellor stated:

"Parliament's requirements will be enshrined in a binding and enforceable contract".

What would happen if, at some point, the new owner gave notice that the contract's requirements—including the overnight printing of *Hansard*—could not be met? Resorting to the courts for breach of contract is hardly an adequate remedy, as I pointed out on 18 December. What will we do in the meantime while we are dragging the owner through the courts?

He continued:

"The type of sale we envisage would mean the buyer taking on HMSO staff with their existing terms and conditions."

There is already evidence that the terms and conditions of the staff are worsening. Do the existing terms and conditions include pensions? It is far from clear from my discussions with the management as to whether pensions are protected.

Tonight's debate centres on the parliamentary concern, which is very great. I have already mentioned the future of the south London Press, which is so important for the production of *Hansard*. It is a costly operation, and could easily be sacrificed by a profit-driven contractor replacing HMSO. We need an absolute guarantee of overnight production facilities in London, and a guarantee of space and facilities for the House of Commons staff who work at the Parliamentary Press. The tender document should not omit that important consideration.

I have also mentioned the information memorandum about HMSO's business that is being prepared for distribution to potential bidders. It will be absolutely essential to ensure that it contains an accurate description of the obligations that a purchaser will assume in regard to the provision of services to Parliament.

Continuity of staff employment is needed in the preparation of parliamentary papers. It is a complex and specialist job. Although I know the printing and publishing industry very well, I cannot think of any organisation with that combination of skills.

Any purchaser of HMSO must accept the new supply and service agreement with the House authorities, particularly in so far as it concerns the right of the House to regulate the production and reproduction of its documents in paper and in electronic form. I remind the Minister that, as I understood it—perhaps it will be made clear later in the debate—he said that Parliament could refuse to accept a bid from an outside private organisation

[Mr. Garrett]

if the House of Commons Commission—of which I confess I am a member—considered that parliamentary services would not be adequately provided.

We have to establish who is in charge, and who makes the final decision. Is it the Government? Is it Parliament or the House of Commons Commission? Certainly I shall insist that the Commission gets to the bottom of the problem.

Any purchaser should be required to freeze the cost in real terms of the published papers and those supplied to the House. The House should be credited with a share of future savings arising from technological change and improvement. There should be safeguards to prevent the break-up of the business or its sale to an overseas buyer, and to take action if a private stationery office fails to provide the service we need. The Minister has always skated over that. Who carries the can for making sure that it happens? Who is ultimately accountable? Will the House have an opportunity to approve the bid when it comes in?

On 18 December, I referred to the words of the Speaker:

"HMSO staff and management acquire experience and knowledge of those complexities"—

she was referring to parliamentary documents and procedures—

"as they progress from job to job in the organisation; and they are brought up in the tradition that in all circumstances the requirements of Parliament are paramount."—[*Official Report*, 18 December 1995; Vol. 268, c. 989-990, 1296.]

I do not believe that the requirements of Parliament can be guaranteed. I do not believe that jobs in Norwich can be guaranteed. I do not believe that anything can be guaranteed. It is a gamble with an important constitutional organisation. The privatisation is quite unnecessary, and certainly should be postponed.

9.8 pm

Sir Patrick Cormack (South Staffordshire): It will come as no surprise to my right hon. Friend the Chancellor of the Duchy to know that I am not an enthusiast for the Government's proposal. He defended it with a remarkable fastidiousness tonight and with the clarity and courtesy that we always expect of him. The same courtesy was extended to me last week when he kindly arranged for me to visit the Parliamentary Press. On a very busy day, he accompanied me and we spent an interesting and instructive two hours there. I hope that he will not mind my referring to that and to some of my conclusions following that visit.

I must be quite plain with the House. As an old-fashioned Tory—and I make no apology for that—I am not a zealot for change. I believe in the old adage that if it is not necessary to change, it is necessary not to change.

I have heard nothing over the last four months to persuade me that it is necessary to privatise HMSO. I am concerned across the whole range. I declare an entirely honorary interest as a Royal Commissioner of Historical Manuscripts whose publications are published by HMSO, and are among the quality publications produced in small numbers to which reference has been made.

I am concerned about the threat to continuity if there is a changeover, and whether any commercial publisher would really consider that these works of great erudition and scholarship merit publication. I will not talk about that aspect tonight, because my right hon. Friend has been extremely generous and has agreed to see the chairman of the commission, who is also the Master of the Rolls, myself and another leading commissioner, Lord Blake, to discuss our anxieties and concern. We look forward to that meeting, and it would be wrong of me to anticipate what might transpire.

I will concentrate tonight on the Parliamentary Press. I happen to believe in the public service. I happen to believe that it is right and proper for the state to do certain things that are not necessarily appropriate—I will not say improper—to be done elsewhere. I put at the top of that list, in the context of tonight's debate, the prompt delivery of parliamentary and public papers.

When I visited the Parliamentary Press with my right hon. Friend last week, I was impressed by the dedication of the people who work there—and by the experience and long service of many of them—and by the way that we in this House and our colleagues in the other place are served day after day, night after night. It is quite remarkable.

I think back to my early days in the House in the early 1970s, when *Hansard* was in a different format, was set in hot metal and printed by letterpress, and all the rest of it. Today, the Parliamentary Press has all the wonders of modern technology at its disposal. It is remarkable that it maintained such a high degree of service in the old days, but I digress. The press certainly maintains that level of service today.

During our visit, senior management showed us a video of the opening of the new works at Nine Elms by one of your distinguished predecessors, Mr. Deputy Speaker—Mr. Speaker Weatherill. In his speech at that opening, Mr. Speaker spoke of the high quality of service that the House had come not only to expect but to take for granted. We do take it for granted.

As a Chairman of Committees, I can only echo and endorse the remarks of the hon. Member for Glasgow, Springburn (Mr. Martin). You will know, Mr. Deputy Speaker, from the days when you chaired Committees, that the first thing that happens if *Hansard* is not ready in time is that there is a string of points of order. I have suspended a Committee while its members have waited for papers, but that is a rare occurrence. Day after day, innumerable Committees sit. Day after day, Governments introduce orders and Bills that have to be printed with meticulous accuracy. One rarely finds mistakes, and it is rare for any sort of slip-up on a deadline to occur. I can hardly remember one such occasion.

When hon. Members arrive here in the morning, they can collect their copy of *Hansard* from a very early hour. If any hon. Member is so minded, he or she can pick up a copy of *Hansard* before 8 o'clock tomorrow morning, and, if they have nothing better to do, read the speech that I am making this evening. We have almost come to take this remarkable service for granted.

I worry about letting out this service to the commercial sector—not because I have doubts about the technical competence to print of outside firms, but because I believe it should be under public control. My right hon. Friend has questioned the wisdom of hiving off the service and the House accepting responsibility for the Nine Elms

works. I would not favour that as the best solution. It is true that 90 per cent. of what is published is parliamentary; virtually all the other 10 per cent. consists of the *London Gazette*, a highly specialised but necessary publication that comes out every day.

I do not find it horrifying if some public subsidy is involved in the publication of these papers. In an age when this place is not exactly looked up to with admiration, it would be a very good thing if we disseminated our parliamentary papers more widely—specially to the young. It is a scandal that schools cannot afford to take *Hansard*, even though the price has come down to £5 a day. I wonder how many hon. Members realise what I noticed last week—that the weekly *Hansard* now costs only about £6, which represents one of the great bargains. It should be more heavily promoted, and I hope that more and more schools and colleges will take it.

If there has to be a continuing public subsidy to ensure the quality production and regular delivery of parliamentary and state papers, will that be an indictment of the system? Of course not. I therefore ask my right hon. Friend to think about this matter very carefully. I know that he takes these points seriously, because he and I have discussed them. He spoke tonight with complete conviction and sincerity.

Still, I return to a point that I raised in an earlier intervention—the future ownership of the Parliamentary Press. Let us imagine for the sake of argument that the sale of the press goes through and that the contract is drawn up scrupulously and on the best legal advice. Let us further imagine that the buying company does so with wholly honourable intentions.

Then let us imagine another recession at some future date. That is not impossible—these things have happened before, and they might happen again, whoever is in charge. Let us then imagine that someone who is less scrupulous decides that he wants to buy and split up the company. Such a person may be cast in the mould of our former colleague, known affectionately when he was here as "the bouncing Czech": the late Robert Maxwell.

I need not continue the analogy to show that no guarantee given at the Dispatch Box, however clearly and honourably spelt out, can guard against contingencies of this sort. Unless we keep control ourselves of a body owned by Parliament or by the Government, such a guarantee is impossible. I believe that we owe it to our constituents and to those we serve to be able to demonstrate that such a guarantee can be met.

This is a small privatisation in the general scheme of things. I am one of those who had no misgivings about many of the privatisations that we have put through the House. I pay tribute to the ingenuity and dedication of those who brought them before us. I voted for them with varying degrees of enthusiasm, but without any feeling of real regret.

I am unhappy about what is now proposed, and I hope that my unhappiness has transmitted itself to my exceptionally courteous right hon. Friend the Chancellor of the Duchy. I hope that, even at this late stage, he will think through once more the potential consequences of second and subsequent ownership for parliamentary democracy in general, and for the delivery of our papers in particular.

9.20 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): It is a privilege to follow the hon. Member for South Staffordshire (Sir P. Cormack), because he has encapsulated the real worries about this crazy scheme. I shall not detail—as many of my colleagues have done so ably—the practical problems that the House of Commons and the other place will face if this bizarre privatisation goes ahead; I want simply to make one important point.

It is not an accident that three members of the Chairmen's Panel have spoken tonight, from both sides of the House. It is not an accident that some of my colleagues who are waiting to speak have been Members of the House for a long time. People learn what is being done in their name because information about Government business is disseminated. The House of Commons has taken the power to control the Government, to question the Government, to choose as a House occasionally, and to oppose the Government because the people believe that they have the right to know what is happening and what is being done at every level.

It is precisely that freedom of information that I believe is at risk. That may sound overly dramatic, but in a nation that receives less and less information about Parliament from the press, and that finds it more and more difficult to learn about day-to-day decisions that affect people at every level of their lives, what happens to parliamentary papers is so fundamental that it ceases to be a simple matter of whether more money could be made or less money could be spent if the contract were handed over to a private firm, and becomes something so essential that I should have thought even the present Government would have had some sense of how shameful it is to behave in this manner.

The Chancellor is a reasonable man, which is why the Government eternally put him up to undertake their unreasonable projects, but the reality is that the House is deeply concerned. The views of the hon. Member for South Staffordshire on privatisation will be different from mine. I have seen the reality of the sale of state assets, including the immediate redundancies, the removal of pension rights, and the refusal to accept responsibility for the damage that is done to the lives of many who have shown enormous loyalty to the state all their working lives but are thrown aside for some bizarre doctrinal reason; but my objection to this privatisation is as a Member of the House of Commons. Unless people know what is happening to their taxation, to their social security and to all those enormous and important matters that are debated in the House, they will be not only poorer, but at risk.

No one has convinced me that the sale of the printer of parliamentary papers to a private sector employer will protect the interests either of the House of Commons or of my constituents. No one has said anything that will convince me of that. The reason is simple. The Chancellor knows from his previous posts, and from his present one, that he cannot give those guarantees to Parliament. He cannot guarantee that, in future, Parliament will receive the service that it has always enjoyed from reliable and faithful printers. I am talking of a guarantee not for 10 years, but for many, many years.

There has never been a leak of any parliamentary business from HMSO. No one has put his commercial interests ahead of the interests of Parliament. No one has

[Mrs. Gwyneth Dunwoody]

sold information. No one has found a way of making money from his responsibilities in HMSO. Let the Minister assure me that that will be the position in future. He knows that he cannot do that. He still has time to abandon this irresponsible and tatty little scheme. That is what it is. It is a contemptible little scheme, and it should be abandoned now.

9.25 pm

Mr. Robert G. Hughes (Harrow, West): The arguments that we have heard in opposition to the scheme—they have been advanced mainly by Opposition Members—revolve around whether they have confidence in HMSO staff being able to compete with other printers and publishers on an equal basis. It seems that they do not, although they dress up their arguments in various ways. I shall take up, first, a suggestion that we have heard before from Liberal Members.

This evening, the Liberal spokesman, the hon. Member for Littleborough and Saddleworth (Mr. Davies), said that, by remaining in the public sector, HMSO could compete with the private sector. He claimed that that would be entirely reasonable. We are told that HMSO lost millions of pounds in the past financial year. It is suggested that it could compete with private sector printers and publishers but would not be able to go bankrupt, that it would be able to borrow at lower rates than those available to the private sector and would not pay corporation tax. Apparently it would be perfectly reasonable for HMSO to be in competition with the private sector.

I note that the hon. Member for Littleborough and Saddleworth shakes his head. I listened closely to what he said. I begin to have a great deal of sympathy with friends of mine who were members of the Social Democratic party, who were in partnership with the Liberals. Some of them are now in the Labour party and others are in the Conservative party. They told me horrendous tales of the Walter Mitty economics that they had to deal with when trying to deal with the Liberals. If the Liberals believe that it is reasonable to remain in the public sector and to enjoy all the advantages that go with that while competing with the private sector, they are not living in the real world.

Mr. Chris Davies: Does the hon. Gentleman recall my saying that a level playing field should be established and that it would be perfectly reasonable for HMSO to pay corporation tax? If he did not, perhaps he should wash out his ears.

Mr. Hughes: Being rude does not strengthen the hon. Gentleman's argument. He says that he wants a level playing field, but he is prepared to accept everything that would make it uneven.

Members of HMSO's staff who are listening to the debate should understand that the Liberal party's approach is nonsense and could not possibly be implemented. It is not a serious proposition. It could never come to fruition. The hon. Member for Littleborough and Saddleworth does not serve the interests of his constituents. I have visited the Oldham works, and the staff there should not believe that the Liberals' approach is a runner.

Serious remarks have been made about Parliament's work. We must take seriously the publication of parliamentary papers. It is the fact, however, that all the points made in Madam Speaker's letter have been answered. We are only 78 days into the new supply and service agreement, which is legally binding, and trying to overturn it in that time period is a bit premature, even for the modern Labour party.

The reality is that Parliament will be a major customer for whoever publishes Parliament's papers, takes over HMSO or gets the contract. If Parliament wants to lay down any criteria, such as that there should be a press in London and that that should be a part of the legally binding contract, as I think it should—I agree with others on that point—Parliament can do so.

The answer to the question of the hon. Member for Norwich, South (Mr. Garrett) is that the decision on who buys HMSO lies with the Government, but it also lies with Parliament—although I hope not with Parliament on the Floor of the House. If there is to be a serious attempt to express Parliament's interests and to ensure that we have a proper contract, it will have to be done not through a reference back to Parliament, but through Committees and, in particular, through the House of Commons Commission. If Parliament wants to lay down any of those criteria, it can do so, and it will have a decisive say in the matter because Parliament is such a large customer.

We have not really heard concern about parliamentary papers—*[Interruption.]* The hon. Member for Hartlepool (Mr. Mandelson) should not get too concerned about time—I am sure that he will get his quarter of an hour to speak. My hon. Friend the Minister has kindly allowed me a couple of minutes.

Mr. Peter Mandelson (Hartlepool): Do not worry; I shall take it out of his time.

Mr. Hughes: That is fine. He is happy with that because he can make extremely good points in a very short time, unlike some—unlike me, and unlike the right hon. Member for Bishop Auckland (Mr. Foster).

We have heard the normal knee-jerk response to privatisation. HMSO staff will have to consider what they got out of the Labour party today. There was no mention of them in the motion, and it would not be adequate to say that we debated the privatisation before Christmas. The employees must have believed that the assurances they were given by the Labour party before Christmas and the debate they were promised after Christmas related to them, but they clearly did not. They received no plan or promise to renationalise and no expressions of confidence in their ability to compete. In short, they got nothing—no promises, no hints and no policy—but a jumble of meaningless words. That will not help the staff at HMSO. Allowing them to compete in the private sector will help them, and that is why I back the Government's objectives.

9.32 pm

Mr. Peter Mandelson (Hartlepool): The Minister argued, when opening this debate, that commercial freedom for HMSO will simultaneously offer opportunities for its growth, bringing jobs and security to employees, and ensure that Parliament's continuing public service needs will be paramount in the future operation of HMSO. I believe that the Minister's argument was well meaning but wholly unconvincing.

I do not believe that the Minister can attempt to shoot a privatised HMSO into a commercial free orbit and keep it tied down by legally binding public service guy-ropes,

as he has sought to argue tonight. Instead of lifting off, a privatised HMSO will find it impossible to leave its launch pad, which will pose a serious threat to job security in HMSO, and, in the ensuing chaos, Parliament's vital needs will be a very bad casualty.

Since the proposal to privatise HMSO was first made, it has been understood and accepted that the measure and its effects on the supply of papers to Parliament will have to be acceptable to the House, regardless of the need for primary or secondary legislation. In our debate on 18 December, the Chancellor of the Duchy of Lancaster said:

"I cannot dictate Parliament's wish or conclusions on the matter, and therefore it cannot proceed unless Parliament is satisfied."—[*Official Report*, 18 December 1995; Vol. 268, c. 1294.]

It is, therefore, a serious indictment of the Government's handling of the matter that a debate in Government time was not arranged. Throughout, the Minister has shown an astonishing lack of understanding of the concern of hon. Members on both sides of the House, and even in this debate, initiated, I remind hon. Members, by the Opposition in our time, the Minister has failed abjectly—I say that in the nicest possible way—to offer any real assurances about the safeguarding of the services on which the House relies.

The conditions of service and the protection sought for the work of HMSO were clearly set out in Madam Speaker's letter to the Leader of the House last autumn. The House of Commons Commission, on behalf of which Madam Speaker wrote, was rightly drawn not on the principle of privatisation but merely on the consideration of the matter in relation to Parliament's requirements. The Commission could not have been more explicit. In contrast, the Minister tonight could not have been more evasive or unconvincing.

Let us remind ourselves of the concerns raised by the Commission. Madam Speaker's letter warned of the danger of a private sector owner experimenting with cheaper methods of providing the service presently provided by HMSO, leading to falling standards. The Minister has not given a guarantee that that will not happen, and he cannot.

The Commission insisted that staff of the House should be guaranteed adequate space and facilities in the Parliamentary Press as long as the House required it. There is no guarantee of that beyond the first transfer of ownership. Madam Speaker's letter on behalf of the Commission sought an assurance of continuity in the staffing and management of HMSO, bearing in mind its experience and expertise, and called for adequate training for any new staff. No such binding undertaking has been given by the Minister tonight, because, as he knows, no private owner would ever agree to be bound by such a limitless commitment.

The Commission wanted the Government to stipulate that there should be consultation before any changes were proposed in management or organisation. No private owner would be constrained in that way, and the Minister knows it. The Commission demanded that an individual in a privatised HMSO be personally responsible and directly accountable—an important word in this context—to the House if any aspect of the service provided went wrong. The Minister cannot deliver that, and has not pretended to do so. He speaks of legally binding contracts, but we know that such contracts can take an eternity to invoke and a fortune to enforce. His only recourse is to threaten cancellation of the contract. Such a right to termination has little meaning when the consequence would be unmitigated chaos in the supply of Parliament's papers.

The Commission went on to insist that the existing standards negotiated in the new supply and service agreement with HMSO should be maintained and that no attempts should be made to water them down without the agreement of the House authorities, but, as everyone knows, it will be nigh impossible to spot the slimming down, short cuts and cutting of corners—the considerations of cost and profit that privatisation will inevitably demand. Even if they are spotted in time, the House will have no real leverage to ensure that the dilution is stopped or reversed.

Last, the Commission expressed a desire to see no increase in real terms in the charges paid by the House or the prices paid by the public. I suggest that that matter touches on the main issue under debate tonight. Once transferred to the private sector, market forces will take over, whatever the Minister says or tries to claim in the debate tonight. Parliament's influence over charges and prices, like everything else, will quickly fall away and be finished for ever. More fundamental and crucial in this debate, supplying the House with the papers it needs at the time of its choosing and in the exact place it requires cannot be determined by market forces or the power of commercial competition. That recognition is at the root of our disagreement with the Government's privatisation proposal.

If ever there was a definition of public service, it is surely providing the essential wherewithal Parliament needs to carry out its business. The Minister is astonishingly cavalier about that; he can offer neither the satisfactory arrangements we need nor the power to enforce them. When the choice arises between meeting the requirements of Parliament, which are often costly and sometimes immediate, and almost always have to be met under pressure, and meeting the demands of equally insistent commercial customers, where will the loyalty and commitment of the privatised HMSO lie?

Mr. Sutcliffe: My hon. Friend referred to loyalty and commitment. Is it not a fact that the whole privatisation episode is a betrayal of the work force, who are committed to providing the services that my hon. Friend is talking about? The work force were thought, in 1992, at the end of a commercialisation study, to need to be more effective and more efficient. The reality is that the seed was sown then for privatisation. People have been made redundant and they have not been shown the loyalty that they have given to the House through their service.

Mr. Mandelson: I strongly agree with my hon. Friend, and I pay tribute to him, because he has been an effective and doughty champion of the work force at HMSO, as his remarks have just revealed.

We know that, when the chips are down and market forces rule, and when the privatised HMSO inevitably has to face the rigour of competition, it will not be able to put its commitment to Parliament and our needs first. The Minister has praised the dedicated, cost-effective and high-quality service provided by HMSO at present, and he has spoken glowingly of the traditions and the culture of HMSO. In the light of those remarks and the light of all

[Mr. Mandelson]

the remarks made this evening about HMSO's tremendous contribution to the work of the House, we should not tamper or take risks with an organisation that works perfectly well as it is. There is no gain for us, no gain for Parliament and no gain for the public.

This is not an argument about the broader merits and demerits of privatisation. This is a debate about a specific privatisation proposal and its very real implications for the House. It is possible to be generally well disposed towards the principle of privatisation without supporting its application in this case, as the hon. Member for South Staffordshire (Sir P. Cormack) demonstrated in a very commanding speech. Where doubt exists—I think that much doubt has arisen as a result of the Minister's hollow words of reassurance and the well-meaning but ultimately unsatisfactory sentiments he expressed tonight—it would be better to pause for further thought.

We need time to consider the matter more thoroughly, especially as Parliament's ability to bind new owners after privatisation would be almost non-existent, as many hon. Members have observed this evening. On that basis, I urge all hon. Members to vote for the motion and to put this needless, pointless privatisation to rest once and for all.

9.43 pm

The Parliamentary Secretary, Office of Public Service (Mr. David Willetts): The first proposition that my right hon. Friend the Chancellor of the Duchy of Lancaster put to the House today was simply that HMSO could not carry on as it had for the past few years. HMSO has a problem in terms of its performance, its turnover and its market share. The figures—*[Interruption.]* I am about to give the figures which show the nature of the problem that HMSO confronts.

In 1990, HMSO had a turnover of £389 million. The figure steadily fell until, in 1994, its turnover was down to £350 million. Similarly, it has been reducing its staff; the trends are downwards rather than upwards.

Mr. Derek Foster: Will the Minister confirm that the turnover for the current year is likely to be £369 million, rather up on the figure that he quoted?

Mr. Willetts: I am not prepared to confirm or deny any of the figures that the right hon. Gentleman has quoted, either now or earlier in his speech. However, I will say that they are broadly in line with the draft accounts that we have seen.

The right hon. Gentleman has thrown around figures for HMSO's performance in 1995—for example, HMSO's losses. He was so excited about his leak that he forgot to consider the significance of those figures. That significance has nothing to do with privatisation. The figures for HMSO's losses were a consequence of the measures that it had to take simply to improve its competitiveness, so that it could continue selling its services to public sector purchasers who had a legitimate freedom to take their business elsewhere. It was nothing to do with privatisation.

As the previous chief executive warned in June 1994, before we embarked on privatisation, HMSO faced the prospect of losing 30 per cent. of its staff simply to meet the competitive challenge of other organisations free to sell their services to the public sector. That is the challenge that HMSO faces.

We are told there is an easy option—to liberalise the regime under which HMSO currently operates so that it is no longer subject to the notorious Treasury rules that have been cited at various times in the debate. I assure the House that the Government have gone as far as is practicable to liberalise the regime under which HMSO operates, which is now far more liberal than it was just a few years ago. We have given it permission to sell its services to the public sector abroad. In the past year, we have allowed it to sell its services to the private sector where there is surplus capacity within the normal scope of its operations. However, that liberalisation goes absolutely to the limits of what is acceptable for a public sector body, and on its own will not bring HMSO out of the long-term decline that it faces.

We have heard various pleas to go further. The hon. Member for Littleborough and Saddleworth (Mr. Davies) made a series of suggestions on how HMSO could have greater freedom. For example, he wanted it to have an arm's-length relationship with Ministers and to be exposed to paying corporation tax so that it would be free to compete with the private sector. What I did not hear from him—or, indeed, from any other hon. Member who spoke in the debate—was what he would say to a private printing firm or office supplier in his constituency if that firm suddenly found that it had lost business, for which previously it had a clear commercial contract with another private sector purchaser of its services, to HMSO. What would he say to someone who went to one of his surgeries and said that his firm had been put out of business or had lost business as a result of a public sector body operating as a public sector trading fund?

Mr. Chris Davies: If there were a level playing field, which is what my party wants to establish, the simple answer would be that that is the way that the market operates. The organisation may be publicly owned, but the shareholders happen to be the taxpayers.

Mr. Willetts: The hon. Gentleman wants a level playing field. We can imagine what it would look like—the organisation would pay corporation tax; it would have a genuinely arm's-length relationship with Ministers; it would have no guarantees for its borrowings; it would be at genuine risk of going bankrupt; and there would be no ministerial intervention. Yes, that is a level playing field and it is called privatisation. That is how we achieve a level playing field. It is muddled thinking to believe that we can have all those things without privatisation.

Mr. Michael J. Martin: The Minister says that privatisation is the level playing field. Why does he not introduce a Bill so that there can be scrutiny in Committee and thorough examination of the safeguards that all hon. Members want?

Mr. Willetts: There is no legislative requirement for a Bill, but there are legitimate practical questions about the form of the privatisation. The hon. Gentleman made a significant but short speech with a large number of such questions.

Mr. Garrett: Will the Minister give way?

Mr. Willetts: I am sorry, but I must make some progress in dealing with the practical questions.

I shall first try to answer the questions of my hon. Friend the Member for Norwich, North (Mr. Thompson), who spoke on behalf of his constituents. If there is time, I will then try to answer the hon. Member for Norwich, South (Mr. Garrett).

Mr. Mandelson: This concerns the constituency of my hon. Friend the Member for Norwich, South.

Mr. Willetts: I am answering the points made by my hon. Friend the Member for Norwich, North. First, he asked when TUPE would apply and what its limits would be. I can assure him that TUPE will apply at the point of sale, the point when all terms and conditions of employment are transferred to the new owner. It is not time limited. All employers are free to propose changes to employees' terms and conditions at any time, but they must do so reasonably if they are to avoid liability for breach of contract or constructive dismissal.

Mr. Garrett: Will the Minister give way?

Mr. Willetts: Let me finish dealing with the point made by my hon. Friend the Member for Norwich, North.

A consultation period of 90 days is genuinely regarded by the courts as reasonable in this context. That has nothing specifically to do with TUPE, which applies at the moment the transfer takes place.

Mr. Garrett: Now will the Minister give way?

Mr. Willetts: Let me carry on with one more point. I am dealing with the questions raised by my hon. Friend the Member for Norwich, North. The hon. Member for Norwich, South must be patient.

My hon. Friend the Member for Norwich, North asked what guarantees we could give to staff. The best guarantee for staff is a thriving business. The long-term prospects for staff in the private sector are far better than they would be if HMSO had to remain in a declining public sector market. I assure him that bidders will be asked about their plans for developing the business. Their plans for the future will be a crucial criterion in deciding a suitable new owner for HMSO. As for remaining in Norwich, I repeat the assurance that my right hon. Friend the Chancellor of the Duchy of Lancaster has already given on the point.

Mr. Garrett: The Minister said that there was no need for legislation, but the Chancellor of the Duchy of Lancaster said that the legislature—Parliament—had a role in choosing the successful bidder for the tender. Who will give final approval for the successful bidder? Will it be done by the Government, by the House as a whole, by the Government tabling a motion for the House to approve, or by the Commission tabling a motion for the House to approve? The HMSO customer that we are discussing is the Commission. It is important that we straighten this out.

Mr. Willetts: I am conscious of the need to answer that question because Madam Speaker is here. She has pronounced on that subject and made it clear, and the Government entirely follow her point, that the ultimate decision about to whom the business should be sold is a matter for the Government. But the House of Commons, through the House of Commons Commission, has a crucial role in that the Commission will decide, and be able to put to the House, the contract that the House will have for the supply of its parliamentary papers. That is not a matter for the Government.

Mr. Mandelson: The Chancellor of the Duchy of Lancaster said that the privatisation of HMSO would need to be to the satisfaction of, and have to be approved by, Parliament. In addition to the vote tonight, will the Minister give an undertaking that the other place will also have an opportunity to vote on this measure?

Mr. Willetts: I shall speak tonight not about what should happen in the other place but about the questions raised by Opposition Members. Those questions essentially concerned the House's obvious crucial requirement to have a service that meets the high standards that it has come to expect. On that, and in answer to the question from the hon. Member for Norwich, South, let me explain in more detail how we see the proposal working.

In an attempt to be helpful to the Commission, we have submitted a draft contract, which has been prepared with the aim of meeting the understandable concerns expressed, for example, in a letter from Madam Speaker on behalf of the House about the service that the House should expect. It is now for the Commission to consider that draft contract, which is merely an attempt to be helpful—it has no authority—and what it wishes to have as a contract so that it can be confident that its legitimate concerns about the service for the House can be met. The House has its responsibility in that area and we will simply try to help, so far as we can, the Commission's deliberations.

Mr. Garrett: On a point of order, Madam Speaker. What the Minister is saying is not true, is it? You are the Chair of the Commission and you know very well that we delegated an Officer of the House to examine the contents of the proposed tender document. There is no question of the Commission deciding whether or not the successful tenderer should get the job.

Madam Speaker: That is not a point for me; it is a matter that must be argued across the Floor of the House tonight.

Mr. Garrett: Of course it is a matter for you, Madam Speaker.

Madam Speaker: Order. It is not a matter for me. I have made my views very clear and they have been reported in *Hansard* for all to see. It is now a matter for debate in the House.

Mr. Willetts: I am afraid that the hon. Member for Norwich, South misunderstood what I just said. I make it clear that the Government would take the decision on the sale of HMSO and the House of Commons Commission would formulate a contract, drawing on a draft that we have prepared. It is ultimately, however, a decision for the Commission to satisfy itself that any contract it has on behalf of the House of Commons for services provided to this place should meet the requirements of the Commission. That is a matter for the Commission, not for the Government.

[Mr. Willetts]

A series of other questions were raised about the privatisation. What lay behind them was a fundamental uncertainty on the part of the Opposition about privatisation as a policy. The real point is that, after all these years, they still do not understand what privatisation is for and the benefits that it can bring. I am surprised about that, because I have read a book called "The Blair Revolution" by the hon. Member for Hartlepool (Mr. Mandelson). I am not sure whether his right hon. Friend the Member for Bishop Auckland (Mr. Foster) has read it. I have read it—not just that, I have even reviewed it, although, of course, not quite as savagely as the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley). What that book says is quite clear:

"Privatisation has brought about improvements in operating efficiency and facilitated new investment."

That is precisely the argument for the privatisation of HMSO. It will enable new investment and create new opportunities for a business that cannot thrive in the public sector.

We were all struck by the fact that the right hon. Member for Bishop Auckland went on and on about how terrible it would be to privatise HMSO, but the one thing he did not offer was any commitment to renationalise it. Perhaps that is no surprise, because in another relevant quotation the hon. Member for Hartlepool told his right hon. Friend what the policy on renationalisation should be. He said:

"Privatisation has brought some increased productivity, and there will be no mass renationalisation under New Labour."

Even if the Labour party were by any remote chance to form a Government, we know that it would not dare to renationalise, because by then HMSO would be thriving in the private sector. HMSO would still be free to sell its services—either its printing services or its office supply services—to any public sector body that wished to buy them. It would also enjoy the freedom that Opposition Members claim they wish it to enjoy—a freedom to sell its services to private sector providers. It would do so on the only fair and equitable basis—the only basis that would meet the requirement of the hon. Member for Littleborough and Saddleworth that it should have a level playing field.

The only genuine level playing field HMSO could have would be as a privatised body that was no longer exempt from corporation tax, was no longer able to borrow from the national loans fund and no longer had the Government standing behind it as a guarantor of its borrowings. That is the right way forward for the HMSO, and it is the best way forward for the staff working for the HMSO. I commend it to the House.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 249, Noes 289.

Division No. 79] **[10.00 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Lestor, Joan *(Eccles)*
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Maginnis, Ken
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*

Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Nicholson, Emma *(Devon West)*
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Oliner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Randall, Stuart
Raynsford, Nick
Rendel, David
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony

Tellers for the Ayes:
Mr. John Cummings and Ms Janet Anderson.

NOES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John

Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Simon Burns and
Mr. Michael Bates.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 30 (Questions on amendments), and agreed to.*

MADAM SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the Government's policy with regard to the privatisation of HMSO and the proposed safeguards to protect standards of service to Parliament and other customers.

Education (School Premises)

10.16 pm

Mr. David Blunkett (Sheffield, Brightside): I beg to move,

That an humble Address be presented to Her Majesty, praying that the Education (School Premises) Regulations 1996 (S.I., 1996, No. 360), dated 22nd February 1996, a copy of which was laid before this House on 22nd February, be annulled.

In moving the annulment of the order, I feel a little like the groom who had a second chance after the bride turned up early at the church and he missed the service. We are having a second bite of the cherry tonight. *[Interruption.]* I think that Conservative Members are making assertions about the bride, so perhaps I should protect her from Norman Blackwell and the policy unit at No. 10. *[Interruption.]*

Madam Speaker: Order.

Mr. Blunkett: Thank you, Madam Speaker, it was a little like an east end pantomime for a moment.

However, there is nothing pantomime about the orders. There is nothing clever about a Government who, having agonised for almost six years, have now decided to deregulate the space available in our classrooms and the area available for leisure and recreation. There is nothing clever about a Government who think that the operation of the free market involves removing the basic safeguards that have existed since they introduced them in 1981 in order to protect our children and our schools.

Dame Elaine Kellett-Bowman (Lancaster): Will the hon. Gentleman give way?

Mr. Blunkett: Yes, I will—I always enjoy such occasions.

Dame Elaine Kellett-Bowman: The orders are very important to village schools, as some—although they are excellent schools—would not be able to meet the new standards. Many village schools would have to close and no one wants to see that happen.

Mr. Blunkett: I have heard many interventions from the hon. Lady in my time in this place, but that is one of the most stupid. Tonight we are debating the deregulating of regulations that the Government introduced in 1981 in order to protect schools. I can do no better than quote the following:

"It is clear that, despite efforts to deal with more serious problems, a significant number of schools have problems with their buildings. At least one primary school in seven and one secondary school in five suffers from some shortfall in accommodation, such as cramped classroom spaces, poor or non-existent facilities for art, design and technology or science, or a limited playground area",

I did not say that. Nor was it said by small schools in Lancashire. It was said by Chris Woodhead, the chief inspector of schools, in his 1996 annual report. He continued:

"Teachers who lack proper resources or who work in poor buildings experience problems which at best frustrate and at worst defeat their best efforts to do a decent job."

Obviously, if the schools do not have the space available, there are two answers. The Government can either provide the resources to ensure that they have the space and the safeguards, or they can deregulate and pretend that the problem does not exist.

The issue raised by the hon. Member for Lancaster (Dame E. Kellett-Bowman) was raised starkly by the then Secretary of State for Education, the right hon. Member for Oxford, West and Abingdon (Mr. Patten), in a letter to the right hon. Member for Wirral, West (Mr. Hunt) on 26 April 1993, when he stated:

"The main purpose of the review"—

that is, the review that has now been concluded—

"was to decide how to resolve the increasing difficulty of having minimum standards for which costs of compliance were well beyond any realistic prospect for the capital expenditure which is likely to be made available."

That is the absolute essence of why we are debating the regulations tonight. We are debating them because the Government are not prepared to make the capital available—at least in the maintained sector—to ensure that there is adequate space available for children.

The same Secretary of State wrote to the right hon. Member for Wokingham (Mr. Redwood) on 10 June 1993 as follows:

"In the interests of overall Government policy, we are proposing deregulation not only in area accommodation for school land, but also in the more central and sensitive area of teaching space standards. I do not think it would be defensible for us to deregulate the one and not the other."

Apparently it is defensible tonight.

The Government are deregulating the one but not the other purely on the premise that the Prime Minister stumbled into making a speech in which he promised to protect playing fields—5,000 of which have already been sold off—and was therefore concerned that the Secretary of State for Education and Employment did not directly contradict him. She does her best inadvertently to contradict him every time he stumbles into other mistakes. On this occasion, it was an attempt to ensure that the policy unit and speeches that were written for the Prime Minister were not directly overturned in the regulations. Although a substantial amount has already been sold off, playing field space is not to be deregulated, but space in the classroom and playing space is.

Changing facilities are also to be deregulated so that children up to the age of 11 will no longer have segregated changing areas and will have to use classrooms. Presumably boys and girls will change in different classrooms to ensure that there is no embarrassment.

There are no safeguards in terms of health and safety because health and safety regulations and fire regulations apply to teachers, but not to pupils. The Government are prepared to put others at risk to ensure that they are not embarrassed by a set of regulations which they tolerated for nine years before they initiated the review.

Dr. Keith Hampson (Leeds, North-West): Why does the hon. Gentleman assume that local authorities—the vast majority of which are controlled by his party—are incapable of judging what is the right amount of space? They are building the schools; they should design something that they consider appropriate. Why does the hon. Gentleman want to return to those post-war days when, for example, the Parker Morris standards in council housing were imposed by central Government on councils? The Labour party said that, if we abolished them, everything would collapse. It certainly did not. We gave freedom to local authorities: why will he not do so?

Mr. Blunkett: I thought that the hon. Gentleman knew something about education and the way in which design specifications and the regulations go hand in hand. The answer is very simple. If local authorities do not have minimum space design regulations on which capital allocations can be made, planning consents are given and the Department is permitted to intervene. One cannot blame the local authority if it ends up squeezing space to build or extend a school under DEE regulations for capital, supplementary or original approval when the local authority does not have access to the capital on the markets.

Tomorrow, the House will consider the remaining stages of regulations that will allow grant-maintained schools, but not maintained schools, to borrow against certain assets. We will debate again tomorrow the facilities and provisions for redeeming nursery vouchers in the pilot and substantive schemes, which will not be subject to any regulations concerning the space that must be made available for the small children in question. The hon. Member for Leeds, North-West (Dr. Hampson) and his party are prepared to tolerate small children having totally inadequate facilities and accommodation, so that the Government can deregulate and put to one side the sensible provision that is already available.

On 15 February, the Under-Secretary of State replied to my question about what had happened to the review.

Mr. Graham Riddick (Colne Valley): Which Under-Secretary?

Mr. Blunkett: What does the hon. Gentleman mean, "Which Parliamentary Under-Secretary?" I refer to the Under-Secretary of State who answered my question on 15 February—who, as the hon. Gentleman ought to know, is seated opposite me and is responsible for answering such questions. We do not want silly interventions from hon. Members. The hon. Gentleman may have had a good dinner, but some of us had to forgo dinner to be able to debate the issue properly.

On 15 February, the Under-Secretary of State answered my question by suggesting that, in the review, a large number of local authorities were prepared to accept the deregulation being debated tonight. I wrote to those local authorities, and every one of them—whether Hounslow, Lancashire, Oxfordshire or Bedfordshire—answered that they had written to the Department saying that they were against the deregulation proposals. The material placed in the Library as late as this afternoon shows that out of the consultation exercise that the Minister of State had not been prepared to reveal on 19 July 1995, one local authority—Wandsworth—and one school out of all those that responded were in favour of deregulation, while one Church body submitted a query. Of all the parties that responded to the consultation that was set in motion on 14 July 1995, only three said that, one way or another, they were prepared to accept deregulation.

If that consultation led the Government to believe that they had legitimacy in introducing the regulations, I am a Dutchman. There is no legitimacy in or justification for

[Mr. Blunkett]

the proposals. They are a petty measure designed to bring the marketplace further into the education service, to the detriment of the children we serve. It is time to ensure that we protect people rather than use them as political pawns. I hope that the Secretary of State will accept tonight that, in carrying out a policy begun by her predecessor and implementing proposals that meet the demands of the policy unit but not the education service, the right hon. Lady is again bowing and capitulating to right-wing pressures on her, rather than meeting the needs of the service and making the provision required to improve our children's educational standards and to ensure the proper teaching that classroom staff want to deliver to the children in their charge.

10.28 pm

The Secretary of State for Education and Employment (Mrs. Gillian Shephard): I ask the House to reject the motion. I thank the hon. Member for Sheffield, Brightside (Mr. Blunkett) for turning up this evening. It is good that his team is accompanying him too. Last time, they felt so strongly about the issue that they did not turn up at all.

I should like to make three main points about the regulations: first, the need for them; secondly, the consultation process applied to them; and, thirdly, what we propose to do between now and 1 September, when the new regulations are intended to come into effect. I shall also deal with the criticisms conveyed by Opposition Members both to Madam Speaker—about the laying of the regulations—and in the Standing Committee considering the Nursery Education and Grant-Maintained Schools Bill.

I shall start, if I may, at the beginning. The holder of my office is required by section 10 of the Education Act 1944 to make regulations prescribing the standards to which the premises of maintained schools shall conform. Because the education system evolves and changes—unlike the views of Opposition Members—over the years, it has proved necessary every decade or so to review the regulations. Alongside them, it has been the practice for there to be non-statutory professional advice and guidance from architects and building branch professionals in my Department. That, too, has been regularly revised as educational practice has developed.

The regulations will supersede and revoke the Education (School Premises) Regulations 1981 with effect from 1 September. There are a number of detailed technical changes, but the essential point is that the regulations continue to cover structural requirements, and health, safety and welfare matters—including washrooms and sanitary facilities, boarding accommodation and playing fields. The new regulations will no longer include prescriptive minimum areas for teaching accommodation and recreation areas.

Ms Joan Walley (Stoke-on-Trent, North): I refer the right hon. Lady to a new nursery school in my constituency that was built to the then current regulations. The teachers had to make the strongest possible protest about the fact that even those regulations were inadequate. There were too many children in the classroom, and the noise and crowding made teaching impossible. Without enough capital financing, how will such schools manage under the new regulations?

Mrs. Shephard: The hon. Lady makes my point for me—she seems to be arguing for deregulation, which is what we are providing for.

New non-statutory guidance documents will be provided on both teaching accommodation and school grounds. There will also be non-statutory guidance on boarding accommodation. All three documents are placed in the Library of the House.

As my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman) has said, it is obviously difficult for a single set of regulations to apply detailed area standards sensibly to every kind of school on every kind of site. I am thinking in particular of schools on restricted sites where there is no prospect of expansion, and of schools that are difficult to remodel or adapt. Those schools are often in solidly built Victorian and Edwardian buildings. Many are on inner-city sites, but some are in the green belt or in remote villages. The buildings themselves are often in good condition, but the playground might be too small or the rooms may be inconveniently sized. Many of the schools are Church schools; many are very popular.

Ms Margaret Hodge (Barking): Does the Secretary of State believe that space standards have anything to do with the quality of the education offered to our children?

Dame Elaine Kellett-Bowman: It is the teaching that matters.

Mrs. Shephard: As my hon. Friend says—she is always right on these matters—it is the quality of teaching that counts, a point repeatedly made by the chief inspector of schools.

There were other reasons why a review of the 1981 regulations was needed. In those regulations, space per pupil reduces on a stepped scale relating to the actual number of pupils. That means, for instance, that a primary school with 301 pupils needs about 40 sq m less teaching area, according to the regulations, than one with 300 pupils. And a primary school with 181 pupils needs 10 sq m less than one with 180.

Mr. Nigel Spearing (Newham, South) *rose—*

Mrs. Shephard: I shall give way to the hon. Gentleman, but it may be the last intervention I shall take.

Mr. Spearing: The Secretary of State mentioned the alleged difficulty of calculating minimum appropriate areas for schools of different types. In view of the Government's emphasis on the need for more nursery education, why are they taking away the standards specifically laid down for nursery schools, both indoors and outdoors, which have been a feature of that form of education almost since its inception?

Mrs. Shephard: That is not the case. I am surprised at the hon. Gentleman, who I know produced a learned work on those matters in 1965, which I have read with some interest. He will know that nursery classes in maintained

schools will have to conform to the revised regulations and nursery education in voluntary and privately provided premises will have to conform to the Children Act 1989.

By contrast, minimum recreation areas are broadly in proportion to the pupil numbers. That is another anomaly. If a school had a temporary increase in pupil numbers and had to put up a mobile classroom in the playground, it might risk breaching the regulation on recreation areas. The school might have to come to the holder of my office for a special exemption, but that would be an example of over-prescription leading to undue bureaucracy. Those examples illustrate the anomalies that can arise from over-regulation.

There is a transitional waiver for part of the 1981 regulations for buildings already existing in 1981. That expires on 1 September and has given some useful flexibility. But it would be absurd to perpetuate a system that depended on transitional arrangements. It would be quite wrong to put good schools and sensible LEAs and governors in a position in which they could be held to account for a breach of what had become unrealistic requirements.

Mr. Alan Howarth (Stratford-on-Avon): Will the Secretary of State give way?

Mrs. Shephard: I will give way, for the last time.

Mr. Howarth: Has the Secretary of State considered the representations on recreation space put to her by the Learning Through Landscapes Trust, the foundation of which I supported when I was a Minister? The deregulation measure will allow recreational space around existing school buildings to be built on and, in the case of new schools, the space will not have to be provided in the first instance. Will the Secretary of State acknowledge the importance—for the education and development of children—of available space for play and social interaction, for environmental education through gardens and wildlife habitats and for artistic displays and activities?

Mrs. Shephard: Learning Through Landscapes has made a valuable contribution to the draft guidance documents that have been placed in the Library. The hon. Gentleman will be able to see that if he examines those documents. The trust has been in to see my hon. Friend the Under-Secretary of State for Education and Employment.

The Opposition apparently wish to retain the regulations on teaching areas, but they would be in a dilemma. What would they do about schools on restricted sites? Would they close the school? Would they restrict admission? Would they place compulsory purchase orders on adjacent buildings? How much would they spend? Have they made a spending pledge? Would they come to the holder of my office to seek an exemption each time? Do they want to force a choice on LEAs and governors? Do they want a system that relies on waivers for schools built before 1981? In other words, this is a classic case in which regulations are no longer necessary. I am not arguing that they were necessarily wrong in the past, perhaps as recently as 1981, but that was 15 years ago. And there is more to it than that.

It is not disputed on either side of the House that the revolution—that is not too strong a word—in the management of schools over the past decade has been outstandingly successful. We have given more responsibility to parents and governors than ever before. We know from our experience of local management of schools that we need have no hesitation in leaving important and detailed decisions to them. If the governors can take decisions about admissions and staffing—and they can—surely they can be trusted to take decisions about the size of teaching accommodation, recreation areas and storage space. *[Interruption.]*

Madam Deputy Speaker (Dame Janet Fookes): Order. I do not expect seated interventions from hon. Members in any part of the House, least of all from those on the Front Bench.

Mrs. Shephard: I cannot believe that the Opposition are really saying that LEAs and school governors cannot be relied on to act responsibly. If they are, the argument seems to sit very oddly with their desire to give powers to LEAs at the expense of parents, Churches and governors in other areas of policy.

My right hon. Friend the Member for Norfolk, South (Mr. MacGregor) announced in 1990 that we would be reviewing the 1981 regulations. The review was part of the day-to-day work of the Department. It was not an external, public review and it was never intended to be so, but we did listen to the comments made. We have not been able to take them all on board.

My hon. Friend the Under-Secretary of State, the hon. Member for Hornchurch (Mr. Squire), announced the Government's conclusions to the House on 14 July last year. A draft of the proposed new regulations and a covering circular were issued for further consultation last August. Some 1,600 schools and organisations were consulted, including all the local education authorities. Only 119 responses were received in England and Wales. It was a very low response rate—only 7 per cent. of the schools and organisations that were consulted. That level of response does not suggest that we are facing the end of civilised education as we know it.

On 10 January the Under-Secretary of State, my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan), announced the Government's decisions in the light of the consultation. She said that the Government expected to lay the regulations in February.

On 30 January, in the Standing Committee that considered the Nursery Education and Grant-Maintained Schools Bill, Opposition Members argued that there was a link between the Bill and the regulations and that it would be essential to see the regulations before the Committee had completed its consideration of the Bill. My hon. Friend the Under-Secretary of State therefore undertook to ensure that the regulations were tabled as soon as reasonably possible. They were the subject of expedited printing and were laid on 22 February in an amended proof copy.

The form of the draft, which included manuscript additions, has been criticised by Opposition Members and by the Select Committee on Statutory Instruments. I take the opportunity to apologise to the House if, in our eagerness to comply with the wishes of the Standing Committee, we cut a corner that we should not have done. It was done with the best of intentions. It is a pity that it was not accepted by Opposition Members in that spirit. The consultation has been full and open and we have

[Mrs. Shephard]

worked hard to lay the regulations quickly. We have extended the time of their coming into effect from March to September.

What do we intend to do between now and when the regulations come into force on 1 September? As is the usual practice, we propose to issue a circular to explain the regulations in layman's terms. A draft of that circular was issued with the draft regulations in August. We shall issue the final version of the circular in the spring or early summer.

At the same time, non-statutory guidance will be issued on teaching accommodation, school grounds and boarding accommodation. Drafts of the guidance documents are in the Library. We hope to publish a final version of them in the summer.

There was quite a lot of comment about the regulations during consideration of the Nursery Education and Grant-Maintained Schools Bill. It was suggested that they would lead to overcrowding in individual schools, as there would no longer be a statutory minimum teaching area per pupil. I should remind Opposition Members that the standard admission numbers for schools will not be changed by the regulations. Decisions on how many pupils to admit will still be for the individual admission authorities to take, whether local education authorities or governing bodies.

It has been suggested that the new regulations will lead to an increase in class size. That is not so. It is a long time since the Government prescribed limits on class sizes. Opposition Members will be interested to hear that it was a Labour Secretary of State, Mr. Edward Short, as he then was, who abolished the regulations on class sizes in 1969. The 1981 regulations certainly do not limit class sizes. The minimum areas relate to the total size of the accommodation, not to individual classes.

The final argument advanced by Opposition Members—it is one of the silliest—is that LEAs and governors will not know how much teaching space they should be allocating for a given number of pupils. It is as if local education officers and education committees will suddenly be at the mercy of their finance committees, which will be interested only in cutting costs.

I think that the House will realise that the arguments of Opposition Members are a sham. They are purely tactical in their relationship to the Bill. It is characteristic of them to yearn for detailed rules, to prescribe, to know best, to regulate, to impose and to fossilise matters.

I have explained to the House that the school premises regulations retain a large number of provisions relating to health, safety and welfare. Where the standards are necessary and practical, we are keeping them. Where they are outdated and bureaucratic, we are removing them. That is a pragmatic and realistic approach. I commend it to the House. It means rejecting the motion.

10.44 pm

Ms Margaret Hodge (Barking): It is almost second nature to the Government, when they want to change things, to act in an arrogant and autocratic way. That was their intent in changing the school premises regulations. If it had not been for the persistence of our Front-Bench team, we would not be sitting here tonight, even at this late hour, subjecting the proposals to some sort of public debate and justification. This is not proper scrutiny—I have already learnt, in my brief time in the House, that the Government rarely allow proper scrutiny of their proposals—but at least we have this limited opportunity to question and challenge them on their proposals.

First, let us ask ourselves why the Government wanted to rush these important changes through the House without subjecting them to debate. Was it that they knew that they could not rationally justify the proposals? Was it that they knew that there was almost universal opposition to the proposals? Was it that the Secretary of State knew in her heart of hearts that the new regulations were yet one further step in the wrong direction; yet one further step which would work against raising standards in our schools?

The new proposals will lower standards, not improve them. They will prepare the ground for further cuts in capital investment in our schools, not lead to the much-needed physical improvement in our schools for which we are crying out. They will reduce opportunity for children, not enhance it. They will turn the clock back, not prepare us for the challenges of the next century.

The quality of the school premises in which our children are taught is a vital factor in ensuring a high-quality educational offer—not the only factor, but a vital one. Everyone acknowledges that, and the Secretary of State, as a former teacher and inspector, knows it to be true. That is why we regulate school premises. Regulation here is not some old-fashioned bit of bureaucratic nonsense. It is not about a lot of mandarins and Ministers wanting to add to their sense of self-importance by shifting bits of paper around the system. It is about sensible rules laid down by Parliament to ensure that minimum standards are enjoyed by all our children in all schools.

No one wants the unnecessary, time-consuming and wasteful bureaucracy which over-regulation can bring, but equally, allowing an obsession with deregulation to destroy those elements of our statutory framework which are an essential basis for good teaching is wicked and wrong. It is putting dogma before common sense, and allowing one value and one policy to undermine other more important values and policies. It is sacrificing the needs of our children on the altar of yet another piece of Tory ideology.

The Government often quote the words of Her Majesty's chief inspector of schools to justify their policies and actions, yet they hear only what they want to hear. When his words do not suit the Government's preconceived purpose, as my hon. Friend the Member for Sheffield, Brightside (Mr. Blunkett) has shown, the Government choose to ignore them.

It was the chief inspector who said that space standards were not good enough. No doubt, in 12 or 15 months' time, when the chickens start coming home to roost on this bit of legislation, when stories start appearing in the press about even more overcrowded classrooms and inadequate facilities to teach the national curriculum, what will the Government do? They will play their usual trick and blame the schools, the teachers, the governors—anyone and everyone but themselves.

In this area, as in so many others, the Government have changed their mind. It was, ironically, a Government under the stronger control of the far more dogma-driven

Baroness Thatcher who introduced the Education (School Premises) Regulations 1981. She realised that school premises were an appropriate and important area for Government regulation. What has happened to make this Government change their mind?

The answer lies in the Government's bungling mismanagement of the public expenditure budget. Instead of spending our money on investing in our children's future—a future that must include the state of the buildings in which they are taught—they waste our money keeping families on the dole. They then panic. They want to go into the next election with tax cuts, and the only way in which they can do that is by doing away with essential expenditure demands, such as the demand for capital investment in our schools.

The regulations have nothing to do with setting schools free. They have everything to do with setting the Government free from their obligation to ensure appropriate physical standards in our schools.

Let us look at what the Minister responsible, the right hon. Member for Brent, North (Sir R. Boyson), said when the 1981 regulations were introduced. He started by saying that

"the regulations . . . would have been introduced by whatever Government was in power."

There was a universal acknowledgement of the importance of regulation in this sphere.

The right hon. Gentleman went on to applaud the fact that the 1981 regulations would introduce a bigger minimum teaching area for the upper junior and middle school age ranges. He stressed:

"These are minimum standards, since any local authority . . . can provide more."—[*Official Report, Fourth Standing Committee on Statutory Instruments, &c.*, 28 July 1981; c. 3.]

Looking back at that debate, we can see how dire the standards in our schools were then. We lay at the bottom of the league of northern European countries in terms of the teaching area available per child. My guess is that the position has probably got worse relative to the rest of Europe over the past 15 years, as an inevitable consequence of the cuts in capital spending. Perhaps the Minister can tell us; but I doubt that she will.

The 1981 regulations were, and remain, sensible measures to ensure minimum standards so that schools are fit for their purpose—to provide the best and only first chance children have to enjoy a good-quality education. The Government are failing in their proper duty if they ask the House to agree to the regulations tonight, and stop taking responsibility for space standards in all our schools.

Mr. Spearing: As the Government have a national curriculum, and as they have issued guidelines to schools, is there not a moral obligation on them to work out the cost of the necessary space for that curriculum, in the light of the guidelines, and then to work out a minimum construction cost per place for each variety of school?

Ms Hodge: I take that point entirely. [*Laughter.*] Time is limited.

What freedom is being promoted? What about the rights and freedoms of our children and their parents? They should feel secure and free in the knowledge that they do not have to worry about minimum space standards. The truth is that this nasty piece of legislation is not about handing freedoms to anybody: it is about lowering standards—levelling down, not levelling up. It is about cuts.

The regulations are bad, short-sighted and wrong. They should not be introduced, and they cannot stand the test of time. They are wrong for our schools, they are wrong for our teachers, and, most importantly, they are wrong for our children. The Secretary of State, if she is listening, knows that. She should never have introduced them. I thought that she had a greater commitment to the education system for which she is responsible. The regulations deserve the same fate that the Government deserve—swift rejection, and a long term in oblivion.

10.24 pm

Mr. Richard Tracey (Surbiton): I am grateful to be called in this debate, Madam Deputy Speaker. Indeed, I am glad that the debate has happened at last. I am glad that the hon. Member for Sheffield, Brightside (Mr. Blunkett) has made it to the late shift tonight.

I felt deeply frustrated 10 days ago when my right hon. Friend the Secretary of State, my hon. Friend the Under-Secretary, the hon. Member for Bath (Mr. Foster) and I were here, but the hon. Member for Brightside was not here to move the Labour party's motion on this important subject. Now, tonight, we are all here, able to notch up more than 48 hours in this working week doing our stuff on behalf of our constituents and the important pupils in our constituencies.

I welcome the aspect of the regulations that protects school playing fields. About 10 years ago, my local authority area of Kingston upon Thames had a Liberal council—unfortunately, we now have one again—which sold two areas of school playing fields. Such sales are deeply opposed by Conservative Members. I certainly opposed the sale of sports fields during my time as Minister for Sport, as did my hon. Friend the Member for Luton, North (Mr. Carlisle) and the hon. Member for Stalybridge and Hyde (Mr. Pendry). I am therefore glad that these regulations—very much in response to what my right hon. Friend the Prime Minister has said—protect school playing fields.

At the same time, the regulations provide valuable deregulation. As my right hon. Friend the Secretary of State pointed out, there has been far too much over-regulation and far too little flexibility in schools regulations. The Government have tried to give greater and greater responsibility to local education authorities—too many of which, as my hon. Friend the Member for Leeds, North-West (Dr. Hampson) pointed out, are now controlled by the Labour and Liberal Democrat parties, which is always a recipe for disaster. Nevertheless, they must have more delegated powers, and, more importantly, schools must have local management powers. That is what we are trying to achieve through deregulation.

[Mr. Richard Tracey]

Inevitably, parents, governors and head teachers have worries.

Mr. Edward O'Hara (Knowsley, South): What responsibilities have been given to local authorities in recent years that are relevant to the regulations?

Mr. Tracey: There is local management of schools. Management is a broad area, including finance and the regulation of schools—

Mr. O'Hara *rose—*

Mr. Tracey: No, the hon. Gentleman has had his chance to intervene. Now he must take his chance to catch your eye, Madam Deputy Speaker, when he can make his own speech.

In the short time that I will allow myself, I want to speak on behalf of parents in my constituency, especially those who belong to the Kingston Campaign for Smaller Classes. They have been in touch with me and with my right hon. Friend the Member for Kingston upon Thames (Mr. Lamont) about the regulations.

The campaign is rightly concerned, although I believe that its concerns have largely been met by what my right hon. Friend the Secretary of State said, and by a letter that I received today from my hon. Friend the Parliamentary Under-Secretary of State for Employment and Education, the Member for Chesham and Amersham (Mrs. Gillan), that there is no upper limit on class sizes. It is worried that

"Health and safety legislation against overcrowding applies only to employees—not to pupils and not to classrooms."

It is also concerned about what will happen, if standard numbers are not a limit, if more children are admitted on appeal.

Those are reasonable questions. My right hon. Friend the Secretary of State has dealt in part with them, and no doubt my hon. Friend the Under-Secretary will do so further. One of the leaders of the Kingston Parents Campaign for Smaller Classes wrote me a letter in which she admits that, as a result of the delay caused by the failure of the hon. Member for Brightside to turn up and move the motion, she has investigated the amendments further. She says:

"I do see that there may be some lack of flexibility in the way the current regulations are presented, and that it would be helpful if there were a revised definition of teaching and non-teaching areas."

She goes on to say that the regulations

"are needed to protect children against the worst that can—and already does—happen. This is very much a health and safety issue. Too many children crammed within restricted classroom areas for all their class-based activities constitute a hazard, as do undersized playgrounds. This is especially the case in primary schools, where children's movements are often very far from controlled or predictable."

She concludes:

"Thank you again for taking such an interest in this."

That is what the Government are doing. There has been a problem with the lack of flexibility, and the Government are moving to deal with it. As hon. Members know, I represent a highly successful education authority area. As my right hon. Friend the Secretary of State knows, Kingston upon Thames is top of the league of education authorities. We are proud of that, but conscious of the need to preserve the high quality of our schools, especially of our primary schools, and of our education authority generally. I therefore welcome what my right hon. Friend has said, but I shall listen with interest to the Under-Secretary's reply.

11.3 pm

Mr. Don Foster (Bath): The hon. Member for Surbiton (Mr. Tracey) told the House that the Secretary of State has, at least in part, dealt with his constituents' concern about rising class sizes. I do not think that any other hon. Member thought that she dealt with it satisfactorily. She would have some difficulty in doing so, given the massive increase in class sizes over the past few years, with more than 1 million primary school pupils in classes of more than 30, and over 100,000 in classes of more than 36.

The hon. Member was right about the importance of deregulation and getting rid of unnecessary red tape and bureaucracy, but we are not dealing this evening with unnecessary bureaucracy or red tape. The removal of the regulations governing space from the earlier Education (School Premises) Regulations 1981 is not the same as getting rid of something unnecessary. That view is shared by many educationists.

As the Secretary of State will know, in September, a letter appeared in *The Independent* that was signed by nearly all the organisations representing teachers, governors, parents and local education authorities. They were united in their expression of major reservations about the removal of the regulations governing space. They were concerned, just as I am, that their removal and replacement with mere guidelines offers inadequate protection against the very concerns about overcrowding expressed by the hon. Member for Surbiton. That concern is justifiable given the significant increases in class sizes.

Hon. Members were interested in the intervention of the hon. Member for Lancaster (Dame E. Kellett-Bowman). When the hon. Member for Sheffield, Brightside (Mr. Blunkett) expressed concern about the problems of overcrowding and poor accommodation, the hon. Lady told the House that they were not a problem, and that what mattered were the teachers.

Dame Elaine Kellett-Bowman: The hon. Member, having had the great privilege of being educated in Lancaster, should know that at least one school in the centre of the city, which is extremely popular, cannot extend in any direction. It would be a disaster were that school to close. If we do not get rid of some of the regulations, the same problem will apply to at least three village schools.

Mr. Foster: The hon. Lady should say why she, or least her Government, supported the initial regulations in 1981. The hon. Lady might reflect on the what the chief inspector of schools said in this year's report. It is worth repeating:

"Teachers who lack proper resources or who work in poor buildings experience problems which at best frustrate and at worst defeat their best efforts to do a decent job."

Teachers need the tools to do the job and the proper premises in which to work in order to give the very best to our children.

In common with many other people, I am extremely concerned that the Secretary of State again repeated the information that there has been a five-year long review of the 1981 regulations. A detailed review has been conducted, but the Secretary of State has not offered any hon. Member the opportunity to review any of the information gathered in those five years. The right hon. Lady should consider whether she is prepared to make available to the House details of the internal memoranda that were written in other places about that review.

Many of the arguments against the removal of the space regulations have been rehearsed, and I do not wish to repeat them. I hope that the Under-Secretary will respond to another issue.

The House will be aware that, on 15 December 1981, the United Kingdom ratified the United Nations convention on the rights of the child. Article 3 states:

"In all actions concerning children . . . the best interests of the child shall be of primary consideration . . . State parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities".

Along with the convention, the UN established a committee on the rights of the child to monitor the convention's implementation.

In January 1995, the United Kingdom Government appeared before the committee and were heavily criticised for failing to give adequate scrutiny to all relevant legislation to see that it complied with the convention. I have recently had discussions with the head of the United Kingdom branch of the children's rights development unit, which was set up to monitor the United Nations convention. She believes that the removal of the space regulations would be a further example of this country's breach of the convention.

Schools are now required to take extra pupils on appeal, they are not required to comply with the usual health and safety legislation, there is no legal limit on class size and there will be no statutory minimum space legislation. There is now no legislation to prevent overcrowding, and voluntary guidelines are no substitute because they cannot be challenged in law, and they are not enforceable.

Removing the space regulations is a charter for overcrowded classrooms and playgrounds. Children are having their right to space removed, which is contrary to the commitment this country gave when it signed the United Nations convention to ensure that the best interests of the child be given primary consideration. These regulations amend the Education (School Premises) Regulations 1981, and do so for the worse. Therefore, they should not be approved this evening.

11.10 pm

Mr. David Congdon (Croydon, North-East): The hon. Member for Bath (Mr. Foster) was trying to over-egg a weak pudding of an argument. I have heard some strange arguments to justify a particular line of attack, but his beats the lot. Today's debate is somewhat strange. One would think that we were going from a situation of complete tight regulation to having absolutely nothing in its place. As I understand it, we are actually moving from a situation in which the Education (School Premises) Regulations 1981 lay down minimum teaching areas to one in which there are gross area guidelines.

Hon. Members do not want children to be taught in seriously overcrowded classrooms, but it is difficult to define precisely the number of square metres that is suitable for children. I have visited many schools and, regardless of whether they are in line with or out of line with the regulations, some seem more crowded than others, depending on the design of the building, when it was built, the layout, the amount of light in the room, and so on.

I have looked at the proposals to replace the minimum teaching areas by gross area guidelines, and I am afraid that they are not as Opposition Members have portrayed them. The guidelines lay down a range of space that should be available in gross area terms—not minimum teaching area terms—including corridors and other space. A primary school with two forms of entry would have between 3.8 and 4.3 sq m per pupil, and a secondary school with eight forms of entry would have between 6.5 and 7.1 sq m per pupil. That does not strike me as a regime with no interest whatever in the amount of space that is available in the school.

There is a distinction to be made. The guidelines refer to gross area, not minimum teaching area, thus avoiding the problem of having to define what is a teaching space and what is not a teaching space. When one visits schools, one finds that they use space in all sorts of imaginative ways. *[Interruption.]* Labour Members may laugh, but as my hon. Friend the Member for Leeds, North-West (Dr. Hampson) has said, there are all sorts of open plans and arrangements which make gross area guidelines much more appropriate.

Mr. Spearing: I ask the hon. Member for Croydon, North-East (Mr. Congdon) to look at the Committee debate, to which I contributed. Does he agree that 6 sq m is much too small? In any case, he is talking about guidelines that are not statutory, so there is an absence of figures of any sort for teaching space in the regulations.

Mr. Congdon: I think the last point is correct, but I am not sure that it matters because the gross area guidelines have been drawn up and the graphs have been produced in such a way that, as a rule of thumb, 60 per cent. of the space will be used as teaching space. That meets the hon. Gentleman's point.

Opposition Members place much emphasis on teaching space and buildings. They concentrate far too much on buildings and not enough on the quality of education. There is no correlation between the quality of buildings and the quality of education. Significantly, in all education debates—of which there have been many down the years—Opposition Members love to concentrate on those issues, because it means that they can avoid the real debates about the quality of education, about testing and about publication of results. They prefer to concentrate on irrelevancies.

I am happy to support the guidelines rather than a minimum teaching area.

11.15 pm

Mr. Peter Kilfoyle (Liverpool, Walton): The Government have made one of the tawdriest defences I have heard for the indefensible. The governing party apparently cannot distinguish between small classes and smaller classrooms and between guidelines and regulations.

[Mr. Peter Kilfoyle]

My hon. Friend the Member for Sheffield, Brightside (Mr. Blunkett) mentioned the leaked letter from the right hon. Member for Oxford, West and Abingdon (Mr. Patten), who spoke of

"how to resolve the increasing difficulty of having minimum standards for which the costs of compliance go well beyond any realistic prospect of the capital expenditure which is likely to be made available."

How prescient he was.

In the 10 years from 1974 to 1984, education capital spending declined in real terms from £1.82 billion to £604 million. This year, according to "DfEE News", it is running at £621 million. Place that in the context of a capital deficit estimated by the National Audit Office in 1988 at £2 billion, the current request by local education authorities for £1.9 billion for essential maintenance and repairs—but of course they receive only £416 million—and a country whose capital investment in education is only 3.9 per cent. of its total, compared with a European average of 8 per cent., and one has a Government who have scandalously run down their educational capital stock.

The regulations remove minimum standards for teaching area, for recreation space, and for study areas for post-16 students. Never mind that a recent *Observer* and Association of Teachers and Lecturers survey reported that 88 per cent. of our classes are overcrowded. The message is clear and unequivocal: cram them in.

The Government have minimum standards for piglets, calves and hens, but they are removing similar protection from our children at a time when the population is expanding and when 86,000 more children are due to enter education next year. On those matters, it behoves Opposition Members to agree with Her Majesty's chief inspector, who rightly said in his recent annual report:

"One in seven primary schools has weaknesses in accommodation which frustrate teaching".

He commented:

"Where no grassed area is conveniently available and playground services are poorly maintained—and where indoor gymnasiums are ill equipped—pupils' attitudes are damaged and standards are depressed."

We will take no lectures on standards from Conservative Members.

Dr. Hampson: That is the third time tonight that the chief inspector has been grossly misrepresented. Surely the hon. Gentleman agrees that, although those criticisms were made, the central argument was that style, standard and quality of teaching were relatable to class size and that that was most important for standards—not the size of classrooms, for heaven's sake.

Mr. Kilfoyle: As they say, "There is no show without Punch." The hon. Gentleman claimed in Committee that, when Baroness Thatcher was Prime Minister, she gave way only because of the bullying tactics of the National Union of Teachers and the education lobby; that is how divorced from reality the hon. Gentleman is.

As my hon. Friend the Member for Brightside said, there has been a protracted process of review and consultation. Of 1,500 schools consulted—according to the Secretary of State, the number has increased magically to 1,600—just 119 responded. Ministers originally claimed that there were two advocates of change—Wandsworth and East Sussex—but omitted to say that East Sussex wanted the regulations tightened, not abolished.

Miraculously, we see a copy of the responses from the people who bothered to respond. Again, Wandsworth was the only authority that responded of which one could honestly say that it unequivocally welcomed the Government's proposals.

No research was done into the potential impact of the proposals on learning, health, safety and discipline. I assume that Ministers had already taken the opinion of Her Majesty's chief inspector, although they clearly rejected it subsequently. The results that emerged from the consultation are truly dreadful. When we recently finished the Committee stage of the Nursery Education and Grant-Maintained Schools Bill, we considered the likely impact of the proposals in detail. If this statutory instrument is approved, it will send a clear message to those in the private and voluntary sectors in nursery education that the Government expect lower standards of accommodation for our children.

I hope that the Under-Secretary of State will enlighten me in regard to something that I learned only today, when I was in Trafford. There was a consensus there between the political parties about the provision that they wanted to make, particularly in regard to special needs. Special units were incorporated in schools. Will the Under-Secretary tell us whether those special units will come under the aegis of special schools, or that of mainstream schools?

Mr. O'Hara: Will my hon. Friend give way?

Mr. Kilfoyle: No, I must make some progress.

Whereas the current regulations make specific provision for our children, all references to the particular needs of nursery children are removed. That is a disgrace: it shows an abysmal lack of understanding of the spatial needs of toddlers. Why do the new regulations not recognise the particular needs of emotionally and behaviourally disturbed children? Do Ministers not realise that overcrowding exacerbates their problems? There is, for example, nothing to deal with the passage of young children in wheelchairs and their integration; there is nothing to help the visually impaired, who need uncluttered corridors. It is a disgrace that the Government have neglected people with special needs.

In a letter to the Prime Minister on 6 October 1995, Lord Remnant, chair of Learning Through Landscapes, said that the proposals would

"put pressure on schools and LEAs to realise hard assets".

Do the Government not understand that? They will say—and no doubt the hon. Member for Surbiton (Mr. Tracey) will agree—that playing fields are being protected: obviously, that is another whim of the Prime Minister's. But what will they say in response to the charge that, under their protection, 5,000 playing fields have been sold off, with a further 2,600 sales in the pipeline?

This is all about the physical education curriculum. Do the Government not understand—as the Secretary of State for National Heritage clearly does—the need for playgrounds? The Secretary of State supports lottery

money for playground games, while Ministers from the Department for Education and Employment want to take their protected status away. There seems to be a contradiction. I would prefer to put my money with the Secretary of State for National Heritage on this issue.

Has the Minister looked at paragraph 7 of part II of the regulations? Does it mean that children under 11 will not have proper changing accommodation? That is the only interpretation that we can put on it—but, if it is correct, what does that mean for pubescent girls of that age? In particular, what does it mean for girls who have religious considerations to complicate their position?

Like my hon. Friend the Member for Barking (Ms Hodge), I consulted the report of the Standing Committee sitting of 28 July 1981. The then Under-Secretary of State for Education and Science, the right hon. Member for Brent, North (Sir R. Boyson), boasted:

"there are bigger minimum teaching areas",

and went on to announce

"the minimum . . . area for a school site area . . . That is particularly important."—[*Official Report, Fourth Standing Committee on Statutory Instruments*, 28 July 1981; c. 3-4.]

I hasten to add that I agree with what the right hon. Gentleman said on that occasion. However, the only change that has taken place since then is the introduction of the national curriculum.

To any objective observer, the introduction of the national curriculum would imply that we need to take more account of such needs, particularly in technology, physical education and a raft of other areas governed by the national curriculum. The right hon. Member for Brent, North was right: these are important issues. However, the right hon. Gentleman predicted falling pupil numbers. As those numbers continue to rise, it seems to Labour Members that the Government are intent on lowering standards in the school environment.

As to the quality of teaching, my hon. Friends have pointed out that every authority, parents, governors and teachers—all those who have the interests of children at heart—have said repeatedly that the school environment and the space in which they operate is crucial to raising standards. We can only conclude that this is a cheap move on the part of the Government at our children's expense. It has no support outside Government, as evidenced in the responses to the consultation. There were only 119 respondents—some 7 per cent.—from the 1,600 organisations whose views were sought. Of those, only one organisation—Wandsworth council—unequivocally welcomed the Government's recommendations.

The Secretary of State referred to the five-year review and to standard admissions. I am reluctant to add that the Secretary of State obviously does not understand how the standard number was arrived at or whether the measure will affect overcrowding. The formula was based on school numbers in 1979-80, which was a boom year. It was then changed on the basis of 1989, and that roll was bigger than that of 1979-80.

I urge my colleagues to recognise that the measure is churlish, ideological nonsense that should be dumped along with this discredited Government. I urge the House to vote against the regulations.

11.26 pm

The Parliamentary Under-Secretary of State for Education and Employment (Mrs. Cheryl Gillan): I have listened to the debate for more than an hour, and I have heard no new arguments of substance from the Opposition. In her opening speech, my right hon. Friend the Secretary of State reminded Labour Members that today's schools are very different from those of 1981. Even the most dogmatic diehards on the Opposition Benches cannot deny that schools have benefited from—even thrived on—our local management policy.

Schools have shown that they can be treated like grown-ups, so why can Opposition Members not accept a more adult approach to school premises and land? Our proposed changes are all about deregulation—which is still a dirty word in some circles. Deregulation puts responsibility into the hands of those on the ground—local education authorities and school governors. I am amazed that Opposition Members are fighting measures that give greater responsibility to LEAs and to schools. They say that the Labour party supports local democracy—but sometimes I wonder.

Remember the absurdities that my right hon. Friend the Secretary of State cited earlier. Would they exist if the people who run the schools were in charge? Remember also that we are keeping—even strengthening—key standards that protect pupils' health and safety. Change of any kind is not popular with everyone; no change, however badly needed, will please everyone. However, it is crystal clear from the responses to the consultation and from the questions and the letters that have landed on my desk since then that the old myths, misinformation and scaremongering that the Opposition love so dearly are still going strong.

Tonight's debate gives us a welcome opportunity to knock those fairy tales on the head—for the last time, I hope. I have said it a dozen times—my right hon. Friend said it with admirable clarity at the beginning of the debate—but I shall say it once more, as ideas seem to take an eon to filter through to Opposition Members. We can forget the scare stories. The new regulations will not affect admission numbers or class sizes. Regulations never did cover class sizes. I remind the House that a Labour Secretary of State abolished the regulations on class sizes in 1969. Governors and LEAs will control admissions just as they do now.

Opposition Members want us to believe that LEAs see the new regulations as nothing but trouble, but even Sunderland said:

"It is surely time for the Department for Education . . . to produce clear and authoritative guidance".

That is exactly what we have planned. Opposition Members are still in love with the nanny state. They want to surround schools and LEAs with endless regulations. We trust LEAs and school governors to manage their school premises and to make sensible decisions on admitting pupils. Managing schools is a job for the people on the ground, not central Government. I ask the House to reject the motion.

Question put:—

The House divided: Ayes 238, Noes 280.

Division No. 80] **[11.30 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Nicholson, Emma *(Devon West)*
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony

Tellers for the Ayes:
Mrs. Jane Kennedy and
Mr. Jon Owen Jones.

NOES

Ainsworth, Peter *(East Surrey)*
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael

Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Garel-Jones, Rt Hon Tristan
Garnier, Edward
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Malone, Gerald
Mans, Keith
Marland, Paul
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Richard Ottaway and
Mr. Gary Streeter.

Question accordingly negatived.

EDUCATION AND EMPLOYMENT

Ordered,

That Mr. Don Foster, Mr. Harry Greenway, Mr. Warren Hawksley, Margaret Hodge, Sir Ralph Howell, Mr. David Jamieson, Mr. Iain Mills, Mr. David Nicholson, Mr. Edward O'Hara, Mr. David Porter, Mr. Ernie Ross, Mr. Gerry Steinberg and Sir Malcolm Thornton be members of the Education and Employment Committee.—*[Sir Fergus Montgomery, on behalf of the Committee of Selection.]*

Council Housing

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McLoughlin.]*

11.42 pm

Mr. Chris Davies (Littleborough and Saddleworth): This is the third Adjournment debate that I have been lucky enough to secure during my five months in the House. I am delighted to have the chance to face the Minister so soon after the last one. I hope that he will recall that this is my third time and that he will ensure that I am third time lucky by granting my requests on behalf of my constituents and others throughout the country.

I am becoming something of an old hand at these debates. I have learnt that Ministers tend to speak from a prepared brief in reply, usually without hesitation or deviation but sometimes with a little repetition.

I am concerned about the fact that the best housing stock owned by our local authorities is deteriorating rapidly. The problems are, in essence, to do with money. The funding is being reduced year after year. It is therefore time that the Government held out some prospect of change.

This debate is about older housing. I offer the Minister, as examples, the Alt and Roundthorn estates in the Lees ward of Oldham, where there are about 800 houses and a few flats and bungalows. On the Holt, Bentgate and Hough estates in the Milnrow and Newhey ward of neighbouring Rochdale, there are some 500 properties. Almost all are houses, but a few are bungalows. All were built in the 10-year periods either side of the war. Roundthorn was started in 1936 and Alt was finished by the mid-1950s.

The houses are typical examples of some of the best council housing built in Britain in the middle years of this century. They are mostly semi-detached, they have gardens to the front and rear, they were well constructed and they are good, solid, middle-of-the-road housing. Generally, because of their age, they are now paid for, and there are very few debts outstanding to be paid by the local authority.

Hundreds and thousands of such council houses were built throughout Britain. They proved popular with people when the right-to-buy legislation was first introduced and they are typical of the houses that were snatched up on council estates. As it happens, not many of the properties on the estates that I have mentioned have been sold—only 10 per cent. have—but they are pepper-potted around the estates and are a clear demonstration of the commitment of local tenants, now owner-occupiers, towards the areas in which they live.

For all the good qualities of the bricks and mortar and the design of the homes, people on the estates now all too often feel somewhat forgotten. They see work being carried out in other parts of the boroughs, but nothing substantial done to their own homes. The local authorities' position is understandable. With limited finance, it is almost inevitable that the money that is available goes to properties in greatest need.

Unfortunately, the qualities of such mid-century council housing do not always carry on, decade after decade, without decline. Buildings constructed from the 1950s onwards, such as mid-rise walk-ups and system-built concrete structures, have generated real problems that local authorities have to face and treat as priorities. That housing has caused difficulties that are expensive to resolve, and the result is that estates that are sliding gently into decline, such as those I have mentioned, are overlooked time and again. They never get priority attention and they can, at best, look forward to getting some of the crumbs from the table.

The simple truth is that 50-year-old housing, which was good for its time, is not so good now. The refurbishment work that is needed is important to the very fabric of the buildings—it involves pointing and cleaning brickwork as it becomes unsightly. From across the street, one can see that the roofs are starting to sag. Besides essential maintenance on a scale greater than the day-to-day repairs budget will ever provide, the properties really need full refurbishment to equip them for another 50 years of life.

The stock simply no longer meets modern expectations. Ideally, it should be refurbished from top to bottom and the kitchens and bathrooms modernised. The entire interior layout should be remodelled after—in these days, when tenants' wishes are taken into account—a proper period of consultation. That does not happen because the money is not available. On the Alt estate, the best that local residents can expect is a window replacement programme, but the programme is on such a small scale that it is likely to take years to complete.

Other details of the estates are likely to require attention. For example, the roads were not designed with the expectation that cars would be parked all over them. It was never in the architect's mind that minibus services would operate around the estate. That has happened, of course, as a result of deregulation, greater competition and some innovation in the bus industry.

In the absence of proper refurbishment, there is gradual decline. I have no doubt that, for many years, the properties will be comparatively popular and easy to let. That is bound to change, however, as time passes. As the fabric decays, demand will gradually lessen. The deterioration will affect both council tenants and home owners.

The Institute of Housing estimates that Britain needs additional investment of about £20 billion to catch up with the backlog of council housing refurbishment. That is in addition to the money that is already being spent by councils throughout the country in accordance with the housing investment programme allocations that are awarded to them annually.

I hope that the Minister will accept what to most is an obvious truth—that the size of the repair bill will inevitably increase the longer we wait for the problems that I have outlined to be recognised and dealt with. If the problem is not addressed, property is bound to decay further.

The resources that are available for the task are hopelessly inadequate. Even taking account of the money that is being devoted to the tail-end of estate action schemes—they are no longer being authorised afresh—and moneys in single regeneration budgets, the cake is becoming smaller. Investment in council housing in 1979-80 was £7 billion. I understand that last year it was about £3 billion.

Rochdale housing department tells me that essential planned maintenance is now being financed from the revenue account. It points, however, to the urgent need

for rewiring, the replacement of heating systems, re-roofing and window replacement merely to maintain the basic fabric, let alone any attempt to modernise to meet the wishes of tenants who look to property that is appropriate for the 1990s.

Rochdale housing department argues, as do local authorities throughout the country, that more resources are urgently needed. Oldham housing authority tells me that it could easily spend 10 times its current allocation, and that it would still take years to make a mark on the need, such is the scale of the backlog.

The Institute of Housing has proposed some changes to the Treasury rules, which restrict the way in which allocations are made to council housing. Its thoughts are not entirely dissimilar to those of my party. The Liberal Democrats would argue strongly for increased capital investment in housing. Local authorities should be allowed to spend their capital receipts. There is a need to change the Treasury rules to allow local authorities to deal with the backlog that I have described.

The Institute of Housing suggests that there should be a shift of emphasis from the Treasury's reliance, as its marker, on the public sector borrowing requirement towards the general Government financial deficit, which is not a term that I had come across before preparing for the debate. I understand that such a move would bring the United Kingdom into line with general European practice.

The institute proposes the establishment of local housing corporations and the transfer of estates to organisations controlled and established by local authorities, with elected councillors serving on them. By a change in the paper work and a reinterpretation of the rules, local authorities would be allowed to invest more in the housing stock.

I have now been associated with local authorities for some 16 years. I have been a councillor on two authorities and the chairman of the housing committee of one. When I looked round some of the rapidly deteriorating estates in Liverpool in the early 1980s and saw the poor quality of some of the housing built in the immediate post-war years when the problems caused by the blitz and the need for slum clearance were so acute, I would never have believed that, in the closing years of the 20th century, we would still not be able to deal with the problems. In fact, the problem has got worse. I see no end to it.

I should like the Minister to offer to my constituents in Oldham some hope, and some suggestion that the time is coming when, in practice, the capital resources necessary to deal with the rapidly growing problems will at last be made available to local authorities.

11.55 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): I do not know whether the hon. Member for Littleborough and Saddleworth (Mr. Davies) will consider that he has been lucky for the third time, but I welcome this opportunity to set out to him and to the House details of our policies for housing. I hope that he and his constituents will find in what I have to say answers to a number, if not all, of the questions that he posed.

I commend to the hon. Gentleman as a starting point the White Paper on housing which we published last year, "Our Future Homes", which set out the Government's housing policies for the next decade. The White Paper highlighted the key role of local authorities in setting strategies for their areas—shaping the provision of new social housing, making effective use of existing houses in all sectors and getting new investment in council housing.

Every year, each local housing authority prepares its housing strategy and publishes a statement setting out its main objectives, policies and programmes for the next three years. When preparing its strategy, the authority has to consider its priorities in the context of the resources that it has available and it is up to the local authority to identify where these resources should go.

The strategies play a major part in central Government decisions on how capital resources are allocated to authorities under the housing investment programme. This programme is the main source of Government funding for local authority housing, and in 1996-97 local authorities will receive more than £1.2 billion under the programme. Within that, £943 million is for general purpose allocations, the housing annual capital guidelines, which are distributed to individual local authorities—40 per cent. on a formulaic basis and 60 per cent. competitively.

The formula used to guide the ACG allocations is something called the generalised needs indicator, which is a relative measure of the need for investment in each local authority area. To ensure that the distribution of capital housing resources was based on robust and stable indicators of the need to invest in each area, the Department recently carried out a comprehensive review of the generalised needs indicator. The purpose of the review was to establish indices which were based on the relative need to invest, which derived from the most reliable data sources available, which took into account both supply and demand and which were as straightforward and comprehensible as possible. The review was completed last year, and the 1996-97 allocations are based on the revised indicator.

The main criterion for the competitive portion of the allocation is the relative efficiency and effectiveness of an authority in meeting local housing needs. One of the key factors used to assess that is the quality of the local authority's housing strategy. The others are programme delivery, performance in the enabling role, management practices in the landlord role, and tenant and resident consultation and participation—something by which we set great store.

The Government believe that this allocation on the basis of need and performance has stimulated improved strategic planning and service delivery. Our Government offices for the regions, which assess all the authorities in their region each year, consider that the competitive system has led to an improvement in local authorities' performance. In 1994, Capita Consultants was employed to conduct a review of the HIP process. In its report, it wrote;

> "According to both the Government Offices and the local authorities the present competitive HIP process appears to be succeeding in its primary objective of improving local authority performance in relation to housing strategies and the delivery of housing programmes".

The Government therefore propose to increase the competitive element of the housing investment programme, and we are consulting the local authority associations on that matter.

The housing investment programme is, of course, not the only source of Government funding for investment in council housing. Over the past 10 years—the

[Mr. James Clappison]

hon. Gentleman adverted to this in passing—the Government have provided considerable additional resources to council estates through estate action and, within the single regeneration budget, £256 million of resources will provide support for the estate action programme in 1996-97.

I understand that the local authorities in the hon. Gentleman's constituency have benefited from estate action schemes. I see that the hon. Gentleman appreciates and fully accepts that point. Oldham has received about £18 million from the estate action programme towards improving nearly 6,000 properties on eight estates, while in Rochdale more than 6,000 properties have been improved on 16 estates at a cost of more than £36 million to estate action.

The improvement of housing and housing conditions for local people through physical improvement, better maintenance, improved management and greater choice and diversity is a key objective for the single regeneration budget and schemes with a significant housing element are among those receiving funding from the SRB challenge fund.

Mr. Chris Davies: I give credit to the estate action money. Within the ward I represent as a councillor in my constituency—the Holt village ward—almost 1,000 properties have benefited hugely from the project. Down the road, the estates to which I referred—Alt and Roundthorn—have identical housing, but as a result of being unlikely to meet the single regeneration bid rules, they could well languish in an unmodernised state while, across the road, their neighbours have benefited. Does the Minister hold out any prospect of the overall size of the cake being increased?

Mr. Clappison: I am pleased that the hon. Gentleman accepts that the estate action programme has benefited the parts of his constituency to which he referred. He has referred to other parts of his constituency—the Alt and Roundthorn estates. I will draw attention to ways in which such estates can benefit, especially from new sources of capital funding. I draw the attention of the hon. Gentleman and his constituents to those sources of funding.

The challenge fund for the single regeneration budget promotes an integrated approach to local regeneration, and it is not possible to identify separately the exact resources directed at housing. However, about 70 of the schemes approved in the first round of the single regeneration budget challenge fund have a significant housing content. Those schemes received about £70 million of SRB resources in 1995-96 and will receive a further
£150 million in 1996-97. Schemes with a significant housing content were even more successful in the second round of the challenge fund, and will receive more than £100 million in the first two years.

Both Oldham and Rochdale have been successful in bidding for the SRB challenge fund—Rochdale in rounds 1 and 2 for Canalside and Middleton Pride respectively, and Oldham in round 2 for Westwood. The local authorities will receive more than £30 million in total from the SRB for those schemes. I hope that they will bid for the third round of the challenge fund, which will be launched at Easter this year, and be equally successful.

I turn to other sources of funding and begin with the housing partnership fund under which local authorities can also bid for resources. In 1995-96, £30 million has been awarded to 220 housing schemes and the combination of public and private sector money means that up to £108 million will be invested to meet local housing need, help stimulate local economic growth and create jobs. The projects funded involve a wide range of schemes, from conversion of warehouses to provide social housing, to energy efficiency schemes, and they bring long-lasting benefit to local communities.

Last December, we invited bids from local authorities for the 1996-97 scheme. This year, we will be placing particular emphasis on schemes that bring empty properties into use from both the private and the public sectors. The response from local authorities has been very encouraging, and we will be making an announcement on the successful bids shortly.

Challenge funding of local authority spending has developed rapidly over recent years, and has proved its value. It drives up standards of service and ensures that public funds are directed where they can achieve most. We intend to build on the success of current programmes and continue the drive towards challenge funding. We are therefore considering the introduction of a capital challenge fund for distribution of Government support for local authorities' mainstream capital spending. Consultation on that proposal ended on Friday 15 March, and we are now considering the responses.

Government funding is, of course, not the only source of resources for expenditure on housing. Local authorities can also fund capital expenditure on housing from revenue contributions to capital and from their usable capital receipts. Of course, local authorities must set aside 75 per cent. of housing receipts and 50 per cent. of other receipts for debt repayment. We believe that it is right that local authorities should set aside a portion of their receipts for the repayment of debt. That reduces the burden on council tax payers of servicing local authority debt and has wider benefits for the economy. However, local authorities are free to spend the remainder as they wish. They should therefore regularly consider whether they can generate additional capital receipts.

In addition, as public funding is limited, local authorities should consider ways of increasing private investment. The single regeneration budget challenge fund and the housing partnership fund have shown that local authorities can form partnerships with the private sector, thus securing private finance in addition to public funds for projects that benefit the community.

I come to another important option in the context of the hon. Gentleman's remarks. We would urge all authorities to consider the transfer of their housing stocks to a private sector landlord. We have in place a very successful programme of voluntary transfers, bringing considerable benefits to local authorities and to their tenants. Transfer is one of the best ways of bringing in private finance to improve the condition of social housing stock. Authorities gain a sizeable receipt, which is used first to pay off housing debt.

In addition, authorities will usually also have receipts that they can invest in social housing in their area. Tenants benefit from improvements to their homes, rent guarantees from their recipient landlords and a greater say in the management of their homes. To date, 47 local

authorities have transferred almost 213,000 properties to new landlords. Those transfers have attracted almost £3.5 billion of private sector funding and have generated receipts of well over £2 billion for local authorities.

Transfers to date have not been confined to the south of England; there have been a number in the north of England not too many miles away from the hon. Gentleman's constituency, including areas such as South Ribble. We expect that Manchester city council will shortly be transferring 1,400 properties on its Partington estate to Manchester and District housing association.

So far, most large-scale voluntary transfers have taken place in shire districts where the stock is small and in relatively good condition, but we are keen to bring the benefits of transfer to urban and inner-city areas with non-traditional housing. We are committed in the Housing Bill, which is currently being considered by the House, to widening the range of recipient landlords to include local housing companies. The proposed legislation will, for the first time, enable a wider range of non-profit-making landlords to provide social housing—either by receiving stock transferred by local authorities or by acquiring or constructing houses with Housing Corporation grants.

In addition, last year the Secretary of State announced a new challenge fund, the estates renewal challenge fund, designed to facilitate the transfer of poor-quality council housing estates to new social landlords to secure their improvement through increased investment. The type of estates that will benefit are those where low or negative valuations or poor asset cover means that transfer in the usual way, which I have just described, is not a viable proposition.

More than £300 million will be made available through the scheme over the next three years. Grant may be paid towards a range of costs associated with transfer, including the costs of dowries to new landlords where the stock has a negative value, essential repair, maintenance and capital works and the preparatory and set-up costs for the new landlord. The scheme is, of course, voluntary, and transfers will go ahead only where both the local authority and the tenants are in favour.

Grants will be awarded on a competitive bidding basis. Local authorities were invited just before Christmas to start drawing up outline bid proposals to be submitted by mid-February. There has been a very encouraging response. More than 30 local authorities have submitted bids for funding, totalling some £100 million during the first year. They are being considered and authorities will be invited to work up the most promising into detailed bids for submission by the end of April.

We will invite bids for the second year, 1997-98, in September 1996, and I understand that both Oldham and Rochdale will consider the applicability of the fund to them when preparing their housing strategies in 1996.

In summary, local authorities have a key role to play in ensuring that housing needs are met in their areas. They are responsible for setting housing objectives and implementing strategies to meet them, while making best use of the resources available. However, public expenditure will always be limited and local authorities cannot spend as much as they would like on improving their housing. They should therefore consider some of the options that I have outlined, including transferring their stock to private landlords because that can benefit both the tenants and the local authority.

I hope that I have answered many of the hon. Gentleman's questions and set out ways in which his constituents in the estates to which he referred can benefit from our housing policies.

Question put and agreed to.

Adjourned accordingly at twelve minutes past Twelve midnight.

House of Commons

Tuesday 19 March 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

Benefit Fraud

1. **Dr. Spink:** To ask the Secretary of State for Social Security what further action he plans to take to reduce benefit fraud. [19699]

The Secretary of State for Social Security (Mr. Peter Lilley): As I announced to the House on 5 March, I am creating a new benefit fraud investigation service, which will bring together almost 5,000 specialised staff from the Employment Service and the Benefits Agency. I announced yesterday the first three areas to be selected for a programme of local month-long anti-fraud drives.

Dr. Spink: Does my right hon. Friend agree that benefit fraud takes money not only from the Exchequer but from vulnerable people? Will he therefore address the important subject of political benefit fraud, and avoid following the Opposition's policy of thinking the unthinkable and spending the unaffordable, which would perpetrate a massive fraud on the people of this country? Does he think that that is a fair description of the Opposition's social security review?

Mr. Lilley: I entirely agree with my hon. Friend that the Opposition have been trying to perpetrate a fraud on the British people over social security. They have systematically voted against and opposed every social security reform that we have introduced, yet at the same time they try to pretend that they are fiscally responsible.

Mr. Bradley: Clearly, we welcome those belated measures to try to combat fraud—after the Government have been in office for 17 years. At Question Time on 23 January, I asked the Secretary of State exactly what his fraud targets were for each of the next three years. He said that he could not respond immediately from the Dispatch Box, so I wrote to him. He acknowledged my letter on 8 February, but I have had no reply to my question. Will he tell us today exactly what his yearly fraud targets are for each of the next three years?

Mr. Lilley: I am sorry that the hon. Gentleman did not take the reply that I gave him in debate, but I can tell him now that the overall fraud target for 1996-97 is £1.8 billion, and that for 1998-99 it is £2.5 billion. For the current year the target is £1.38 billion.

Mr. Waterson: Is my right hon. Friend aware that, in my constituency of Eastbourne, since the push on fraudulent claims began, it has been found that fraudulent housing benefit claims are running at more than £1 million a year? Is he aware that my constituents who pay their taxes and do not claim benefits fraudulently are sick and tired of underwriting such activity?

Mr. Lilley: My hon. Friend makes a good point. The people who most support the attack on fraud and abuse are those on modest earnings who honestly pay their way in society without claiming benefits to which they are not entitled, and who greatly resent seeing others who achieve a standard of living not far below their own by abusing the benefit system. I am delighted that, in my hon. Friend's constituency, as elsewhere, we are being successful in cracking down on that abuse.

Income Support Assessments

2. **Ms Eagle:** To ask the Secretary of State for Social Security what was the error rate for income support assessments in (a) 1988 and (b) 1995. [19700]

The Parliamentary Under-Secretary of State for Social Security (Mr. Roger Evans): It was 13.5 per cent. in 1988 and 16.1 per cent. in 1995.

Ms Eagle: Will the Minister confirm that the value of the errors has increased, as they involved 2 per cent. of overall expenditure in 1988, but now involve no less than 5 per cent. of all expenditure on income support? Will he also confirm that, since income support was introduced, the Comptroller and Auditor General has qualified the accounts every year since 1988 because the Department cannot deliver income support properly? How, then, does the Secretary of State justify the recent plans to cut the cost of administering Department of Social Security benefits by 25 per cent.?

Mr. Evans: Income support is a complex and well-targeted benefit, involving repeated change-of-circumstances considerations. Since 1988, the number of claimants, of cases and of changes in circumstances, as well as the total sums involved, have increased substantially. The change programme is designed to be a medium to longer-term remedy. In the shorter term, on most analyses the greater part of the errors appear to arise from income support mortgage interest payments, and the move towards a standard rate introduced last autumn should have a material effect on that aspect. The intention of the change programme is to provide a better service, with modern information technology and an altogether different approach to the organisation.

Mrs. Roe: Will my hon. Friend confirm that the objectives of his change programme include not only improved efficiency, but making fewer errors? Will he also confirm that the changes were opposed by the hon. Member for Islington, South and Finsbury (Mr. Smith) on the ground that they would not work, although he had received a letter from the shadow Chief Secretary describing them as perfectly feasible?

Mr. Evans: My hon. Friend is certainly right about both points. We are mystified by that contradiction.

Mr. Frank Field: Will the Minister tell the House the date by which he expects income support to get unqualified support from the Comptroller and Auditor General? Surely that is what taxpayers require from the Government.

Mr. Evans: We have introduced measures on a scale previously unknown. I am not in a position to give a date as requested.

Occupational Pensions

3. **Mr. William O'Brien:** To ask the Secretary of State for Social Security what plans he has to assist people to retain more of their occupational pensions; and if he will make a statement. [19701]

Mr. Roger Evans: By their very nature, income-related benefit schemes normally take account of most forms of income, including that from an occupational pension; hence, it is only right that entitlement to those benefits should reduce as income increases. However, from April 1996, in line with Department of Health changes to the charging rules for people in residential care, people whose care costs continue to be met by income support may have 50 per cent. of their occupational pension disregarded where they remit at least this amount to their spouses who remain in the community.

Mr. O'Brien: Is the Minister aware of the situation in my constituency of retired mineworkers who are entitled to an 80p a week increase in occupational pension? The Department of Social Security claws back 57p of that in housing benefit. A further 15p is taken out of council tax refund. The increase in the cost of fuel oil last year meant a further increase of 10p a week in transport costs. All the occupational pension increase for retired miners is being clawed back by the DSS and the Government's taxation policy. Furthermore, Yorkshire Water has increased water rates by more than twice the rate of inflation, which takes a large slice out of the increase in national pensions. When will the Government do something to allow pensioners to retain something of their occupational pensions?

Mr. Evans: The constituent about whom the hon. Gentleman wrote to me was receiving a retirement pension and a modest occupational pension from the mining industry. He was, however, eligible for housing benefit and council tax benefit. Under the general rules, because those benefits are payable in circumstances other than those relating to income support, above the applicable amount 65 per cent. is taken off, and 15 per cent. is taken off in respect of council tax. If a full disregard for occupational pensions across the income-related benefits were introduced, the cost to the taxpayer in 1996-97 would be more than £2 billion. That is a public expenditure programme that Labour's spokesman had better contemplate with greater caution than the hon. Gentleman does.

Mr. Dunn: Will my hon. Friend give the House an undertaking that the Government will continue to press for increases in the holding of private pensions? Does he agree that the proposed nationalisation of private pension funds by the Labour party is a nightmare for those who are about to retire and those who are retired?

Mr. Evans: My hon. Friend makes a powerful point. The great success of British pension provision has been UK-funded pension schemes in the private sector by way of occupational pensions, personal pensions and retirement annuity contracts. The total of those funds, in aggregate, is £600 billion. As the funds are properly privately invested, the return on capital in real terms since 1980 has been 10 per cent. per annum. It is a threat to ordinary pensioners in occupational pension schemes if other people such as trade unions, the Government or the state try to interfere with that private enterprise approach.

Mr. Denham: Is not my hon. Friend the Member for Normanton (Mr. O'Brien) right? Is it not true that many of today's pensioners retired believing that their state and occupational pension would keep them out of poverty, but that the Tories have taken their pension away and pushed them into poverty? Does the Minister agree with the Secretary of State for Social Security, who wrote in *The Times* on Saturday that means testing punishes people who save? Is not that a clear example of the Tories saying one thing and doing another?

Mr. Evans: The hon. Gentleman is wrong on every score—he is not even halfway right, as the *Evening Standard* reported today. The issue at stake is whether retirement pensions should be uprated in line with prices, which is the undertaking that the Government have fulfilled. Everyone knows that the success of our pensions policy is due to private funds run by private organisations in occupational schemes and the like, which have provided, and continue to provide, a rising standard of living for pensioners. That is why recently retired pensioners enjoy higher occupational pension levels than those who retired a couple of decades ago.

Benefit Reforms

4. **Mr. Hawksley:** To ask the Secretary of State for Social Security if he will make a statement on how his benefit reforms will help people off benefit and into work. [19702]

6. **Mr. John Greenway:** To ask the Secretary of State for Social Security what reforms of the benefit system he is planning to help unemployed people back to work. [19704]

The Minister for Social Security and Disabled People (Mr. Alistair Burt): The Government's benefit-to-work programme has made a substantial contribution to the reduction in unemployment in the United Kingdom. In addition to family credit, which has helped 300,000 families leave income support in the past three years, about 750,000 people will be helped this year by a range of new measures. From April, the four-week extension of housing benefit will remove worries about rent for new job starters. The national insurance contribution holiday will help employers who take on the

long-term unemployed. Help with child care costs in family credit and disability working allowance will increase from £40 to £60 a week. Family credit claims will be speeded up to get the extra help to people more quickly.

Mr. Hawksley: I thank my hon. Friend for that answer, which is good news for everyone. Does my hon. Friend agree that the so-called welfare-to-work schemes, which often involve minimum wage levels, result in people being put out of work rather than in more jobs? Does my hon. Friend agree that such proposals are best described as work-to-welfare schemes and are the sort of schemes that the Labour party pushes?

Mr. Burt: My hon. Friend rightly points out the main flaw in the welfare-to-work package, which includes the minimum wage. The minimum wage does not help the poorest—studies show that the majority of low-paid workers are the second, or even third, income earners in high-earning households. In addition, the minimum wage tends to squeeze out jobs, particularly for the lowest-paid and those with the fewest skills. Our programme of finding ways to improve job opportunities for people and to help them to gain work through benefit offers the unemployed a far better option than a minimum wage.

Mr. Greenway: Will my hon. Friend do what he can to encourage flexibility in the setting of benefits so that those who may have the opportunity of part-time employment, which may be seasonal, are better off taking a part-time job than sitting at home doing nothing? Will my hon. Friend ensure that staff in benefit offices are properly acquainted with all the rules?

Mr. Burt: My hon. Friend is right about the importance of the flexibility of the benefit system. I hope that my answer encouraged him, because that is precisely what we have been trying to do. Increasing earning disregards for those who remain unemployed is not necessarily the best approach as it may be a disincentive to their taking up full-time work, which we want to encourage. Those who are working part time on benefit will, from October, be able to build up a back-to-work bonus—a substantial lump sum that will help them into work.

Mr. Barry Jones: There are 2,500 jobless people in my constituency. How many of them will be helped into work by these measures?

Mr. Burt: We expect that some 750,000 people will benefit from the £600 million-worth of changes that the Budget made to work incentive measures last year. The hon. Gentleman should be able to do the division and work out how many people in his constituency are likely to benefit from these measures.

Mr. Pike: When the Minister is next in his constituency, will he come a few miles north into Burnley and note the wage levels that are being offered to many people? Does he understand that they cannot afford to go to work—even with the type of help that he has spoken about this afternoon—because they are out of pocket if they do? What the Tories have done to wage levels and working conditions since they were elected is an absolute disgrace.

Mr. Burt: I am not sure whether the hon. Gentleman fully appreciates the links between the benefits system and the wage system. I do not know whether his idea of a minimum wage—which would put even more of his constituents out of work—would help in any respect. If the hon. Gentleman studies the types of measure that the Government have introduced and the earnings top-up pilot that we are introducing this year—which will provide an opportunity for people on low incomes to see whether they can have their wages increased to help them into work—he will see that what we are providing will assist many of his constituents. I would guess, without looking at the figures too closely, that fewer people are now unemployed in his constituency than was the case at the last election—that shows the benefit of the measures that we have been passing.

Mrs. Peacock: I welcome the Government's decision to give an extra £10 a week to people who are working 30 hours a week or more and are in receipt of family credit. Does my hon. Friend know how many families it will help?

Mr. Burt: The extra £10 a week premium for those currently working 30 hours or more and in receipt of family credit will help a substantial number of people. It helps a substantial number of families at the moment. The exact number of people who will benefit from this extra measure has slipped my mind, and I shall write to my hon. Friend.

Family Poverty and Low Pay

5. **Mr. Mackinlay:** To ask the Secretary of State for Social Security what action he has taken to ascertain the extent of family poverty and low pay; and if he will make a statement. [19703]

The Parliamentary Under-Secretary of State for Social Security (Mr. Andrew Mitchell): The key to helping people out of low income is to create opportunities and incentives to work. We have looked closely at the difficulties that families face in moving into work and we have introduced a wide range of practical measures to help overcome those barriers.

Mr. Mackinlay: Why has no Minister from the Department of Social Security attended the hearings that are being held at Church house, Westminster? The Archbishop of Canterbury, the Cardinal Archbishop of Westminster, many politicians and prelates are attending the hearings of the Church action on poverty to listen to people who are low-paid and homeless. Is it not time that Ministers went with some humility and listened to people who are in utmost deprivation, and explained to them how poverty has increased since 1979 from 4 million to 15 million people? Why are 4 million children in this country in poverty? How is it that the United Kingdom has one quarter of the people who are poor in the European Union?

Mr. Mitchell: Ministers will take a close interest in the results of today's seminar at Church house. The Prime Minister sent a personal message to the seminar, as the hon. Gentleman will have heard. Why does he not tell the House that unemployment in his constituency has fallen

by 23 per cent. in the past 24 months? Why does he not tell the House that it has fallen by 750,000 since 1992? Why does he not tell the House that unemployment in the United Kingdom is well below the European average and below the level in Germany? Why does he not take account of the fact that the way to improve living standards, as the Prime Minister said in his message this morning, is to get people back into work? The Government have been improving and expanding into-work support, as my hon. Friend the Minister for Social Security and Disabled People said, and we are now helping 630,000 families on family credit.

Mr. Bill Walker: Can my hon. Friend confirm that the more public money that is used to give support to families in need, the more families will register as being in need of help and therefore be named as being in poverty? "In poverty" is hardly a description of people who have received substantial sums. It is the way that money is spent that is important.

Mr. Mitchell: My hon. Friend is right. The vast majority of our fellow citizens are a great deal better off than they were in 1979. Average incomes are up for all family types. Average incomes are up on average by a third since 1979 and pensioners' income has increased by about 50 per cent. We can therefore be proud of the Government's record in those areas.

Mr. Chris Smith: Is it not the case, however, that, after listening to the Minister and the hon. Member for North Tayside (Mr. Walker), one would suppose that poverty did not exist? It does, and it is growing. If the hon. Gentlemen had been to Church house today, they would have heard the evidence at first hand. Does the Minister realise that one in three children are growing up in poverty, compared with one in 10 when the Government took office? Is that not a standing indictment of the damage that the Government have done to our country?

Mr. Mitchell: We are all looking forward to 8 May, when the hon. Gentleman will have finished his six-month review and when he can explain to the House whether, if he believes what he just said, he intends to increase payments for welfare as he suggested.

If the hon. Gentleman is serious about what he says, however, why does he back the Labour party's decision to impose a national minimum wage and to sign up to the social chapter? If he were serious about that, he would acknowledge that the national minimum wage would reduce jobs and put people out of work, while destroying future job opportunities.

We have discovered from recent surveys that the richest 30 per cent. of those affected by a national minimum wage would gain far more than the poorest 30 per cent. If the hon. Gentleman is serious about those matters, as part of his review of thinking the unthinkable he should change his party's policy on a job-destroying national minimum wage.

Pilot Studies

7. **Mr. Barry Field:** To ask the Secretary of State for Social Security what plans he has to use the Isle of Wight for one of the pilot studies of new methods being considered by his Department. [19705]

Mr. Lilley: I believe that it is desirable, where possible, to try out changes to the benefit system on a pilot basis before introducing them nationally and I have obtained increased powers to do so in the social security system. I am grateful for my hon. Friend's interest in this approach. The Isle of Wight is currently being used as a control area in the earnings top-up pilot. I shall certainly consider whether it would be suitable for piloting other schemes.

Mr. Field: Because of its clear boundaries, surely the Isle of Wight is an ideal community for all pilot studies. I feel certain that all my constituents would welcome the Isle of Wight being at the forefront of modernisation of the welfare state, for which the Government have done so much.

Mr. Lilley: I agree with my hon. Friend that the Isle of Wight, because of its island status, might well be a suitable area for future studies. If I were to select places for pilot schemes on the basis of the diligence of the Member of Parliament in pursuing his constituents' interests in social security matters, I would place the Isle of Wight top of the list.

Mortgage Interest

8. **Mr. Ainger:** To ask the Secretary of State for Social Security how many representations he has received on his changes to the payment of mortgage interest for benefit claimants. [19706]

Mr. Roger Evans: We have received a number of representations.

Mr. Ainger: Is the Minister aware that the application of the standard interest rate to those with a fixed-rate repayment mortgage means that they suffer a significant reduction in benefit because they have to top up their payments, which his Department should be doing, to cover their mortgage? I have corresponded with the Minister about a constituent, Mr. Tickle of Maenclochog. Does the Minister accept that the way the standard rate is applied to people with fixed-rate mortgages means that the promise that his Department gave that no claimant would lose out is not being honoured, and that it is time for a change?

Mr. Evans: The answer, I am happy to say, is no. I have caused further inquiries to be made about Mr. Tickle's case. I am told that he has a variable-rate mortgage, not a fixed-rate mortgage, and it appears that the system of add back is operating perfectly fairly, as we expected it to, to protect Mr. Tickle 100 per cent. I shall write again to the hon. Gentleman. If he wants to see me to discuss Mr. Tickle's case, I shall be happy to do so.

Full and Part-time Employees

9. **Mr. MacShane:** To ask the Secretary of State for Social Security what is the total amount of benefit paid by his Department to (a) full and (b) part-time employees. [19707]

Mr. Roger Evans: In 1994-95, the amount of benefit paid to employees through in-work benefits—such as

family credit, housing benefit and council tax benefit—was nearly £2 billion. In addition, of course, employees may benefit, where they satisfy the conditions, from a range of other benefits, such as child benefit or disability living allowance.

Mr. MacShane: If the Minister adds income support—about which he recently gave a parliamentary answer—to the figure, £3 billion is now paid out to people in work through the benefits system, which is double the 1990 figure. While all hon. Members want to protect people in poverty, is not the plain fact that employees in my constituency who are offered jobs at £1.44 or £2 an hour must turn to the benefit system, which acts as a huge subsidy for low-pay employers and distorts the local labour market? I put it to the Minister that, as a Conservative, a taxpayers' subsidy of that order cannot make economic sense.

Mr. Evans: Evidence from research by the Institute of Employment Studies shows that employers do not know whether the family in question is in receipt of family credit because, of course, family credit is ordinarily paid to the woman. The evidence also seems to suggest that that is not having a distorting effect on the labour market. That is the first point.

The second point is that in-work benefits such as family credit are better for people who are in the condition that the hon. Gentleman described, because they are acquiring and using work skills. Such benefits are also better for the taxpayer, because the cost of paying income support on a full means-tested basis would be considerably greater.

Mr. John Marshall: Does my hon. Friend agree that it is more practical and more moral to help low-paid people through family credit than it is to legislate for their unemployment through the national minimum wage and the social chapter?

Mr. Evans: I entirely agree with my hon. Friend's two points. The basic problem with the minimum wage is that, in effect, it prohibits employment below a prescribed level—the effect of which would be to create unemployment, depending on the level of that minimum wage.

Long-term Sick and Disabled People

10. **Sir Fergus Montgomery:** To ask the Secretary of State for Social Security what is the spending on benefits for long-term sick and disabled people and their carers in 1995-96; and what was the equivalent figure in 1978-79. [19708]

Mr. Burt: Estimated expenditure on benefits for long-term sick and disabled people and their carers has quadrupled in real terms, from £5 billion in 1978-79 to more than £20 billion in 1995-96. With some 6.5 million disabled people, this represents a substantial commitment, and it is almost as great as our commitment to the 345,000 people—I can now provide that figure, as my memory has recovered—who will benefit from family credit extensions.

Sir Fergus Montgomery: Does my hon. Friend agree that our system of disability benefits is comprehensive and coherent? Does he agree that it promotes independence and integration, and that it focuses extra help on people who are disabled early in life and therefore have the least chance to work and save?

Mr. Burt: Yes. My hon. Friend is correct. The system has for some 25 years tried to recognise the importance that disabled people attach to being independent, and benefits have increased accordingly. Our record on disability has been very good. The scheme recently announced by the NHS to allow access to powered wheelchairs and the Community Care (Direct Payments) Bill, which is currently going through the House, demonstrate that our commitment is undiminished and increasing.

Mr. Alan Howarth: If the Minister wants to achieve value for the money spent on long-term sick and disabled people, will he accept that efficiency will have to be understood in terms of quality of service rather than merely in terms of savings to the Exchequer? Will he concede, particularly in the light of the shambles that has been exposed in the privatisation of other parts of the Benefits Agency, that there is no reason to suppose that privatisation of the Benefits Agency medical service will secure better service or value even in the Treasury's terms, and that, if the Conservative party retains any sense of civic responsibility, it will abandon that project?

Mr. Burt: I do not accept the hon. Gentleman's point. In virtually every case where some form of contractorisation has been introduced, it has provided benefits to the service and the taxpayer, with no diminution in quality whatsoever. I do not consider that the Benefits Agency medical service will be harmed by the process of contractorisation now being considered and we expect an enhanced service to result.

Mr. Harry Greenway: Does my hon. Friend agree that the Government's work for and funding of disabled people is remarkable? The same is true of people in poverty. The hon. Member for Thurrock (Mr. Mackinlay) was not the only Member at Church house this morning; hon. Members in all parts of the House are taking part in that conference on poverty and recognise the importance of the theme. Is it not true that people are properly covered by the benefits system and that nobody needs to be in poverty?

Mr. Burt: A remarkable tone of consensus was adopted on radio and television by some speakers at the conference this morning. My hon. Friend has adopted the same tone, but it has not been adopted by the Opposition. A considerable amount of effort and time is put in by the Government to try to ease the burdens of poverty. We maintain that the most important way to ease people out of poverty is to provide work and the opportunities for work. The success of our efforts in doing so has considerably reduced unemployment in the United Kingdom.

As for our commitment to those in difficulties, expenditure on disabled people has quadrupled in real terms since we have been in office, which is evident manifestation of our commitment. This Government care and can prove that they care.

Child Support Act

11. **Mr. Win Griffiths:** To ask the Secretary of State for Social Security how many parents with care have been waiting more than a year to receive money for their children under the Child Support Act 1991. [19709]

Mr. Andrew Mitchell: Currently there are 194,000 parents, out of 1.5 million so far taken on by the agency, who made a maintenance application more than a year ago and have yet to have a maintenance assessment.

I can announce to the House that the Child Support Agency will now be paying interest on maintenance that it has collected which is due for onward payment to the parent with care but has not been passed on within 28 days. That will apply to all payments received since 1 April 1995.

Mr. Griffiths: I welcome the Minister's announcement. Does that not show that the Government have at last recognised that the CSA has been a shambles from the beginning? Would it not have been better if the Minister had announced today either that more staff would be employed to run the system or that the system would be simplified so that parents with care could receive their money more quickly?

Mr. Mitchell: As the ombudsman found, there is no problem with staffing—the CSA has taken on additional staff—and the system is constantly being simplified.

The first part of the hon. Gentleman's question related to a different matter. It is common knowledge across the House that the start of the CSA was "dire", as the Select Committee on Social Security put it. In its recent report, however, the Select Committee said:

"The CSA is now on a surer footing and a whole range of indicators suggest that improvements are being made."

We are determined that those improvements should continue in the months ahead, just as they have been evident in the months gone by.

Mr. Robert G. Hughes: Does my hon. Friend share my dismay that the ombudsman's report did not seem to take account of what is happening now in the CSA rather than historically? Can my hon. Friend tell the House the current figure for speed of payment to the parent with care? Will my hon. Friend also note that although the ombudsman criticised the average of 30 weeks taken by the CSA to clear up cases, perhaps we should judge that in the context of the average of 70 weeks that the ombudsman takes to clear up his own cases?

Mr. Mitchell: On the first point, I noted that of the 20 cases the ombudsman looked at, some 14 involved problems which began in 1993. In that sense, his report is historic. As for the length of time it takes to get money from the agency to the parent with care, I was surprised at the ombudsman's criticism. The agency has been set a target to get payments out within 10 days to 90 per cent. of parents with care; this year, it has exceeded that target and managed to reach 97 per cent. of parents. The remaining 3 per cent. includes cheques that bounced. In that respect, I do not consider that the ombudsman's criticisms of the CSA were valid.

Ms Lynne: In the light of the second critical report by the parliamentary ombudsman into the working of the Child Support Agency, in which he catalogues a series of errors such as the general mishandling of cases, mistaken identity and giving out confidential information, is it not about time that the Minister admitted defeat, scrapped the agency and brought in a fair and workable system?

Mr. Mitchell: The hon. Lady is wrong. First, on the cases which the ombudsman examined, as I said in response to my hon. Friend the Member for Harrow, West (Mr. Hughes), some 14 of those 20 cases referred to events which took place in 1993 when the agency was in a very different condition. The hon. Lady is wrong to suggest scrapping the agency. It is here to stay. There is a wide consensus across Britain—if not among the Liberal Democrats—that the principles behind the CSA are right and proper in the interests of getting maintenance to the children who rightfully deserve it.

The House will have seen that regulations were laid last Monday for the piloting of the departure scheme. That is most important to the development of the CSA as it will enable us to deal with the small minority of cases which cannot be dealt with fairly under the formula.

Sir Donald Thompson: Does my hon. Friend agree that, proportionately, a year is a long time in the life of a child and that interest paid at the end of a year cannot do much to compensate for any deprivation that the child may have suffered? Will he continue with his efforts in nagging, cajoling and persuading the staff of the CSA to improve their performance and thus avoid further criticism?

Mr. Mitchell: I thank my hon. Friend for his comments. The CSA has been set demanding targets for next year to improve its accuracy to 85 per cent. and to increase the maintenance that it arranges and collects. There will be no resting by the CSA in its determination to ensure that there is a proper improvement in its service.

Mr. Wicks: Is the Minister not being complacent and dismissive of the ombudsman's important work and report? Is he not concerned that one third of complaints to the ombudsman involve the Child Support Agency? Why has he not appointed an independent complaints adjudicator, as recommended by the ombudsman a year ago? Why has that appointment not been made? Will he announce that appointment today to bring some much needed fairness into the system?

Mr. Mitchell: In respect of the first part of the hon. Gentleman's question, we are looking at the ombudsman's report with great care. I was responding to a specific question on the time taken to get money through to the parent with care. The hon. Gentleman should bear it in mind that the ombudsman looked at 195 cases. The CSA deals with 1.25 million cases. We are determined—there is certainly no complacency in the agency or among Ministers—to make certain that the CSA's performance improves. The hon. Gentleman's second point about an independent examiner is interesting and helpful. We are nearing the conclusion of our discussions on it and I hope to be able to say something to the House shortly.

Single Mothers

13. **Mr. Steen:** To ask the Secretary of State for Social Security what is his policy in respect of single mothers. [19711]

Mr. Lilley: Our policy has three strands. First, we have improved the incentives for lone parents to work, which increases their income and relieves the burdens on the taxpayer. Secondly, we aim to ensure that more of them receive regular maintenance from the absent parent. Thirdly, we propose to ensure that the benefits system does not discriminate against married couples.

Mr. Steen: Since legal aid impinges on the social security budget, will the Secretary of State look at the case of an Australian schoolmaster earning £25,000 per year who gets legal aid to fight his wife in Britain? He has not paid a penny piece to either his wife or his children for four years, yet he still receives public money in Britain under the Legal Aid Board. That is not a good use of public funds or of our Government's care for the family.

Mr. Lilley: I will take the matter up with the Lord Chancellor, whose responsibility it is to meet the budget for legal aid. I agree that great resentment arises from that sort of case.

Mr. Chisholm: Why are the Government hell bent on reducing lone parent benefits and ignoring all the evidence about the additional costs faced by lone parents, as presented in the Department's 1985 Green Paper and in a recent study by the Joseph Rowntree Trust? Why not let the facts get in the way of prejudice for a change?

Mr. Lilley: Far from being hell bent on this, we are taking a gradualist approach. Does the hon. Gentleman agree with his colleague, the Chairman of the Social Security Committee, who said:

"If one-parent benefit is phased out . . . it is a move we"—

the Labour party—

"should support"?

PRIME MINISTER

Easington (Visit)

Q1. **Mr. Cummings:** To ask the Prime Minister when he expects to pay a visit to the Easington constituency. [19729]

The Prime Minister (Mr. John Major): I have at present no plans to do so.

Mr. Cummings: What a pity—the right hon. Gentleman will never know what he is missing. Since I gave the Prime Minister notice of my question, has he had the opportunity to ascertain why the Department of Transport has rejected a submission by Durham county council for funds to provide access roads to the Dawdon and Fox Cover enterprise zones in my constituency? Would it not be common sense—*[Interruption.]*—for the Department of Transport to support those sites, which have been designated by the Department of the Environment, and for funds to be allocated to allow the building of access roads to the A19? Is this not a case—*[Interruption.]*—of one Government Department not knowing what the other is doing? Will the Prime Minister use his influence to get the problem resolved?

The Prime Minister: I thank the hon. Gentleman for giving me notice of his question—all of it. I understand that my right hon. Friend the Secretary of State for Transport has confirmed the orders which will allow the Dawdon and Fox Cover road link to be constructed. As the hon. Gentleman will know, designated enterprise zones may be areas attractive to private sector inward investment and I am confident that the regeneration agencies in local partnerships will go some way to funding the link road, which I agree is the key to the regeneration of the area. The hon. Gentleman will also know that the designation of enterprise zone status will provide the impetus for the creation of up to 1,000 new jobs in the two zones.

Engagements

Q2. **Mr. Burden:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 March. [19730]

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall be having further meetings later today.

Mr. Burden: The Prime Minister will no doubt remember that a few years ago the present Home Secretary was the Minister in charge of water privatisation. Does the Prime Minister recall what his right hon. and learned Friend said on 17 March 1989? He said that after privatisation

"it will entirely disappear as a political issue. No one will be talking about it at all. It will be in the private sector, delivering the goods."

With 800 million gallons of water leaking away every day, and with the goings-on in Yorkshire, when the Prime Minister holds his crisis Cabinet meeting, where will he lay the blame for the lack of a water feel-good factor—on the privatised utilities or on the judgment of his right hon. and learned Friend?

The Prime Minister: Water companies have a statutory duty to maintain supplies and we expect all companies to take the necessary measures to do that. Yorkshire Water has invested more than £1 billion in the past five years and will invest as much again over the next five years. Around two thirds of every pound in profit is reinvested for the benefit of consumers.

On the general subject of water privatisation, more than £15 billion has been invested in modernising the industry since privatisation. That could not and would not have been possible without the industry's access to private sector finance.

Madam Speaker: Questions are getting too long. Let us have a short one.

Mr. Allason: I shall be brief, Madam Speaker. In a week in which an Algerian suspect has been arrested on charges involving terrorism in France, many people have been distressed to realise that Hamas supporters in this country have been raising money for terrorism. It is especially distressing that they have all been receiving social security benefits in this country. Will my right hon. Friend put a stop to that?

The Prime Minister: We are certainly determined to ensure that the United Kingdom is not a base for external support for terrorism anywhere in the world. I take to heart what my hon. Friend has said about Hamas. We must also look at the activities of other people who come here and actively conspire to commit terrorist acts, those who abuse the hospitality and protection available here and those who use this country as a base from which to cause trouble for other countries.

Mr. Blair: In the wake of the Dunblane tragedy, does the Prime Minister agree that we should not prejudice the outcome of the Cullen inquiry? Will he confirm that all the issues concerning gun laws will come within the scope of the inquiry? Does he further agree that it would be sensible at least to begin to examine those issues now on an all-party basis? In particular, we should address, first, the question of handguns being kept in private homes. Secondly, we must address the concern expressed at the weekend by the shadow Secretary of State for Scotland—my hon. Friend the Member for Hamilton (Mr. Robertson)—and many others that currently the police have to prove why a firearms certificate should not be issued rather than the gun owner having to prove why it should.

The Prime Minister: I can certainly confirm that Lord Cullen's inquiry will be considering the subject of handguns. I can also confirm that my right hon. and learned Friend the Home Secretary has begun a review of existing gun controls and intends to offer every assistance to the inquiry under Lord Cullen. At my right hon. and learned Friend's invitation, the hon. Member for Clwyd, South-West (Mr. Jones) is already a member of the Firearms Consultative Committee, but I know that my right hon. and learned Friend would welcome the views of other parties in the House before he makes a decision on the entirety of the evidence.

Sir Sydney Chapman: Does my right hon. Friend agree that cutting off the electricity supply to any home in our country should be undertaken only as a last resort? Is my right hon. Friend aware that in the last year when electricity was a nationalised industry no fewer than 80,000 households had their electricity cut off, but that since then the figure has dramatically reduced and last year only 1,000 households out of the 24 million in England and Wales were disconnected? Will my right hon. Friend join me in commending the privatised electricity companies for adopting what can perhaps most aptly be described as a more enlightened policy?

The Prime Minister: I am grateful to my hon. Friend for drawing attention to the changed circumstances following privatisation. There is no doubt that privatisation has proved to be the right structure for the industry, and the independent regulator's promotion of competition is very much in the interests of the consumer. We have seen evidence of that in falling prices and, as my hon. Friend has vividly illustrated, in a better service for the many people who face difficulties.

Q3. **Mr. Wicks:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 March. [19731]

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Wicks: As the Prime Minister has summoned his Cabinet colleagues to a crisis meeting tomorrow to discuss the mystery—to him—of the missing feel-good factor, will he consider having a meeting with the victims of negative equity, who number 1.7 million, or with representatives of the 8 million people who have become unemployed since the last general election? Does the Prime Minister accept that those people do not feel good, but that they feel bad and they feel let down by him and his Government?

The Prime Minister: The hon. Gentleman is misinformed about the nature of tomorrow morning's meeting. He really ought not to believe all—or, indeed, much—of what he reads in *The Independent*.

I am delighted that the number of people in negative equity is falling. I am also delighted that fewer people are unemployed in this country than in any comparable country in Europe—in particular, those comparable countries which follow the policies that the hon. Gentleman and his hon. Friends, given the chance, would inflict on this country.

Q4. **Sir Ivan Lawrence:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 March. [19732]

The Prime Minister: I refer my hon. and learned Friend to the answer that I gave some moments ago.

Sir Ivan Lawrence: Is my right hon. Friend aware that his disapproval—expressed in the White Paper on the intergovernmental conference—of the power of the European Court of Justice to make new laws that are binding on nation states will be warmly welcomed? Is he further aware that he is not alone in Europe, but shares with others—such as the French Prime Minister—concern that the European Court is overstepping the mark? Will he assure the House and the country that at the IGC he will insist that the court's powers are cut back, so that it does not become the supreme court of a federated superstate of Europe?

The Prime Minister: I can give my hon. and learned Friend that assurance. I heard what the French Prime Minister had to say, and I thoroughly approved of the way in which he said it.

I am greatly concerned about the fact that the European Court's interpretations have too often seemed to go beyond what Governments intended when the laws were framed. The court's functioning can be improved; I believe that it must be improved, and we will seek improvements at the intergovernmental conference. As my hon. and learned Friend said, a federal Europe with

the European Court becoming, little by little, a European supreme court is not a Europe that this Government can support.

Mr. Clapham: In view of the fears expressed in the nuclear industry that the heavy running of the advanced gas-cooled reactors may have resulted in distortions which could cause a nuclear accident, and bearing it in mind that if the nuclear industry were privatised, commercial decisions could outweigh safety decisions, will the Prime Minister now shelve the idea of privatising the nuclear industry?

The Prime Minister: We have sought advice, and we have been advised that privatisation of the nuclear industry would not in any way damage safety standards. That is clearly very important. Thus far, Nuclear Electric has an excellent safety record. I think that that is understood by hon. Members on both sides of the House.

Q5. **Mr. Waterson:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 March. [19733]

The Prime Minister: I refer my hon. Friend to the answer that I gave some moments ago.

Mr. Waterson: Can my right hon. Friend confirm that this country has attracted more inward investment than any other country in the European Union, and more than France and Germany combined? Is that not the hardest possible evidence that the United Kingdom is well on its way to being the enterprise centre of Europe?

The Prime Minister *rose—*

Mr. Skinner: Don't forget the social chapter and the minimum wage.

The Prime Minister: I am in the happy position of being prompted by the hon. Member for Bolsover (Mr. Skinner) to remind the House of the perils of the social chapter and the minimum wage. I am happy to agree with the hon. Gentleman that they are indeed very damaging to the employment prospects of people in this country, and I look forward to his support in denouncing them at every opportunity so that his constituents may stay in work rather than out of work.

As for the question asked by my hon. Friend the Member for Eastbourne (Mr. Waterson), I certainly intend to keep the advantages that he mentioned at the forefront of the country's mind. Our policy is to put British jobs and British business first. Investors are attracted here by low costs and flexible working practices; we intend to maintain those, and to improve them. *[Interruption.]* In case the hon. Member for Bolsover is in any doubt, I repeat: no social chapter and no minimum wage.

Q6. **Mr. David Marshall:** To ask the Prime Minister if he will list his official engagements for Tuesday 19 March. [19735]

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Marshall: If the Prime Minister is really concerned about the missing feel-good factor in areas such as Glasgow, will he agree to spend a day in the city with the new Lord Provost, Pat Lally, and talk to people and see for himself the severity of the problems caused by unemployment and poverty? If he were to do that, he might realise precisely why now is the time for a change.

The Prime Minister: If the hon. Gentleman would stand back and look at the prosperity and opportunity that now exists in Scotland, he would see a total sea change from the situation that we inherited from the last Labour Government. If he would seek two or three cities throughout the United Kingdom that have shown the greatest improvement in that period, his own city of Glasgow would be among them.

Mr. Redwood: Will the Government overturn any European Court of Justice judgment which damages our social chapter opt-out?

The Prime Minister: As I have indicated, we intend at the intergovernmental conference to try to prevent the misuse of health and safety legislation to bypass the social chapter opt-out. That is a matter that we shall address directly at the IGC, with the intention of achieving the aims set out by my right hon. Friend.

Points of Order

3.30 pm

Mrs. Helen Jackson (Sheffield, Hillsborough): On a point of order, Madam Speaker. On 3 and 11 August last year, proposals were put to Bradford local authority's emergency planning officer that 1 million people in Yorkshire should be evacuated. Have you received any communication to that effect from the Secretary of State responsible or from Bradford council, because it is immensely serious that 1 million people in that part of the world should have to move house?

Madam Speaker: I have had no communication, either last August or at any other time, on that matter. It is a matter that would not concern me as Speaker of the House, although I understand that it may concern the hon. Lady, who represents an area in Yorkshire.

Mr. Ian Bruce (South Dorset): On a point of order, Madam Speaker, which relates directly to you. I have been reading the European Commission's directive on the 48-hour week, and it seems to me that, without special dispensation from the European Court, you will not be entitled to do your job for us in the House, because you are required by the House to be on duty for far more than 48 hours a week. I wonder whether you will also read that directive and realise that perhaps you will have to go into job sharing.

Madam Speaker: I wonder who would determine who would share my job. I shall certainly read the directive, but as I have worked for more than 48 hours a week for the past 25 years, it would not be anything new for me to continue to do so.

Mr. Gerry Sutcliffe (Bradford, South): Further to the point of order raised by my hon. Friend the Member for Sheffield, Hillsborough (Mrs. Jackson). In the light of the information yesterday about Yorkshire Water's plan to evacuate 1 million people, should not a Minister come to the House and make a statement, because the consequences of evacuating 1 million people would be dire?

Madam Speaker: I have not been informed that a Minister seeks to make a statement on that matter, but there are always opportunities for Back-Bench Members to raise these matters, particularly on Wednesday mornings, and, of course, in the evening, in Adjournment debates.

Mrs. Alice Mahon (Halifax) *rose—*

Mr. Ian Bruce *rose—*

Madam Speaker: The hon. Member for South Dorset (Mr. Bruce) has already had one. He cannot have a further point of order.

Mrs. Mahon: I am sure that it was a mistake, but, during Prime Minister's Question Time, the Prime Minister answered a question on the number of disconnections that have been made since the privatisation of the electricity industry. The fact is that there have been many more disconnections, because of the increase in prepayment meters and the fact that people now disconnect themselves because of the huge growth in poverty. I am sure that he did not mean to mislead the House, but those are the facts.

Madam Speaker: That may be a matter of interest to some hon. Members, but it is certainly not a point of order for the Chair.

Mr. Bruce *rose—*

Madam Speaker: I have already allowed the hon. Member to raise one point of order. It was a most interesting one and I have promised to read an EC directive, which will be enormously painful for me.

Mr. Bruce: On a point of information, then, Madam Speaker.

Madam Speaker: The hon. Gentleman should come to my office if he wishes to take the matter further. The hon. Member for Congleton (Mrs. Winterton) is waiting to present a ten-minute Bill.

Representation of the People (Amendment)

3.34 pm

Mrs. Ann Winterton (Congleton): I beg to move,

That leave be given to bring in a Bill to amend the Representation of the People Acts; and for related purposes.

I am grateful for this opportunity to seek the leave of the House to introduce this measure. Against the background of the great concern that Members of Parliament should act with probity at all times and that the working of the House should be beyond reproach, we have taken a number of decisions to bring about change. However, there is one area which falls beyond the scope of our new regulations on standards and interests and which we need to address. That is the payment of money to individuals seeking election to this place directly to assist them with their careers.

There are occasions when philanthropic or otherwise paternalistic assistance is to be encouraged. Equally, I have no problem with the sponsorship of candidates by trade unions and other bodies, provided that it is properly declared, and a candidate does not sacrifice his or her integrity or right to speak and vote without hindrance. However, what does concern me is a recent practice by which potential candidates are paid money on the basis that they will promote certain views and exercise their influence in this place to further the interests of those who pay them. That is an abuse of the House, and a corruption of the institution of Parliament.

On this occasion, I point the finger of accusation directly at EMILY and those behind that organisation. EMILY is an acronym for "Early Money is Like Yeast"—which makes dough rise—and it involves the payment of money directly to candidates—and for their training and expenses—who support the Labour party and are pro-abortion.

More specifically, Emily's List leaflets state:

"Applicants for sponsorship must fulfil Labour Party Parliamentary Criteria, support the programme and values of the Party, and be pro-choice in line with the 1992 Labour Party election manifesto".

That 1992 manifesto commitment was to increase access to abortion so that it was

"equally available in every region".

This move financially to assist women candidates, we were told by *The Scotsman* of 4 February 1995, involved payments of £1,000 to candidates, coupled with an additional £650-worth of training. The same article tells us that a number of Opposition women Members, including several who are on the Front Bench, were founding members of the organisation, and it is widely held that tacit support and possibly preferential treatment is given to Emily's List women during the Labour party's candidate selection process.

What concerns me and should concern the House is not that there are those who are willing to assist women Labour party candidates, but that there are those seeking election to the House who believe that it is acceptable effectively to sell their souls in this way to achieve selection, and ultimately election.

Many hon. Members in all parts of the House hold views that differ widely from mine on the issue of abortion and the sanctity of human life at its most vulnerable. I do not share their views, but I have no reason whatever to doubt the honesty and integrity with which they are held. I am sure that many hon. Members who take such a pro-abortion stance will endorse my condemnation of a practice that effectively denies women candidates in the Labour party access to preferential advancement unless they will sacrifice their principles. Surely that cannot be right, and must be stopped. Would we tolerate the Ford Motor Company being able to pay candidates who gave a commitment to vote for the abolition of vehicle excise duty?

Lest there be any doubt that I am other than accurately reporting the position, let me quote from a letter, published in the *Brentford, Chiswick and Isleworth Times*, from Ann Ward, a committee member of Emily's List:

"our donors have the right to know how the women they are supporting would vote on the pro-choice issue in the House of Commons".

Anyone has the right to ask candidates how they would vote on any subject, and I encourage them to do so, but to pay money to people who give a commitment to vote a certain way is different. In passing, I record in particular my concern that a major retailer such as Tesco has allowed its name to become tarnished by being associated with the sponsorship of events for that organisation.

Furthermore, there can be no suggestion that EMILY is operating without the tacit support and endorsement of the Labour party. The April 1994 edition of *EMILY News* tells us that all Labour party regional women's committees are invited to send members to the Emily's List UK selection committee, and that other parts of the party are also invited to nominate members, including the parliamentary Labour women's committee and Labour Members of the European Parliament.

The defence to the accusation of "vote purchasing" usually deployed by Emily's List—for example, when challenged on radio by my good friend the hon. Member for Castle Point (Dr. Spink), who has done such stalwart work in exposing this hypocrisy, humbug and corruption—is that it cannot hold a member, once selected, to a commitment given in return for cash. What a bizarre defence that is—my contract to corrupt Parliament is no ground for concern, because I find that I cannot necessarily enforce it.

The first report of the Nolan committee on standards in public life, which quoted from the 1947 declaration of the House, observed:

"It is inconsistent with the dignity of the House, with the duty of a Member to his constituency, and with the maintenance of the privilege of freedom of speech, for any Member of the House to enter into any contractual agreement with an outside body, controlling or limiting the Member's complete independence and freedom of action in Parliament or stipulating that he shall act in any way as the representative of such an outside body in regard to any matters to be transacted in Parliament".

Paragraph 50 of the same report states that it would be unsatisfactory and possibly a contempt of Parliament if a Member

"even if not strictly bound by an agreement with a client to pursue a particular interest in Parliament, was to pursue that interest solely or principally because payment, in cash or kind, was being made."

All existing Members are honourable. I seek the leave of the House to continue that tradition by amending the Representation of People Acts to require candidates receiving financial support from Emily's List to declare

[Mrs. Ann Winterton]

that fact in their election address or on the ballot paper, so that, before deciding how to vote, the public will know that candidates have already sold their soul.

Question put and agreed to.

Bill ordered to be brought in by Mrs. Ann Winterton, Mrs. Marion Roe, Rev. Martin Smyth, Mr. David Evennett, Mr. Vivian Bendall, Mr. Julian Brazier, Mrs. Elizabeth Peacock, Mr. Nicholas Winterton and Dame Jill Knight.

REPRESENTATION OF THE PEOPLE (AMENDMENT)

Mrs. Ann Winterton accordingly presented a Bill to amend the Representation of the People Acts; and for related purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 22 March and to be printed. [Bill 85.]

Orders of the Day

Nursery Education and Grant-Maintained Schools Bill

Not amended (in the Standing Committee), considered. [Relevant document: First report of the Welsh Affairs Committee of Session 1995-96 on the nursery voucher scheme in Wales (House of Commons Paper No. 186).]

New clause 1

VISITS TO ASSESS SUITABILITY OF ESTABLISHMENTS

'No grant may be made to a person providing nursery education under this Act in respect of any premises in which the nursery education is provided unless—

(a) the premises have been visited by an inspector registered in accordance with paragraph 8 of Schedule 1 to this Act; and

(b) the inspector is satisfied that the premises comply, or can be expected to comply, with such requirements as to suitability for the provision of nursery education in respect of which grants may be payable as may from time to time be specified in regulations made by the Secretary of State.'.—*[Mr. Kilfoyle.]*

Brought up, and read the First time.

3.44 pm

Mr. Peter Kilfoyle (Liverpool, Walton): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss the following: Amendment No. 14, in schedule 1, page 5, leave out lines 14 to 16.

Government amendment No. 33.

Mr. Kilfoyle: In Committee, there were protracted discussions on all the issues before us today. Unfortunately, despite the well-expressed and cogent arguments of Labour Members, the Government have not seen fit to incorporate our constructive amendments.

New clause 1 and amendment No. 14 deal with safeguards, and provide for a preliminary inspection of institutions wishing to provide nursery education under the scheme, before they start to do so. The document "Nursery Education Scheme: The Next Steps", published by the Department for Education and Employment in January, proposed an application procedure for potential providers of nursery education based on self-assessment of their ability to meet the standards expected of them by the Department. Self-assessment is wholly inadequate.

The next steps document reveals that the self-assessment schedule is

"a guide and prompter for in-house discussion with staff".

It then states quite baldly that the schedule

"does not need to be completed or returned to the voucher agency."

While the self-assessment schedule may be of use to applicant providers, especially those considering providing nursery education for the first time, self-assessment alone is clearly not a safe basis on which to entrust the vital responsibility of providing high-quality nursery education for young children.

The purpose of new clause 1 is simple—to plug the yawning gap in the inadequate arrangements proposed by the Secretary of State between the initial validation and the final validation of providers, which is quite properly dependent on providers being assessed and inspected. The next steps document says that inspection for final validation

"will normally take place in the first year of participation."

The new clause would impose a preliminary visit by a properly qualified and registered inspector. That would improve the scheme, and would offer a necessary safeguard to assure parents that a provider had been able to satisfy a registered inspector that he met the required standards, or, in the professional judgment of the inspector, could be expected to meet them within a reasonable time.

Mr. Harry Greenway (Ealing, North): I understand what the hon. Gentleman is saying, but does he agree, based on his experience, that a scheme must be up and running before it can be thoroughly inspected? Has he had experience in his constituency, as I have in mine, of people who are anticipating becoming providers taking enormous trouble to ensure that they have the proper qualifications and premises? That is the stage at which they get the necessary advice.

Mr. Kilfoyle: If the hon. Gentleman will bear with me for a moment, I will touch on the vital people in this process—the inspectors. He knows from his experience as a teacher, as I do from mine, the value that qualified, capable inspectors can bring to the whole educational process in our schools. He referred to schemes having to be up and running. Maintained and private nurseries are up and running, as are playgroups, and they will be incorporated in the scheme.

We are trying to achieve a comprehensive framework to govern all providers and ensure that they provide the necessary standards of nursery education that I am sure hon. Members on both sides of the House would agree are desirable. The new clause would require the Secretary of State to specify in regulations the arrangements for such visits by a registered inspector.

Amendment No. 14 is about the registration visits themselves. Local education authority-maintained nursery schools and classes now have to be inspected under section 9 of the Education (Schools) Act 1992, which means that once every four years an inspection is carried out by a team of Ofsted-accredited inspectors led by a registered inspector, according to Ofsted's framework for inspection, as is required for all primary and secondary schools.

The amendment would delete the exemption of the maintained sector, thus requiring existing maintained nursery education facilities to be inspected under the arrangements being set up by the Bill. Technically, that would require double inspection—but in practice, as Ofsted is responsible for both systems, it would be foolish for it to do anything other than carry out a single process that met both sets of criteria. In effect, that would mean using the more rigorous framework currently in place for all mainstream schooling. It would therefore be necessary to adopt the same framework for private and voluntary provision too.

The Government are likely to argue that it would be pointless to require two inspections, and to try to suggest that the Opposition amendment is really about applying the less rigorous requirements to maintained schools. That is a seductive but false argument.

As for the inspection framework, there is no doubt that the requirements under the 1992 Act for the maintained sector are significantly more rigorous than those envisaged for the new voucher providers. The difference between the Ofsted framework and the School Curriculum and Assessment Authority's document on desirable outcomes for nursery education can be illustrated by two quotations.

The guidance on the inspection of nursery and primary schools published by Ofsted late last year says:

"The inspection of subjects and the provision for pupils under five should focus on pupils' attainment and progress; teaching and other aspects of provision which make a significant contribution to what is achieved; and pupils' response."

On the other hand, the SCAA, in its publication, "Nursery Education: Desirable Outcomes for Children's Learning On Entering Compulsory Education", says something qualitatively different:

"Confirmation of validation will be based on a judgement, through inspection, about the extent to which the quality of provision is appropriate to the desirable outcomes in each area of learning rather than on the achievement of the outcomes themselves by individual children".

If we are concerned to achieve the desirable and laudable objectives, we must consider inspectors' qualifications. There is concern among educators about the level of qualification of the inspectors who carry out the work. Currently, to be a member of an inspection team undertaking an Ofsted contract, inspectors must be qualified teachers with significant relevant experience. They are also expected to demonstrate the professional skills associated with education inspection and advice during a week's course run by Her Majesty's inspectorate.

The course is designed to accredit prior skills rather than to train beginners from scratch, and most Ofsted-accredited inspectors were already HMI or local authority inspectors and advisers before the introduction of the new system. That means, as we would expect, that they are widely experienced and capable people. To become a registered inspector—the person qualified to lead a team—it is necessary to take a further, more rigorous course.

There is already a shortage of qualified inspectors with nursery experience, and there have been problems in maintaining the timetable for inspecting such provision within Ofsted's current four-year timetable.

Early consultation by Ofsted revealed that suitable "initial selection criteria" for individuals wishing to become inspectors for private or voluntary sector providers of nursery education do not specify qualified teacher status, but include national vocational qualification level 2 in child care, the City and Guilds caring for children certificate, the Business and Technician Education Council nursing diploma, and Nursery Nurses Education Board qualifications. Those qualifications are not sufficient to secure a job as an ordinary teacher in a local education authority nursery school. To suggest that they might be adequate for inspectors is astonishing. That is turning the whole logic of inspection as understood in the maintained sector on its head.

[Mr. Kilfoyle]

The Association of Advisers for the Under-Eights and their Families wrote to Ofsted to register its "dismay, disappointment and frustration" at the "totally inappropriate" qualifications specified. Its letter concluded:

"It is essential that the professionals who will be inspecting provision for the voucher scheme are seen to be credible, knowledgeable, early years personnel, with appropriate training and expertise."

The Opposition say amen to that.

Government amendment No. 33 improves the wording of paragraph 13 of schedule 1 and allows the chief inspector to set a time limit for the production of a report by the person conducting the inspection. It allows the limit to be extended by a maximum of three months. It provides for regulations to prescribe that copies are sent "without delay", whatever that may mean, to authorities and other persons—again, I wonder what that means.

That seems to meet a requirement that we attempted to introduce in Committee in amendment No. 87. The hon. Member for Bath (Mr. Foster) will bear me out, because he tabled amendments Nos. 21 and 90 to effect such a change. I hope that the Government are at last beginning to respond to the constructive arguments that were put in Committee and that will continue to be made in this debate.

Ms Margaret Hodge (Barking): I support new clause 1, which is important because, throughout the Bill's consideration, the Opposition have tried to table amendments that would raise the quality of the education offered to children in this so-called expansion of nursery education provision. Throughout our proceedings, Ministers have said that they support that intent, but every time we have put a practical proposal to the vote, Ministers have failed to support it. If they do not accept new clause 1 and other amendments, people will realise that the nursery voucher scheme has nothing to do with providing quality nursery education for our young children.

At present, a new establishment that wishes to be eligible to accept nursery vouchers, and therefore to educate our four-year-olds, has to go through a system of validation, to get which it has to fill in a form. It is sent to Capita management consultancy, which has been employed by the Government in the first phase of the scheme. Capita has, by the Minister's own admission, no staff with educational qualifications.

The Under-Secretary of State, the hon. Member for Chesham and Amersham (Mrs. Gillan), wrote to me to say:

"During Committee on Thursday, you asked whether any members of staff of Capita Managed Services Ltd employed on the nursery voucher scheme are qualified teachers, former HMI or nursery specialists.

I can now confirm that they are not".

The organisation responsible for validating the new settings, which will miraculously emerge as the result of the demand-led voucher schemes, has no education specialists on its staff. If we are to raise the quality of what is on offer to our young children, it is simply not good enough to allow such settings to be validated without an inspection.

4 pm

I fear that Ministers will not accept the new clause, because they know that they probably could not implement it. It is important for the House to know the inspectorate's capacity for dealing with the so-called expansion of nursery provision. Ministers have never denied that there are only three qualified inspectors of nursery provision on the staff of Ofsted. A further 200 inspectors are contracted by Ofsted to carry out the inspection of nursery education settings in nursery schools and nursery classes in primary schools.

Everyone, including Ofsted, recognises that 4,000 inspectors will be needed to meet the new inspection requirements of this important early educational provision for our young children. As my hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle) said, that will probably mean a lowering in the standard of those employed to carry out the crucial task of inspecting the quality on offer to our young children. Is it true that it is considered appropriate for people with NVQ2 qualifications to carry out the inspection? Perhaps, when the Minister replies to the debate, we shall be given the answer.

I am keen that we should welcome people with all sorts of qualifications and backgrounds to work with children under five, but it is inappropriate for people with NVQ2 qualifications to undertake crucial inspections to ensure that settings for under-fives are of the correct standard. The Government should come clean about how they intend to find 4,000 inspectors. There are also serious questions to be asked about how the policy is progressing.

We know very little about what training the Government intend for those they recruit as inspectors. As I understand it, Ofsted is considering four half-days' training for those who carry out inspections. The lack of staff with relevant qualifications employed by the Department means that training will be carried out by the people who should be conducting the inspections. That is simply not good enough, and is a matter of great concern to us.

We need to know whether that is why the Government will not ensure that a proper inspection of settings takes place before they are validated as appropriate for use for the nursery voucher scheme. I also want to know what action the Government intend to take to improve the situation.

Mr. Nigel Spearing (Newham, South): Nursery schools and classes were formerly inspected by Her Majesty's inspectors of education. In Committee, it was my understanding that, while nursery schools and nursery classes are now inspected by Ofsted, under the Government's proposals—to which we are objecting in the form of new clause 1—it would be possible for the inspectors whom my hon. Friend the Member for Barking (Ms Hodge) describes to have lower qualifications than the nursery teachers they inspect. If that is so, should not the Under-Secretary of State for Wales, the hon. Member for Clwyd, North-West (Mr. Richards), address that problem when he replies to the debate?

Ms Hodge: I agree entirely with the point that was made by my hon. Friend the Member for Newham, South (Mr. Spearing), and I hope that the Minister addresses it during his reply to the debate. Inspection is crucial to quality, as was said last night in the debate on the space

standards in our schools and the deregulation of those standards. The Secretary of State for Education and Employment stated that it was not the space standards that mattered but the quality of the teaching in ensuring that an appropriate offer was being made to our children.

The Labour party argues that both count, but we agree with the Secretary of State for Education and Employment that quality of teaching counts, and that it is a crucial factor in how good an offer there is for young children. If the quality of teaching matters, someone has to inspect it. As the Labour party says in the new clause, it is appropriate and important that inspections be carried out before we allow these settings to teach a whole generation of four-year-olds.

I shall tell hon. Members why that is so important. Approximately 400,000 people are currently working with children aged under five—of those people, 10 per cent. have no qualifications at all; of those people working with children in the nursery class or nursery school setting, in the maintained setting, over half do not have qualifications to teach; and the remainder have a range of qualifications. In that context, where there has not been an enormous investment in the training of those who are working with children at this crucial age, it is absolutely imperative—it is totally vital—that there should be an inspection prior to the validation of a setting to ensure that those who are working with young children have appropriate skills and experience, if not qualifications, to carry out their tasks.

There is a lack of provision for training. In fact, Ministers in this Government were responsible for cutting the very little training that existed in the grant for education support and training budget for those working in the nursery education sector. Between 1990 and 1993, just under £10 million was available for training this group of staff, and that funding has been cut.

The Government's commitment to a quality offer for four-year-olds is very much up in the air: there is a group of people working with children who have a variety of qualifications, if any at all; the Government have cut the part of the training budget that could assist in raising quality; and in the introduction of the nursery voucher scheme, the Government have not set aside any money for training—which is something that the Labour party has asked for time and time again.

There is not much evidence in the Bill—which has been debated for many hours in Committee—that the Government are concerned about quality, although there are currently concerns in that respect. The best evidence we have—which we used extensively in the discussions in Committee—is a survey carried out by Her Majesty's inspectors entitled "A Survey of Provision for Under-Fives in the Play Group and Maintained Sectors in Wales: Inspected During Academic Year 1994-95".

The survey looked at playgroups—the new settings which will be eligible for vouchers—and at the maintained sector. I shall quote briefly from the document, because I believe that hon. Members should be aware of it. I refer to the playgroups sector. On page 19, the inspector, talking about the quality of what was on offer to our children in the playgroup sector, said:

"Standards in the development of children's pre-reading and early reading skills are satisfactory in about a fifth"—

20 per cent.—

"of the play groups . . . In around four-fifths of the groups, although reading materials are readily available for the children to handle and use, not enough is done to foster positive attitudes to books in a systematic way."

Four fifths of those playgroups that were inspected in Wales by Her Majesty's inspectorate of schools in Wales fell down on the key aspect of preparing children to read.

The report says:

"Few opportunities are created in any of the playgroups to develop children's early writing skills through play and practical experiences".

On page 22, in its conclusions about the maintained sector, the report says:

"There is a continuing need to improve standards in some aspects of the work, especially the development of skills for later learning in technology (65% of the schools), the development of knowledge and skills in the scientific area of learning (30% of the schools), the development of children's feelings and ideas in the aesthetic and creative area of learning (30% of the schools), the development of early reading and writing skills (25% of the schools) and aspects of the work in the mathematical area of learning (10% of the schools). The need is greatest in reception classes and mixed-age infant classes in primary schools."

In its conclusion about the playgroup sector, the report says:

"Standards need to be improved in most aspects of the work. Particular attention should be paid to improving standards in the development of early literacy, the use of mathematical language and the skills needed for later learning in history, geography, science and technology."

That all shows that, in part of the United Kingdom where a proper inspection did take place, standards were sorely lacking. Despite that, Ministers are seriously suggesting that we should introduce a new range of settings—which may require the validation of as many as 12,000 new settings once the scheme is running nationwide—without having that early check on whether the quality of what is on offer is appropriate.

Sixty per cent. of what a child learns is learned in the first five years of life; 60 per cent. of his or her intellectual development takes place in those first five years. It is a crucial phase of life. We have got it wrong for far too long. Are we yet again to miss an opportunity of starting to put things right? I fear so, if the Government's proposals are implemented.

In Government amendment No. 33 on inspection, the Government suggest that the inspector should submit a report, but we all know that currently, when an inspection report on a private nursery is completed, it is submitted to those who own and run the nursery, and is not published generally. If our children are to attend private nurseries, and if public money is to be invested in children attending those private nurseries, do the Government intend inspection reports to be published? I hope they do, and I hope that the Minister will give us some comfort on that.

Currently, non-educational institutions—playgroups or nurseries run by the voluntary sector, or private nurseries—must be inspected before they are registered and opened to the public. All we are asking in the new clause and amendment No. 14 is that the rigour that goes into ensuring that the care is of a certain quality should be applied to ensuring that the education is of a certain quality. That is the key to ensuring that children develop their potential. Government resistance to this important new clause would show the world that they do not really care about the quality of nursery education.

4.15 pm

Mr. Colin Pickthall (West Lancashire): I cannot think of the Bill without thinking of it in the context of the changes to the Education (School Premises) Regulations

[Mr. Colin Pickthall]

1981 that were debated yesterday. The Bill and those changes seem to amount, among other things, to an attempt to push early years education towards the private sector, cheapness and, potentially, overcrowded and overstressed conditions. Those dangers should be monitored and checked by proper inspection procedures, as laid out in new clause 1.

The hon. Member for Ealing, North (Mr. Greenway) was quite right to say that we cannot inspect something that is not already there; however, the new clause places stress on "the premises" subject to the inspection. My hon. Friend the Member for Barking (Ms Hodge) was quite right to say that a very early check is needed. That is a sensible way in which to think of the new clause.

To my mind, it is quite improper, and possibly risky, for young children to be gathered in units that, for at least one year, are self-assessed by people who have a strong financial interest in ensuring that the self-assessment is positive. The assessment would then be sent to Capita, but numerous recent early-day motions have already cast considerable doubt on that organisation. Of course, the need for inspection applies not only to premises but to the quality of the activity and the personnel involved, as my hon. Friend the Member for Barking said.

The voucher system will inevitably drive the centre of gravity in early years education away from comprehensive nursery schools and classes, which are financed and organised by local authorities, towards a provision that has been hurriedly scrambled together by individuals and companies. Some of the people involved in that provision will no doubt be excellent, but others will be out to grab and cash as many vouchers as possible before the inspector arrives and possibly closes their nurseries down.

The expansion of early years education, which all parties in the House seek, clearly should not be governed by a system that takes large amounts of public money and pumps it into the provision of what might be no more than child minding, in places that could not accommodate activities other than basic child minding—although the facilities might pass muster in the social services' inspection under the Children Act 1989.

The inspectorate must be mindful of the quality of learning experience for all the four-year-olds who will be placed in schools by vouchers. It must especially take into account all the recent research, which has demonstrated beyond peradventure the crucial educational and social benefits that accrue from high-quality early years education.

It is, of course, also important that the quality of the inspectorate is of the highest standard. My hon. Friends the Members for Liverpool, Walton (Mr. Kilfoyle) and for Barking have already commented on inspectors' qualifications—NVQ2 is perhaps not what we would seek as an ideal qualification for an inspector.

The Bill also contains nothing about training, either for the new nursery teachers—no planned expansion is envisaged in that respect—or for the new inspectors. Parents who live in areas that have never offered early years education provision before will no doubt be relieved that it will be available, but they may plump for whatever is offered. The new clause offers them at least a basic assurance about standards, in a sphere of education with which, by definition, they cannot be familiar. As the unit—I can think of no better word; it may be a class—is already in place, they will trust that it is totally acceptable, and they may find out otherwise rather too late. That is why early inspection is tremendously important.

In contemplating new clause 1, the Government have to bear in mind how brief but vital nursery education is. It is all over in 12 months—or 18 months if the child is fortunate—and by then a child may already have formed educational patterns. A bad or insufficient nursery experience may produce individual or collective tragedy. Early inspection would attempt to avoid that, so I hope that the Government will look favourably on what I consider to be a sensible and moderate new clause.

Mr. Mike Hall (Warrington, South): By way of introduction to my support for this essential new clause, let me draw the attention of the House to the principle on which the nursery voucher scheme is based. Under the nursery voucher scheme, public money will be used to subsidise private sector play schemes. It may even subsidise private sector child minding and other schemes that may or may not provide nursery education as there is nothing in the framework of the Bill to prevent that.

New clause 1 is straightforward and simple. It will demand an inspection of existing provision to ensure that it measures up to what we expect of nursery education before any public money is put into a service. That is a great strength of new clause 1.

I am concerned about the design of the voucher scheme and that it may harm the excellent provision of nursery education in the state sector. I am sure that the wording of the Bill and the way in which the voucher scheme will work—in the absence of an inspection before the private sector will be able to benefit from public money—will lead to a dilution or undermining of existing LEA provision. I am also confident that the way in which the scheme is currently set up means that it will undermine severely the provision of nursery education for three-year-olds. Therefore, new clause 1 commends itself to the House.

I am clear in my own mind that the voucher scheme is nothing more than a political gimmick. It offers no real prospect of providing high-quality nursery education for all three and four-year-olds whose parents want it. I say that confidently as someone who has read "Education: A Framework for Expansion", which was published in 1972 by the then Secretary of State for Education. It committed the Conservative Government of the day to providing high-quality nursery education. The fact that it was never delivered does not deter from the aims and objectives of "Education: A Framework for Expansion", which recognised the benefits that a good nursery education would bring to pupils' prospects and to levering up standards in the state system.

As my hon. Friend the Member for Barking (Ms Hodge) has already said, 60 per cent. of learning takes place in those early years. It is therefore essential that we get nursery education right and plan for it properly. What the Government appear to be doing is designed more to please the Conservative party conference than to improve the quality of our state education.

Had the Secretary of State for Education and Employment had her own way, I am certain that she would have not chosen such an approach. She knows full well that the voucher scheme is unwieldy and a bureaucratic

nightmare. We are debating the Bill only because last October the Prime Minister promised the Conservative party conference that we would have a voucher scheme. I am sure that that is not the way to plan the best education for primary school children, who need first-class nursery education.

The Secretary of State was right to say on 19 October 1994 that, despite some people's opinions, voucher schemes were unwieldy. She also said in *The Times Educational Supplement* of 7 April 1995 that vouchers were not the favoured option. In fact, it was only because of the Prime Minister's commitment at the Tory party conference that she had to change her mind. He said:

"I have asked Gillian Shephard to work up proposals to provide places for all four-year-olds whose parents wish them to take it up . . . What I am doing is giving you a cast iron commitment that it will happen".

Mr. Spearing: The Prime Minister certainly did commit the party to a voucher scheme, but he also said that he would provide nursery education for all four-year-olds. The Government seem to intend to make it available to some, but it will not be nursery education as we know it today.

Madam Speaker: Order. That question invites the hon. Gentleman who has the Floor to go even wider, and he was already making what seemed like a Second Reading speech. I hope that he will not pursue the intervention.

Mr. Hall: You are of course right, Madam Speaker. I was coming to the point that we need inspections of nursery education before handing over taxpayers' money to private sector institutions. Certainly, high-quality nursery education should be available to all four-year-olds, as the Prime Minister said it would be. But it was clear from the debates in Standing Committee that it is not going to happen.

This is a very poor Bill; we make no bones about the fact that we do not like its contents. New clause 1 in no way substitutes for poor legislation: it just tries to make the best of a bad job. One way of ensuring that the money voted by Parliament is spent for the intended purpose is to carry out inspections of private sector premises to ensure that they truly provide what we would expect to be done in the name of nursery education.

In Committee, my hon. Friend the Member for Bridgend (Mr. Griffiths) asked that

"no provider will be brought into the nursery voucher scheme unless the DFEE and the Welsh Office are satisfied that they meet the educational standards which can be gleaned from reports carried out by Ofsted, the Audit Commission and the Office of Her Majesty's Chief Inspector of Schools in Wales".—[*Official Report, Standing Committee F*, 13 February 1996; c. 193.]

My hon. Friend wanted to be quite sure that all premises were right for nursery education, and that the resources provided would go towards quality education. These establishments and institutions must be committed to curriculum and planning control.

The teachers in these nursery schools must be up to the task of providing high-quality nursery education. New clause 1 seeks reassurances about assessment and record keeping, and about the literacy and numeracy that teachers would hope to instil in the children in their care. We hope that the Government will commit themselves to ensuring that taxpayers' money delivers the goods. New clause 1 calls on Ofsted to go into the private sector institutions providing nursery education and to give us the information that we require.

In Committee, the Under-Secretary of State said:

"Over time, Ofsted inspection reports will help to fill in the picture of the developing pattern of provision. They may also shed light on the most effective way to deliver good quality nursery education."

I do not want to look back in a year's time and find out that the Government may have been able to do that. I want some reassurances now that taxpayers' money will be spent on providing good-quality nursery education. That is the difference between the Opposition and the Government on the issue. The Government are prepared to allow the private sector to be involved in nursery provision, to allow public money to be spent on that provision and to inspect the outcome some time in the future. That is not an appropriate approach, and new clause 1 would change it.

4.30 pm

The Under-Secretary also said in Committee:

"In case it is not obvious from my remarks, I must flag up for the Committee the fact that many of those matters, by their very nature, will emerge one or two years down the line. I hope that hon. Members agree that it would be unreasonable to wait for definitive outcomes before proceeding with the expansion of nursery education."—[*Official Report, Standing Committee F*, 1 February 1996; c. 54.]

I do not think that we need to wait for those definitive outcomes to expand nursery education. We could do that through the state sector and local education authorities. It is unreasonable for the Under-Secretary to ask us to wait for two or three years before we find out whether taxpayers' honest money has been spent efficiently and effectively. That is my difference with the Under-Secretary on that issue.

Whereas in new clause 1 we call for inspections to take place before public money is used, the Government are quite prepared to wait. The Government are not even prepared to set down a target for the number of private sector institutions that will be inspected in the first 12 months. It is clear that many inspections will be needed and, as my hon. Friend the Member for Barking said, an extra 4,000 inspectors would probably be needed to complete the job in those 12 months. The Government are not even prepared to fix a target for the number of inspections in the first 12 months, and the reason given—it is totally unacceptable—is that those inspections cannot start until the Bill has received Royal Assent.

The Parliamentary Under-Secretary of State for Wales (Mr. Rod Richards) *indicated assent.*

Mr. Hall: The Under-Secretary agrees, but there would be nothing wrong with delaying the implementation of the Bill until those inspections had taken place. If the Bill receives Royal Assent in its current form, the inclusion of new clause 1 would give us some reassurance that the Government were committed to inspection to provide high-quality nursery education. The pamphlet "Information for Parents: The Nursery Education Scheme" states:

"The Government wants all parents to be able to choose good-quality nursery education for their four-year-old children if they want."

[Mr. Hall]

If parents are to make choices about good-quality nursery education, on what will they base their decisions? What will inform their decisions about good-quality nursery education? A step in the right direction would be an Ofsted report that stated that a nursery has the accommodation to provide good-quality education; has designed its curriculum to match the needs of four-year-olds; has well-qualified staff; and has proper assessment plans. That would be the type of qualitative report that new clause 1 would require.

We have seen that the Government have committed themselves to a voucher scheme to provide nursery education. If we are to believe what the Government have said, the voucher, to the value of £1,100, will do a great deal. It will provide two and a half sessions a week of nursery education. It will provide for capital investment in the private sector to supply the 150,000 places that are missing at the moment. That has been recognised in the Government literature on the subject of nursery vouchers. The voucher will also pay for the inspection of the private sector schools. Those £1,100 vouchers will have to go a long way. I am not confident that they will provide nursery places for every four-year-old in the country. I am certain that they will undermine existing provision—and I am confident that, if the Government have the interests of education at heart, they will accept new clause 1. It is a step in the right direction, and would improve what I consider to be a very poor piece of legislation.

Mr. David Jamieson (Plymouth, Devonport): I am pleased to follow my hon. Friend the Member for Warrington, South (Mr. Hall), who made some excellent comments in support of new clause 1. I shall not repeat what he said, but try to complement it.

We now have some cross-party accord on at least one feature of the Bill: the parties now agree that nursery education is valuable to children. Less than two years ago, Ministers were telling us that there was no proven connection between nursery education and the quality of a child's learning. Have we not heard the same words in connection with class sizes? Of course, that applies only to local education authority schools, not to the schools to which many Conservative Members send their children.

I also remember a Minister saying that my hon. Friend the Member for Dewsbury (Mrs. Taylor) was "obsessed" with nursery education. I am happy to say that Ministers are now equally obsessed with it—as are Opposition Members, who are following my hon. Friend's excellent lead. We welcome Conservative Members' conversion to nursery education; but that is where my agreement with the Government ends. We have the right policy, but, alas, the wrong solution.

Let me say a little about the quality and value of inspection. The Government have rightly stressed the need for inspection of all schools. Opposition Members agree: we want to be absolutely sure that nursery school inspectors are meeting the standards that we want for our children, and also meeting the demands of taxpayers whose money is being spent to the tune of nearly three quarters of a billion pounds.

Mr. Gerry Steinberg (City of Durham): I do not expect the nursery voucher scheme to create many local education authority places. I think that the vouchers will be used in the private sector. If a huge amount of capital and revenue is to go into that sector, we must ensure that the conditions are right before children begin their education. Nursery education is, after all, education, not child minding. If the conditions are wrong, children will suffer. The conditions must be tried and tested.

Mr. Jamieson: My hon. Friend's comments are, as usual, well placed. The Bill could penalise authorities that are currently offering a high level of nursery education, and have done so for many years. A point that I hope will arise later in the debate—

Mr. Deputy Speaker (Mr. Michael Morris): Order. I was tolerant in regard to the intervention, but can we now return to the new clause?

Mr. Jamieson: I shall, of course, be guided by you, Mr. Deputy Speaker. Later, however, we may hear from the Minister how some of the revenue provided by the vouchers could be used for buildings rather than providing nursery education places.

It is vital that people of quality carry out the inspections. We need experienced inspectors with a proper understanding of young children and the way in which they learn; I do not think that the Minister will disagree with that. The inspectors must know what to look for.

Before inspectors carry out inspections, as mentioned in new clause 1, we need people to train them. I should be grateful if the Minister would confirm that, when looking for people to train nursery school inspectors, only the Pre-School Learning Alliance and the Montessori organisation were asked to provide the names of people who could train inspectors. Has the Pre-School Learning Alliance—excellent though it may be—people with sufficient experience to train? Many teachers in the Montessori organisation obtained their qualification through correspondence courses and have done very little follow-up to that qualification, which is not recognised in state schools. They cannot teach in state schools. Yet they have been asked to train the people who will inspect nursery schools.

I believe that a letter was sent out a short while ago to those two organisations and that the trainers have been offered a whole two days' training to train the inspectors. If they pass the training in April and May, they will be offered a further session in July just to ensure that they are competent to do the job. I understand that the people who will train the inspectors have only the equivalent of national vocational qualification level 2 in child care, which is just above GCSE grade 4. Yet they will train inspectors to inspect nursery schools to see whether they are appropriate. I should be grateful if the Minister would address that point, because I notice that, last week, *The Guardian* and *The Times Educational Supplement*—an excellent choice by the Department for Education and Employment and Ofsted—advertised for inspectors. Before the inspectors are in place, we need to know whether the people training them have the competence and quality to do so.

New clause 1 has been cobbled together in a hurry and it has many deficiencies, not least those that I have just pointed out.

Mr. Richards: It will come as no surprise to Conservative Members that what we have heard so far has been nothing more than a rerun of what we heard in Standing Committee—

Mr. James Pawsey (Rugby and Kenilworth): And a boring rerun, at that.

Mr. Richards: As my hon. Friend says, it has been a boring rerun, with Opposition Members seeking to find ways and means of tripping up the private and voluntary sector.

We are introducing a number of important safeguards to ensure the quality of provision at participating institutions before inspection, which means that there is no need for the provision sought in new clause 1. First, we are accepting applications only from certain categories, or types, of institutions that we are confident will be able to provide good-quality education. These include maintained schools, finally registered independent schools, local authority day nurseries and institutions registered under the Children Act 1989.

Providers registered under the Children Act have their premises inspected annually by social services departments, and maintained schools are covered by the school premises regulations.

Mr. Hall: Will the Minister give way?

Mr. Richards: In a moment. Let me finish this point.

New regulations were laid before Parliament on 22 February, to come into force on 1 September 1996. Hon. Members will be aware, from the lengthy discussions that have taken place on this subject in Committee, that we intend to deregulate minimum teaching and recreation areas in maintained schools, but they will know equally well that we are retaining the standards that bear on health and safety to safeguard the welfare of children.

Several hon. Members *rose—*

Mr. Richards: I give way to the hon. Member for Bath (Mr. Foster).

Mr. Don Foster (Bath): The Minister just told the House that he will accept applications only from certain categories of organisation and institution to participate in the scheme. Will he tell the House which part of the Bill gives effect to the proposal that he has just announced?

4.45 pm

Mr. Richards: As the hon. Gentleman will know, the arrangements that we are making under clause 1 will ensure that that is indeed the case.

Secondly, all participating institutions will have to work towards the School Curriculum and Assessment Authority desirable learning outcomes, and those on which we await advice from the ACAC organisation in Wales. The quality and standards of education that they provide will be subject to rigorous inspection. To provide good-quality education and work towards the outcomes, providers will need to ensure that their premises are suitable. We intend to inspect all private and voluntary providers within the first year. As explained in Committee, the inspections cannot begin until the Bill has been enacted and it has come into force. Given the large number of providers involved, it would be impracticable to inspect them all at once. To insist on inspection before registration, as the amendment attempts to do, would delay the expansion of nursery education and would stifle parental demand.

Mr. Spearing: I take the Minister back a few sentences to the inspection of premises. He referred to the fact that school inspections would be carried out under school premises regulations, but we know that schools have no space. Yesterday evening, the Secretary of State told me that, of course, they would be also be inspected under the Children Act. Will the Minister tell the House whether the Act contains minimum space requirements and, if so, what they are for the establishments that will be inspected under the Bill?

Mr. Richards: I do not agree with the hon. Gentleman's opening comments. On the criteria by which inspections are made under the Children Act, I do not know off the top of my head whether space is a criterion, but I shall certainly let the hon. Gentleman know in due course.

Ms Hodge: Will the Minister give way?

Mr. Hall: Will the Minister give way?

Dr. Keith Hampson (Leeds, North-West): Will my hon. Friend allow me?

Mr. Richards: I give way to my hon. Friend.

Dr. Hampson: Frankly, is not this a farce? Why do not we simply say to those people opposite that space, size, quality of classroom—

Mr. Deputy Speaker: Order. I do not think that that is a parliamentary phrase. All Members are honourable Members, not people.

Dr. Hampson: I am delighted—if my hon. Friend on the Front Bench will allow me to continue the point and respond to the Chair—because I thought that, you, Mr. Deputy Speaker, were criticising the word "farce". It is a farce because Opposition Members seem to ignore the central point—education. The quality of the way in which we educate young people has nothing to do with a physical place. *[Interruption.]* I am sorry, but one can go to the most clapped out medieval buildings that are some of the best schools in the country—*[Interruption.]*

Mr. Deputy Speaker: Order.

Dr. Hampson: Mark Twain said that it was the quality of the mind at the other end of the log. It is well known. Research in the past decade shows that there is no positive relationship at all between premises and the quality of education.

Mr. Richards: My hon. Friend makes a valid point when he speaks of Labour Members, who are far more concerned with providing occupation for their friends in local education authorities than with providing good-quality nursery education for the children of this country.

Mr. Hall: Will the Minister give way?

Mr. Richards: The hon. Gentleman should contain himself. The hon. Member for Newham, South (Mr. Spearing) asked about inspections under the Children Act 1989. Guidance under that Act states that it is desirable that 2.3 sq m should be available per child. I stress that that is guidance under the Act.

Mr. Hall *rose—*

Mr. Richards: I should like to make a little progress. Opposition Members are getting a little excited. They should calm themselves.

The self-assessment schedule will be an important and additional safeguard of quality. It will let providers know what is expected of them before they join the scheme. Providers are unlikely to apply to join the scheme unless they are confident that they can meet the requirements that are expected of them. It would be a poor advertisement for an institution to enter the scheme only to be ejected from it a few months later. As a final safeguard of quality, providers will also have to publish information for parents which includes the details of their premises. I ask the House to reject new clause 1.

Amendment No. 14 seeks to provide for periodical inspection by registered nursery education inspectors of maintained primary schools that have nursery classes and of maintained nursery schools that are already subject to periodical inspection under section 9 of the Education (Schools) Act 1992 by inspectors registered under that Act. As the hon. Member for Liverpool, Walton (Mr. Kilfoyle) forecast, such a duplication of effort would be unhelpful. The introduction of two separate cycles of inspection by separate inspectors would cause unnecessary disruption in schools and it could hardly be considered an efficient use of taxpayers' money.

In undertaking periodical inspections of schools under the 1992 Act, inspectors registered under that Act are required to report on the quality and standards of education that are provided in the same way as registered nursery education inspectors are required to report. In doing that, they will have regard to specific guidance provided by Ofsted and by the Office of Her Majesty's Chief Inspector of Schools in Wales on the inspection of early years education. From 1 April 1996 inspectors who are registered under the 1992 Act will apply the general guidance for inspection of primary schools, which also covers early years issues. Therefore, the quality of nursery education that is provided by schools that are subject to inspection under the 1992 Act is already being monitored by Ofsted and by OHMCI in Wales. I can see no reason to introduce an additional, separate inspection cycle for such schools.

I shall now deal with some matters that were raised by Opposition Members. The hon. Member for Walton suffers from a misunderstanding about the inspection of nursery provision in the maintained sector. Inspections in that sector and of private and voluntary sector schools will be undertaken in accordance with the guidance that has been issued by Ofsted and OHMCI. The guidance will apply to nursery provision across all sectors, which means that there is no question of private sector or voluntary sector inspections being any less thorough than those that are carried out in the maintained sector.

The hon. Members for Walton and for Barking (Ms Hodge) and some other hon. Members asked about the qualifications of inspectors. The chief inspector will have to be satisfied that inspectors are capable of performing the task, and he will require them to undergo training that is appropriate for each one. The hon. Member for Barking suggested that Capita Managed Services would validate the quality of education to be provided on the basis of the self-assessment questionnaire. Plainly, she did not read the letter that the Under-Secretary of State for Education and Employment, my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan), sent to her on that very matter. For ease of reference, perhaps the hon. Lady will allow me to read part of my hon. Friend's letter. In paragraphs 2 and 3 the letter states:

"Capita have no need for educational specialists. Their responsibility is only for administering the issue and redemption of vouchers, not for any of the educational aspects of the scheme.

In particular, Capita is not involved with making judgments about educational quality. The Department has set out in its contract with Capita a tight framework within which Capita administers its part of the scheme."

I have addressed the matters of issue and qualifications. The hon. Member for Plymouth, Devonport (Mr. Jamieson) asked who had been contacted about the possibility of training. Ofsted contacted not only the Pre-School Learning Alliance and Montessori: it contacted other organisations including the Independent Schools Joint Council, the Incorporated Association of Preparatory Schools and the National Private Day Nurseries Association. It will be for Ofsted to decide the training and qualifications that will be needed.

Mr. Jamieson: Will the Minister give way?

Mr. Richards: I should prefer to make some progress on Government amendment No. 33.

I ask the House to reject amendment No. 14. In Committee, Opposition Members tabled several amendments about the production and distribution of inspection reports. The amendments were not selected for discussion, but they raised important issues which we think merit inclusion in the Bill. We have always contended that inspection reports should be produced and distributed within a reasonably short time.

For the sake of clarity, we are persuaded that it would be helpful to make legislative provision for the time scale within which inspectors should produce reports. We think that it would be sensible to follow the model contained in section 208(2) of the Education Act 1993 so that the report is made within a period prescribed by regulations, subject to any extension that the chief inspector considers necessary. Such extensions would be limited to the prescribed period plus three months. The power to make extensions will cover unexpected events, such as an inspector's illness, which could lead to delays.

It also seems sensible that on receiving the report the chief inspector should distribute copies of it without delay, and that is achieved by amendment No. 33. As introduced, the Bill provided for a copy to go only to the inspected provider of the nursery education. On reflection, we think that it will often be appropriate for others to be sent a copy of the inspection report and the amendment provides for such further distribution to be covered by regulations. Of course, the regulations will prescribe that copies of the inspection report should be distributed to the provider.

Mr. Hall: I apologise for interrupting the Minister in his reading of what is quite clearly a prepared brief. Who will pay for the inspections? Will it be the school—the private sector institution—and, if it is, will the cost come out of the £1,110?

Mr. Richards: In England it will come out of the Ofsted budget and in Wales the OHMCI budget will cover inspections.

There will need to be provision for copies of the reports to go to the LEAs in respect of their schools; to the Department of Social Security in respect of providers registered under the Children Act, and to the Department for Education and Employment and the Welsh Office in respect of independent schools. I ask the House to accept amendment No. 33.

Mr. Don Foster: It was right of the hon. Member for Warrington, South (Mr. Hall) to draw our attention to the kernel of the debate. As others have said, hon. Members on both sides of the House now recognise the importance and value of early years education, but the critical point raised by the hon. Member for Warrington, South is that we do not want any sort of nursery education or early years education. To achieve the successes and benefits that we want, the provision must be of high quality. The concern expressed by many Opposition Members in Committee was that there was no evidence that the provision that we would gain would be of high quality. That is relevant to new clause 1.

5 pm

In Committee, we made the point, which is worth reiterating, that, in revenue terms, a £1,100 voucher, if that is to be its value, is insufficient to provide high-quality provision. It will certainly be insufficient to provide additional resources for capital work on any new premises that are to be built or for the training of additional teachers and ancillary assistants who will be needed. As a result, there is a fear that the additional provision that may be created, and that the Government suggest the Bill will create, is likely to be of low quality. That is why it is so critical that, before state money—taxpayers' money—is handed over for such provision, there is at least some initial quick health check to ensure that we can be satisfied that new providers are likely to provide the sort of quality provision that we want.

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Robin Squire): I intervene only to underline that there is a health check, literally, in relation to all Children Act 1989 registration—an annual inspection. It is one of the three main alternative requirements that every provider must have.

Mr. Foster: I am grateful to the Minister. I shall return to that point because it is important.

When the Minister responded from the Dispatch Box to those concerns, he assured us that a problem did not exist because the Government would accept applications only from certain categories of provider or organisation. I then intervened on the Minister and asked what assurances had been given and where they appeared in the legislation. The response was that it would be covered by the arrangements that the Secretary of State for Education and Employment had the power to make. As we know only too well from our study of the Bill, few of those arrangements will return to the House for examination by hon. Members. We should all, therefore, be concerned.

Mr. Richards: Will the hon. Gentleman give way?

Mr. Foster: I happily give way because I hope that the Minister will now give us clause, chapter and verse.

Mr. Richards: To save the hon. Gentleman and the House some time, if he is a little more patient, my hon. Friend the Under-Secretary of State for Education and Employment will return to that subject a little later.

Mr. Foster: I am grateful to the Minister. With that assurance, I shall happily wait. The House wants far clearer assurances than it has received so far.

I was pleased that the Minister tabled amendment No. 33. He has at least recognised, in a small way, some of the many concerns expressed by Opposition Members in Committee. The Minister has agreed to make copies of the report available to a variety of organisations other than the provider. I hope that, when the opportunity arises later, the Minister or one of his Front-Bench colleagues will go into a little more detail about whom they intend to make copies available to. The Minister mentioned the local education authority. I am delighted about that because I proposed it in Committee. We need far more information than we have received so far about that and about who will be responsible for some of the cost.

The Minister will recall that he told the Committee:

> "There is already provision in paragraph 13 of schedule 1 for a copy of the inspection report to be sent to the provider. Providers will be required to make copies of the report available alongside other information for parents as a requirement of grant."—[*Official Report, Standing Committee F*, 20 February 1996; c. 357.]

We and certainly the providers will need to be clear whether they will be responsible for bearing the cost of making many more copies of the report available, or whether some other source of funding will be made available. If the providers are to supply that funding, it will diminish still further resources to provide high-quality provision.

I hope that, when the opportunity arises later, the Minister or one of his colleagues will say why they were not willing to accept the points that were made in Committee about the importance, before inspection, of consultation with the local education authority on non-local education authority provision. A strong case was made for that. The Minister said that he would consider that point. Many hon. Members will be disappointed that he has considered it, but taken no action.

Mr. Kilfoyle: I agree with the Under-Secretary of State for Wales on one thing: much of what we have heard tonight is a rerun of what happened in Standing Committee. That is evidenced by the lack of Back-Bench support for the Government, constructive suggestions from Opposition Members and an especially boring and ill-informed speech from the Under-Secretary.

The reason why we are so concerned is that, on 1 February in Committee, in column 58 of *Hansard*, the Under-Secretary of State for Education and Employment could not give us any guarantee on inspections of premises. We are naturally concerned, especially when we consider

[Mr. Kilfoyle]

that, potentially, there are 40,000 providers. The Under-Secretary of State for Wales was concerned about that figure. He told us that the figure was only 28,000 and that the Audit Commission had the figures wrong, but included in the total are 2,900 providers from Wales, of which he had not even been cognisant.

Claims have been made about the categories of institutions that will be catered for under the arrangements, but there is nothing in the Bill. We have heard much about premises being inspected annually. Reference has been made both to the Children Act 1989 and to the Education (School Premises) Regulations 1996. We know what happened with those regulations last night. I repeat to the Minister: I hope that he learns the difference between prescriptive regulation and optional guidelines, which the Government do not take on board.

The whole point is that we also want inspection of educational quality, which must be at the forefront of everyone's mind.

Mr. Hall: The point about inspection under the Children Act is that it does not do anything about quality; it involves only the registration of premises. It will have nothing to say about the quality of nursery education.

Mr. Kilfoyle: That is the point that I am making. We are concerned with the quality of education as well the environment in which it takes place.

I remind the Under-Secretary of State for Wales that I was not suggesting that we have two cycles of inspection—quite the reverse. I was saying that there could be potential for that, but that we would expect any sensible, well-organised body such as Ofsted to ensure that it did not happen. He made the point that the chief inspector is to be satisfied. That is certainly the case but, given many of the education policies pushed by the Government in recent years, the Under-Secretary is an easily satisfied man.

Having said that, we do not intend to press the matter to a vote. We hope that the Government will see the sense of our arguments, go away and reflect on the valid points made by Labour Members. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 2

RESOURCES FOR SPECIAL NEEDS

'(1) The Secretary of State shall satisfy himself that adequate resources are available to a local authority in respect of advice or support provided by it to a child who is receiving funded nursery education other than in a maintained school and who is considered to have special educational needs but in respect of whom no statement under section 168 of the Education Act 1993 has been issued.

(2) In this section "funded nursery education" shall have the same meaning as in Schedule 1 to this Act.'.—*[Mr. Kilfoyle.]*

Brought up, and read the First time.

Mr. Kilfoyle: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: Amendment No. 7, in clause 3, page 2, line 18, at end insert—

'(4) Such requirements shall require that—

(a) any nursery education provided by virtue of the grant shall be supervised by a qualified teacher; and

(b) where such nursery education is provided in respect of a child who has special educational needs that it conforms to any Code of Practice in respect of such education which may have been issued by the Secretary of State.'.

Government amendment No. 35.

Mr. Kilfoyle: The new clause will find support on both sides of the House as it deals with a concern expressed by many hon. Members, as well as interested bodies outside the House, about the provision of good-quality education for children with special educational needs. The new clause would ensure extra funding for local education authorities to provide for children at stage 3 of the special educational needs code of practice—stage 4 being a statement—who are in nursery provision outside the maintained sector.

Provision for children under five with special educational needs was extensively discussed in Committee. During our debates, hon. Members on both sides committed themselves to ensuring that such children enjoyed the benefits of nursery education as much as other under-fives. I note that the right hon. Member for Mole Valley (Mr. Baker) is in his place. In his private life, he is involved with the Royal London Society for the Blind school at Sevenoaks. I have had the pleasure of visiting that school and I know that it does excellent work and wants to be able to continue to do so.

Many, many children with varying degrees of need—not as extreme as the children at the Royal London Society for the Blind school, as the right hon. Gentleman will acknowledge—would benefit from the new clause. Children with statements of special educational needs will be placed in provision by the local education authority. In fact, all but 18 children under five who have statements are in LEA-maintained institutions or non-maintained special schools.

In Committee, the Minister failed to meet almost every single point raised by Labour Members. The one area on which there was agreement was the need to look carefully at the arrangements for children at stage 3 of the SEN code of practice, the stage where the institution begins to consider the need for external support, which would usually come from the LEA—the Minister nods in agreement—but before the formal assessment procedure begins.

I shall remind the Minister of what he said in Committee:

"There will be a small number of non-statemented children at level three in non-maintained provision who could require local authority support and, arguably—but not wishing to enter the argument—those numbers may increase as a result of the Bill."—[*Official Report, Standing Committee F*, 13 February 1996; c. 242.]

The Minister was suggesting that we may be able to diagnose more children at an earlier stage, which is to be welcomed.

My hon. Friend the Member for Barking (Ms Hodge) and I visited the Margaret McMillan school in the much-maligned borough of Islington. We saw the excellent work that can be done if early diagnostic and remedial skills are available in a multidisciplinary approach. That is what is afforded to those very needy children at that school.

The Minister also said in Committee that differential value vouchers would be unlikely to solve the problem. The same criterion apparently does not apply to differentiation on the basis of areas or of special educational needs of a different sort within cities. He made that clear in reply to a question from the hon. Member for Leeds, North-West (Dr. Hampson). I fail to see why the same criterion cannot apply across the board. Perhaps the Minister will explain later.

The Minister also said in Committee that requiring private and voluntary voucher redeeming bodies to have regard to the code of practice was not a practical way forward, but that discussion would take place with interested parties during phase 1 of the implementation to find a way forward. He then said that he hoped to bring forward a proposal on Report that would clarify the role of the local education authority for children at stage 3 of the code of practice. The new clause is designed to give effect to that ministerial commitment. I shall deal with the Government's amendment later.

5.15 pm

It is clear that, if more children under five are in nursery education, it is likely that any special educational needs will be found earlier, provided there are appropriately trained staff in the private and voluntary sectors. Again, we must deal with the question whether there should be a qualified teacher in every nursery, or at least one having a role in every nursery. LEAs will need to make financial provision for that new work. The new clause requires the Secretary of State to be satisfied that sufficient resources are provided to LEAs to undertake that work.

To implement the code of practice will require, at the very least, qualified teachers supervising nursery providers who do not employ a qualified teacher. That is the key to amendment No. 7. There is wide agreement on the importance of nursery education and the benefits of investing in the education of young children. What is equally clear is the importance of the quality, knowledge and experience of staff if young children are to obtain maximum benefit from the experience. I am sure that the Minister and I are at one on that.

The amendment would achieve the delivery of nursery education under the supervision of a qualified teacher. One of the very great strengths of the nursery education currently provided in maintained nursery schools and classes is that it is provided by properly qualified teachers supported by qualified assistants. Within the current initial teacher training framework, nursery teachers on Bachelor of Education courses receive the same training in terms of rigour and length of course as teachers of primary and secondary age children. They are awarded a degree that has the same status as those awarded to primary and secondary teachers. So should it be, given the tremendous importance of that stage of educational development in determining the whole future of individual children. Again, the Minister nods his agreement. I have to repeat the suspicion voiced many times in Committee that the hon. Gentleman is an ultra soaking wet. That is confirmed by the way that he readily agrees with points made by Labour Members.

Our common approach, in the spirit of consensual politics, to the training of teachers of nursery and primary age children is appropriate, given that the children pass from the nursery stage to the primary stage—a transition that should be seamless. The significant theoretical components of the training course embrace child development, child psychology, health and safety and the legal background to education, in addition to the range of subject areas in the national curriculum for which pre-school education is a preparation.

Special needs is also covered in great depth in the Bachelor of Education courses. Nursery teachers, as well as undertaking this rigorous academic programme, also spend extended periods in a wide variety of settings on teaching practice, working under the supervision of qualified teachers.

The next steps document states:

"The Government considers that qualifications and training are key elements of good quality nursery provision."

We say amen to that. However, the document then immediately states that the Government

"sees no need to change the requirements on staff qualifications set out in the Children Act guidance and the DFEE circular."

In effect, that means that in pre-schools and playgroups only half the staff have to hold a relevant day care or education qualification or have to have completed a special training course.

Although there is no doubt that the vast majority of current providers of pre-school provision want to provide quality of care for young children, the distinction between nursery education and care is being blurred by the current proposals. There is no doubt that those with child care skills and qualifications have a significant contribution to make. However, if education—I stress "education"—is to be the focus of the new scheme, the leadership of the institutions making the provision must surely be education professionals.

If the Government are serious about providing high-quality nursery education, it should be delivered by properly qualified teachers. The early years are crucial in the education and development of young children. As the National Commission on Education says in its document "Learning to Succeed", early years teaching is a complex task demanding a high level of skill and understanding.

To digress slightly into my personal experience, I told the Minister and his hon. Friends in Committee about my one and only visit to a reception class, many years ago when I was doing my teacher training. I was horrified by the complexity of the work involved in caring for overcrowded groups of toddlers—work which we may tend to treat as mundane but which is so crucial. That job is a calling. If work in any part of the education system can be described as a vocation, that description must apply to the work of the people who deal with the very early years.

Qualified teachers who have been trained in the appropriate skills and understanding must be the proper people to lead the teams delivering early years education. There can be no justification for applying less rigorous standards of training to staff in that area than we apply to those who work in the later stages of the educational process.

In Committee, the Minister claimed that the qualifications of staff would be

"part and parcel of parents' choice"

and that

"Many parents presumably may be persuaded that qualified teacher status is of greater worth than other qualifications and will be more inclined to take their children into a local education authority setting than into an alternative".—[*Official Report, Standing Committee F*, 13 February 1996; c. 214.]

[Mr. Kilfoyle]

I agree, and I hope that that happens, because it reflects parents' demands for their children. They are looking for a professionally led educational experience in an appropriate educational environment. What the Minister said may be true of many parents, but others will assume that the Government have done all that they can to ensure that the providers in any voucher-accepting institution have been trained to a sufficiently high standard.

The Department's pamphlet containing information for parents on nursery education makes no mention of the range of qualifications that staff may have, beyond saying that schools, nurseries and playgroups will need staff who "meet our conditions".

Amendment No. 7 would ensure that those in charge of provider units had been trained to the highest possible standards. It represents an opportunity that should not be ignored. Paragraph (b) would require nursery education given to a child with special needs to conform to the code of practice drawn up under the Education Act 1993.

As many hon. Members will know, but people outside may not, the code sets out stages 1 to 5, along which a child passes as learning problems are identified, and differing levels of resources are devoted to the child's needs at each stage. Although the present code was developed with the maintained sector in mind, it is surely imperative to have a statutory framework within which it can be applied to private providers. Ideally, the same standards would be set.

In Committee, the Minister mentioned that problem and spoke about the need to adapt the code in some shape or form, but he put no meat on the bones of his statement and, both self-evidently and by his own admission, the present code of practice is not intended to cater for providers outside the maintained sector.

I am sure that a "spin", as the spin doctors would say, will be put on Government amendment No. 35. Indeed, that has happened already, and the Government are attempting to portray it as a concession. It will extend an LEA power in section 162 of the 1993 Act so that LEAs

"may supply goods or services"

to governing bodies to assist with their special needs responsibilities. That is an excellent and laudable aim, but it is not worth the paper it is written on unless the appropriate moneys are made available for LEAs to meet the new demands.

Last year, my hon. Friend the Member for Sheffield, Brightside (Mr. Blunkett) asked the Minister how provision over and above the value of the voucher would be delivered for children with special education needs. I have yet to be persuaded that anything has changed since the Minister replied:

"Local education authorities will keep some of their existing funding for four-year-olds, and be able to spend more than the value of the voucher where needed to offer appropriate provision to pupils with special educational needs".—[*Official Report*, 17 July 1995; Vol. 263, c. *978*.]

I welcome the spirit behind that answer, but I must ask the Minister where the funds will come from to meet the demand, especially as, by his own admission, there will be increased demand as we delve further into early years education and learn to diagnose special needs better. I hope that the Minister will answer that question when he replies to the debate.

I am sure that, as the Minister is on the wet left wing of the Conservative party—indeed, he is so far to the left I am surprised that he remains on the Front Bench—he will recognise how cost-effective it is to make the early interventions. Even with normal nursery education, the Ypsilanti study conducted by the university of Michigan showed that about £7 was saved for every £1 invested. If that is true of nursery education in general, how much more true is it of early intervention in cases of special educational need?

Mr. Kenneth Baker (Mole Valley): It is a pleasure to follow the hon. Member for Liverpool, Walton (Mr. Kilfoyle), who brings practical experience to our debates. I find myself much in agreement with what he said. We may differ as to the means of achieving it, but the objective for both sides of the House is similar.

I notice that the hon. Gentleman twice chided my hon. Friend the Under-Secretary for being "damp". Yes, my hon. Friend is a bit damp, but he is redeemed by the fact that, as he is my partner in the House of Commons bridge team, I can assure the House that when he bids he is very dry. He bids boldly and strongly, and I trust that he will do some of that this afternoon.

One of the advantages of the Bill is that it has allowed the House to focus on an aspect of education that we seldom debate—nursery education for children with special educational needs. I can recall few occasions on which the House has debated such provision for the under-fives.

My interest in and knowledge of the subject comes not only from my time as Secretary of State for Education and Science but from the fact that, for the past 18 months, I have had the privilege of raising money for that centre of excellence, the Royal London Society for the Blind school, at Dorton house, Sevenoaks. The hon. Members for Walton and for Barking (Ms Hodge) have visited the school, and it is a splendid institution.

The staff there are over-qualified—or, I should say, fully qualified—and, because of the support that the school has had, they provide a wonderful range of services to children who are either totally blind or seriously visually impaired, and who sometimes have other serious physical disabilities, too. The staff do a remarkable job, train the children for GCSEs and NVQs, and give them the chance to share in life.

I entirely agree with the hon. Member for Walton that if the process can be started before the age of five, so much the better. There is no doubt that if children with such difficult handicaps can be helped, their sense of isolation can be reduced. Any child who is deaf, blind or seriously physically handicapped has a sense of isolation, and to be brought into contact with other children and with teachers who give them lots of attention and love is an enormous step forward, beyond their family associations.

The social skills are important, and so are the steps towards learning, because education must be there—the capacity to start learning the fundamentals of numeracy and literacy. Such education is very expensive. In the hospital schools, which deal with the most severely handicapped children, the teacher-pupil ratio is 1:1. At schools such as Dorton house, it can be 2:1 or 3:1. Blind children have to be led around, or carried when they are very young.

Such provision is somewhat patchy. For post-five children, local education authorities have fully developed systems to help children with special educational needs. Few children aged two are statemented. Statementing usually begins at some time during the third year, might not be completed in the fourth year and may be done again in the fourth year, rising five.

5.30 pm

Provision for such children is the duty of the local education authority. The single most important residual duty of an LEA is the provision of special education, either from the local authority's resources or from the non-maintained sector. Schools in the non-maintained sector are not spatchcock schools but have considerable skills and facilities and their premises are usually adequate. Although they are not in the maintained sector, they get a great deal of support from the Government in that their post-five children are funded by local education authorities. In the schools that I know, that is not enough. Extra money has to be provided by charitable subscriptions, which is what I have been involved in for the past 18 months.

In Dorton house, there are some 10 to 15 children in the nursery sector—we have just raised money to build a nursery school and there will be more. For those 10 or 15 children, Dorton house gets no money from local education authorities. I think that that also applies to the school in Hereford and Worcester. The children who go to Dorton house have not been statemented, either because the process has not reached that stage or because parents have not asked for their children to be statemented even though they clearly have educational needs. Sometimes such children are halfway through the statementing process. One or two have been statemented, but their parents feel that the provision at Dorton house is better than that offered by the local education authority.

How can we help such schools? On Second Reading, I proposed differential vouchers. That did not find much favour with Ministers or with the Labour party. It was savaged by the hon. Member for Bridgend (Mr. Griffiths), if that is not too strong a word to describe his oratorical style, and dismissed. I still believe that one day we will have a differential voucher system, but that is for the future. I have discovered that education reform is a growing and progressive process.

Dr. Hampson: My right hon. Friend took the big bang approach.

Mr. Baker: The Labour party opposed almost every part of my big bang reform but now supports large parts of it, which I welcome. I do not make a party political point: the Labour party has come to see the wisdom of our proposals. I suspect that in years to come there will be a differential voucher scheme.

Dr. Hampson: My right hon. Friend's great reform Bill embraced a great deal. It is interesting that, yet again, in the past couple of days, the Liberals have accepted a fundamental tenet of Conservative policy—loans for students.

Mr. Baker: That is right. During the passage of the Education Reform Bill, the Liberal spokesman was the present leader of the Liberal party. He had only a tentative and fugitive knowledge of the Bill. His view was formed as the Bill went through. As we know, his knowledge of the subject is rather shallow, but I welcome the conversion. I am glad that the Liberals have accepted student loans.

Mr. Kilfoyle *rose—*

Mr. Baker: I shall give way in a moment. I am accepting the support of the Liberal party. Am I going to get the support of the Labour party as well?

Mr. Kilfoyle: Does the right hon. Gentleman think that, if a differential can be built into vouchers not only on a regional basis, as is apparently being considered by the Government, but for given areas, at the behest of hon. Member for Leeds, North-West (Dr. Hampson), to cover what were formerly educational priority areas, it is beyond the wit of Whitehall to produce a scheme that allows special educational needs to be met in the same way? Does the right hon. Gentleman accept the Labour party's view that, instead of a differential on vouchers—I doubt whether the Government will have the opportunity to effect it—there should be differential entitlement?

Mr. Baker: On the hon. Gentleman's first point, it would be possible to devise a scheme of differential vouchers, once a voucher scheme has been established. We are in the early days, with four authorities at the experimental stage. As I well know, there will be a bedding-in process over the next two or three years. I hope that the Labour party will not decide to abandon the general voucher scheme, because it is an effective way of dealing with under-fives education. That broadens the debate and I want to stick to my point.

I shall deal with entitlement. We all agree that more assistance should be provided for such needs. How best should that be done? The hon. Member for Walton has proposed new clause 2 to seek to do that. As I understand it, Government amendment No. 35 fulfils much the same purpose—I shall come to the money side in a moment—by extending the power of LEAs to make grants to non-maintained schools or other bodies at the moment when the local education authority has determined that extra help is needed and the authority or other person involved does not have it. I welcome that. We will have to see how it operates in the experimental scheme.

In the four authorities, there will be children with special educational needs who were at stage 3 of the code of practice with whom local authorities cannot cope and in respect of whom they must find extra help. They may be able to provide it from their own resources in LEA schools or send the child to a maintained school and provide some extra assistance, such as an extra therapist or part-time help. Let us see how it works. I believe that it is a step forward.

Mr. Pickthall: Has not the right hon. Gentleman described the present situation? My local authority has done that for many years. I suspect that many others have, too.

Mr. Baker: As I said earlier, local authority provision and activity are varied and patchy. From my close involvement with Dorton house over the past 18 months and my experience of other schools that deal with blind

[Mr. Baker]

children, I know that what I have described does not happen. I agree that it can happen. I welcome the fact that the hon. Gentleman's local authority does that.

The hon. Member for Walton mentioned that, if the power is exercised, greater costs will be incurred by LEAs. It is no good giving LEAs that power unless resources are provided. The hon. Member for Bridgend is rubbing his fingers as I suppose he does when he waits for the national lottery draw each Saturday night; he wants some money. I hope that my hon. Friend the Minister will intervene in a moment and not only explain Government amendment No. 35 but say that, to the extent that local authorities use that power, they will be reimbursed through the normal procedures of the revenue support grant. If he says that, I hope that the Labour party will not seek to divide the House on the matter. We have always tried not to divide the House on special education. It is a subject on which there should be agreement across the Floor. I hope that if my hon. Friend can give that assurance, the matter will rest; it will rest only for the moment, because I suspect that this is only the first step on what will be a very long road.

Ms Hodge: I wish to respond to the contribution of the right hon. Member for Mole Valley (Mr. Baker). There is a general acceptance of the importance of special educational needs, particularly at the level of nursery education, and of the importance of early intervention. I have seen that for myself at Dorton house, and in two other instances.

My hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle) mentioned the Margaret McMillan school in Islington. Children with multiple disabilities came to the nursery school there. Before they came to that school, they had done nothing but lie on the floor of the day centre or wherever they were. They had not responded to any social interaction, and certainly had not started to learn. After one month or so in the Margaret McMillan school—which has the capacity to support them and an environment in which they integrate with other children and where they receive special assistance and additional teaching—they made stunning advances.

The other example is that of a primary school in Northampton with an autistic unit attached to it, which I mentioned in Committee. For the children to have attended the school for two and a half hours a day would have been nonsense. It is necessary to work with the children for a full day in order to help them to develop. The children attended that unit in the primary school at a cost of £8,000 per child and the progress that they made in that resource-intensive environment was stunning.

I ask the right hon. Member for Mole Valley to think again about Government amendment No. 35. At present, there is absolutely nothing to prevent local authorities, if they are so minded, from supplying goods and services to individuals—in the maintained sector or the voluntary or private sector. The amendment is a sop to the right hon. Gentleman and will not change anything; it does nothing to change the statutory framework under which special educational needs are catered for in the nursery sector. The amendment states that a local education authority "may"—not "will"—supply goods or services; it does not change the existing legislative framework.

The costs are horrendous. I have the costs from Dorton house that were supplied to the Minister; they show that teaching a child with profound and multiple learning difficulties costs nearly five times as much as providing nursery education for a child without any difficulties. A child with severe communications difficulties—such an autistic child—costs 3.6 times as much as a child without such difficulties. The costs involved are horrific, and the provision of a permissive power that already exists under the current legislative framework achieves nothing: if we do not ensure adequate resources, it bodes ill for those children for whom the right hon. Member for Mole Valley expresses concern.

The briefing document provided by the Royal London Society for the Blind states that it would cost £3 million to ensure that we have an effective system in place which can cater for that group of children. That is not a large sum in the context of the scheme's total cost; it is not a large sum, even within the context of the new money set aside to introduce the nursery voucher scheme. New clause 2 ensures that money is made available to meet the needs that all hon. Members know to be essential. Those who care for children with special educational needs have a duty to vote with us for the new clause to ensure that the Government make money available specifically for those needs.

Mr. Robin Squire: I welcome the tenor of the debate that we have enjoyed, which echoed that of similar debates that we had in Committee. I make that comment notwithstanding the two further attempts by the hon. Member for Liverpool, Walton (Mr. Kilfoyle) to blacken my name and retard my future prospects in an even more public place. However, I would not wish that aspect to be seen to dominate the debate.

I start by repeating our commitment to ensure that children with special educational needs enjoy to the fullest extent the benefit of good-quality nursery education. As all hon. Members know, the voucher scheme creates for the first time the possibility for all four-year-olds to benefit from three terms of good-quality education. I agree with the hon. Member for Walton that it also holds out the possibility of earlier identification of any learning difficulties.

I am sure that Opposition Members who were present during our discussions in Committee would agree that we had a helpful debate on the interaction of nursery vouchers and provision for children with special educational needs. I am grateful to the hon. Member for Bridgend (Mr. Griffiths) for his contribution to that debate. There were some genuinely felt concerns about the impact of vouchers on the provision for young children with special educational needs. We were able to demonstrate that many of those concerns were misplaced. I hope that my speech today will underline the fact that those concerns were groundless.

5.45 pm

One of the principal concerns involved funding. The funding mechanism for the voucher scheme takes from local education authorities' budgets just the voucher value of £1,100 for a full year in respect of four-year-old children who already have a maintained place. Where a place costs more—as it is commonly accepted that it will in the case of many children with SEN statements—the additional resources remain within the LEA; when put

together with the voucher value, no resources are lost. None of the funding for three-year-olds is affected by the voucher scheme—nor does it affect existing duties on LEAs in respect of those children.

We also made it clear that we shall be looking carefully at SENs during the first phase of the nursery voucher scheme's implementation. I thought that it would be helpful if I briefly reminded hon. Members of the commitments that have already been made in respect of children with SENs as a result of the legislation.

First, we have made a firm commitment to consult interested parties during phase 1 about making it a requirement for all providers to have regard to the SEN code of practice. That provides excellent guidance on identifying, assessing and providing for children with degrees of SEN. As I made clear in Committee, the code is a distillation of existing good practice in the maintained sector. We all agree that all employers should have regard to the principles of the code, but making it a requirement of grant to have regard to the code before consulting the voluntary and private sectors—and, of course, SEN interest groups and LEAs—would be inappropriate. I stress, for the avoidance of doubt, that it is not a question of whether we should require all providers to have regard for the code, but a question of how. Let us use the opportunities that phase 1 offers to consider how best to embrace the essentials of the code and apply them to the non-maintained sector.

Mr. Win Griffiths (Bridgend): If the question is how the code of practice is to be used for four-year-olds, as part of the package, will the Government give serious consideration to the possibility of a qualified teacher being involved wherever provision is made for four-year-olds?

Mr. Squire: The hon. Gentleman anticipates some of my later comments, although I am not sure that I shall eventually give him quite so much satisfaction on that issue as I hope that I am currently giving him.

The second aspect involves the publishing of SEN policies. As a requirement of grant, we are requiring all providers to publish their SEN policy so that all parents can make informed choices about the most appropriate pre-school setting for their child. All providers must publish details of their admission policy and what consideration is given to children with SEN, of the facilities available to assist and allow access for children with disabilities, and of staff with knowledge and skills in SENs, and other details to be provided as set out. Hon. Members who have an interest in the matter will be aware of our previous discussions.

Thirdly, I refer to additional resources. I explained in Committee that it is neither necessary nor practical to enhance the value of the voucher for children with SEN statements. In Committee, I judged that this was acknowledged by Opposition Members and by those outside the House who have an interest in SEN. As I have already said, existing local education authority resources and responsibilities will not be affected by the nursery voucher scheme; the value of the voucher will contribute to the cost of making the provision specified in a child's SEN statement.

I welcomed the contribution of my right hon. Friend the Member for Mole Valley (Mr. Baker), whose reputation on issues relating to education and to SEN is a matter of record, as he demonstrated again today. He rightly highlighted the variations which in practice must exist between the different policies of LEAs. I hope that he will accept in turn that those differences should—indeed, must—be reduced as a result of the operation of the code of practice. While we are grateful to my right hon. Friend for stirring our imagination and for informing our debate in Committee by his earlier suggestion, we have concluded that it would not be appropriate at this time.

We acknowledged in Committee that we should examine more closely the requirements of a particular group of children who attend institutions in the private and voluntary sectors, who have special educational needs but no statement and who require support and assistance over and above what could be provided for within the pre-school setting. Those children would by definition be at stage 3 of the SEN code of practice. Following further consideration, we have decided to give LEAs a new power—the power under Government amendment No. 35—to supply goods and services to providers outside the maintained sector in respect of children who have special educational needs and who require additional support.

In response to the specific point made by the hon. Member for Barking (Ms Hodge)—who, like me, is an old LEA leader and an old hand in these areas—I must say that the hon. Lady is only partly right. Currently, LEAs have limited powers to pay grants to voluntary providers; they do not specifically have powers to provide goods and services to non-maintained providers in respect of children with SEN, except incidentally—in other words, incidental to other payments. I make that clear because I would not want the hon. Lady to be under any misunderstanding.

Most four-year-olds will be in the maintained sector—where the resources are already available for the purpose of meeting special educational needs—so the number involved is likely to be small. We shall need to consider very carefully the resource implications for LEAs, but it would be logical to assume that because the number will be small, the cost to LEAs of assisting the non-maintained sector will be relatively low. However, the amendment will allow—and we shall ensure—that during the annual round of standard spending assessment discussions, which is the most appropriate forum in which the matter can be discussed, the level of resources for LEAs will also reflect the consequences of what I am saying today and what we are spelling out in the amendment.

Ms Hodge: Will the Minister give way?

Mr. Squire: I will finish one more sentence before giving way to the hon. Lady. I will then refer to other aspects. I submit that new clause 2, which set out to do the sort of thing that Government amendment No. 35 is doing, would be unnecessary.

Ms Hodge: Why has the Minister not considered providing a special grant—a specific grant—for this purpose as a way of ensuring that the money goes directly to the children concerned? I refer to the experience of refugees, for example, who are in concentrated and specific areas of the country. When provision is made through the standard spending assessment discussions, the money simply does not get to go to the purpose for which it is intended.

Mr. Squire: The hon. Lady, in part, gave the answer in her question. Logically, this need would not be concentrated in a particular part of the country—unlike refugees—but would tend to be much more of a general requirement, and it makes sense for that to be part of general funding. The hon. Lady must not take me down the general line of specific grants or we shall be here for a long time. She would have to go some way to persuade me, at this stage, that there should be specific grants. These matters can and will be raised by LEAs in the ordinary way during our discussions.

I am outlining the things that are already happening. It is important that I do so because people will read the transcript of the proceedings, particularly those with SEN interests, and I wish them to be reassured.

I was grateful to Opposition Members who pointed out in Committee that under existing legislation LEAs did not have a power of access to Children and Young Persons Act 1988 registered providers and non-approved independent schools for the purposes of monitoring the provision specified in a child's SEN statement. We are proposing to rectify that by making it a requirement of grant for providers in the non-approved independent, private and voluntary sectors to allow LEAs access to their premises for the purpose of monitoring SEN provision specified in a statement.

The hon. Member for Bath (Mr. Foster) will be pleased to hear that on the specific question of portage, I have decided to allow, as a trial during phase 1, vouchers to be exchanged for portage offered by National Portage Association approved schemes. Portage is about education, not about child care. Portage home visitors and management teams are highly trained in early years work and there is already an emphasis on sharing information with parents. These schemes can be inspected both as schemes and in terms of how they are implemented. The local authority will be the registered provider and therefore the recipient of the grant. For parents in phase 1 areas, the inclusion of portage will give them additional choice.

I hope that in this respect hon. Members will be assured of the Government's commitment towards children with special educational needs and that objective observers will note that these flow naturally from our discussions. I have already paid tribute to the part that Members on the Opposition Benches have played in that.

With regard to Opposition amendment No. 7 and the question of qualified teacher status, I share the concerns of Labour Members that all children must receive a good-quality nursery education. However, I do not share their belief that this will be achieved only if all voucher-redeeming institutions are led by staff with qualified teacher status. Indeed, Labour Members have said that they want to see the private and voluntary sectors play an important part in the expansion of good-quality nursery places. Insisting on qualified teacher status would exclude the majority of these providers who in many cases, as the Audit Commission has made clear, are providing good-quality pre-school education.

Mr. Win Griffiths: Will the Minister give way?

Mr. Squire: I am keen to make progress and I have given way a lot during the debate, and I also did so in Committee, as hon. Members will acknowledge. We value qualified teacher status—of course we do; it is a particularly important and valuable qualification for those working with pre-school children—but it is not the only qualification: there are a number of qualifications that I have set out elsewhere, and do not propose to repeat now, including national vocational qualifications levels 2 and 3 in child care and education, and the new range of BAs in education and child care. Each of these qualifications offers a slightly different, yet relevant, range of learning, experience and competence for working with children under five.

I submit that this is the key. In this area, the competence and quality of staff are more important that their specific qualifications. It is important that all four-year-olds get good-quality nursery education in exchange for their vouchers. Earlier, my hon. Friend the Under-Secretary of State for Wales covered the question of inspections. I am sure that they and the School Curriculum and Assessment Authority learning outcomes will together ensure good-quality provision for all. In conclusion, I recommend that hon. Members reject new clause 2 and amendment No. 7, but that they accept amendment No. 35.

Mr. Kilfoyle: When the right hon. Member for Mole Valley (Mr. Baker) made his contribution to the debate, I thought that the Under-Secretary of State for Education and Employment was nodding in agreement. Perhaps I misunderstood the right hon. Gentleman's request. He seemed to be asking for a guarantee of adequate resourcing in the areas in which we all acknowledge that he has a particular interest. When the Minister eventually responded, it sounded as if he was going to offer yet another of the Prime Minister's infamous charters in terms of the information that would be made available. We welcome any information that could be made available in relation to special educational needs policies.

We then got to the crux of the issue, which is the Government amendment. In technical terms, the amendment provides the opportunity for local authorities to exercise new powers in terms of goods and services, but it does not—and the Minister also failed to do so—satisfy the Labour party in terms of new resources.

It is one thing to talk about the standard spending assessment as a distribution mechanism and quite another to suggest, in a fudged way, that it provides new resources—which, by the Minister's admission, will be rather small but might be crucial in some areas—to cater for special educational needs. Most Labour authorities spend far more on educational provision than standard spending assessments provide, so Government amendment No. 35 will only massage the figures—it will not provide any extra resources.

If the Minister were to intervene to say that the Government would guarantee extra resources when they are required for that aspect of special educational need, we would welcome Government amendment No. 35. As things stand, however, it offers only a shift in notional figures and means nothing in terms of extra grant. Does the Minister wish to intervene?

Mr. Robin Squire *indicated dissent.*

Mr. Kilfoyle: The Minister declines to intervene, so we have no option but to ask the House to vote for the Opposition's new clause 2.

Question put, That the clause be read a Second time:—

The House divided: Ayes 238, Noes 278.

Division No. 81] **[6.00 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barron, Kevin
Battle, John
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Cohen, Harry
Connarty, Michael
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Jean
Cousins, Jim
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog
Dalyell, Tam
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Flynn, Paul
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Raynsford, Nick
Reid, Dr John
Rendel, David
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Trimble, David
Turner, Dennis
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony

Tellers for the Ayes:
Mr. Eric Clarke and
Ms Ann Coffey.

NOES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael

Cash, William
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Malone, Gerald
Mans, Keith
Marland, Paul
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(Calder V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Derek Conway and
Mr. Roger Knapman

Question accordingly negatived.

New clause 3

DECISION IN RELATION TO VOUCHERS

'—(1) Where a local education authority notifies the Secretary of State within such a period as he may specify in relation to a financial year, the provisions of sections 1 to 5 and of schedules 1 and 2 to this Act shall not apply in respect of any person providing nursery education within the area of that authority in respect of that year.

(2) No authority may notify the Secretary of State under subsection (1) above unless—

(a) it has consulted parents, such voluntary organisations as appear to it to be concerned, head teachers and teachers and providers of nursery education within its area;

(b) having regard to the results of such consultation it has resolved that the making of grants in respect of children within its area is likely to damage the overall amount and quality of nursery education within that area; and

(c) it has agreed an alternative scheme for the development or improvement of nursery education in its area which it considers will more effectively maintain and enhance the overall amount and quality of such education within its area; and

(d) it has approved a resolution which gives effect to the requirements of paragraphs (b) and (c) above, and which is in accordance with subsection (3) below.

(3) No authority may agree a resolution of the type referred to in subsection (2)(d) above unless three quarters of the members of the authority voting in full council have approved it.'.— *[Ms Estelle Morris.]*

Brought up, and read the First time.

6.15 pm

Ms Estelle Morris (Birmingham, Yardley): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: New clause 5—*Local authorities already providing nursery education—*

'Nothing in this Act shall enable the Secretary of State to do anything (whether by reducing any funding however provided or otherwise) which would result, or would be likely to result, in a reduction in the proportion of children receiving nursery education in the area of any local education authority by comparison with the proportion of children receiving such education in that area at the time at which this Act enters into force.'.

Amendment No. 11, in clause 1, page 1, line 6, after '(1)' insert

'Subject to subsection (1B) below'.

Amendment No. 3, in page 1, line 7, at end insert—

'(1A) Nothing in subsection (1) above shall be taken to allow the Secretary of State to make arrangements which have the effect of reducing the resources available, whether in grants or otherwise, to any local authority in the first or any subsequent financial years of the operation of those arrangements.'.

Amendment No. 4, in page 1, line 7, at end insert—

'(1A) Where the Secretary of State proposes to exercise for the first time his power under subsection (1) above, he shall lay before Parliament a report detailing the amount of nursery education available in the area of each local education authority and the likely demand for places in nursery education once such arrangements are made.

(1B) The Secretary of State shall in each subsequent year to the year in which he lays the report under subsection (1A) above, lay before Parliament further reports outlining the effect of arrangements made under subsection (1) on the number of children for whom nursery education is provided in the area of each local education authority.'.

Amendment No. 12, in page 1, line 7, at end insert—

'(1A) The Secretary of State shall lay before Parliament an evaluation of the operation in any local education authority area of any arrangements under which grants are made otherwise than under this Act in respect of nursery education in the financial year 1996-97.

(1B) No arrangements may be made under subsection (1) above which have effect in any financial year commencing on or after 1st April 1997 before the Secretary of State has laid before Parliament an evaluation of the kind referred to in subsection (1A) above'.

Ms Morris: The purpose of new clause 3 and the other new clause and amendments in this group is to allow local authorities to opt out of the voucher scheme in certain prescribed circumstances. Before such an opt-out would be allowed, a local authority would have to consult widely with parents, teachers, head teachers and early years education providers and agree an alternative scheme for the development or improvement of nursery education in its area. Further, the new clause would require three quarters of the elected authority members, voting in full council, to approve a resolution. In most cases, that resolution would effectively require a cross-party consensus.

A similar new clause was moved in Committee. This one, however, differs in a number of respects. In particular, it requires that the

"overall amount and quality of nursery education"

will be likely to be damaged without an opt-out.

Let us be clear about it: this option is likely to be used only by local authorities that are currently high providers of nursery education. Indeed, in Committee, talk about the option became commonly known as "the Solihull amendment". It is sad but true that, despite the best efforts of myself and other Opposition Members, and after weeks of discussions, the Government still fail to understand—or fail to admit that they understand—that this legislation will damage high providers. There is no doubt that the Solihulls, Dudleys and Calderdales, where provision is good, will be losers under this legislation.

Dr. Hampson: The whole problem with what the hon. Lady has said is contained in paragraph (c), which states:

"which it considers will more effectively maintain and enhance"

provision, because "it" is the council. The chief inspector of schools has recently said that 40 per cent. of council or local authority primary schools are under-performing. Why should it be at the discretion of "it", the council—which is palpably failing this country—to determine what it thinks is the best form of nursery provision? Why cannot we allow parents and the people to determine what choices they want? If a council such as Solihull is offering a good option, people will choose it.

Ms Morris: The hon. Gentleman should read the new clause, because it makes it quite clear that an opt-out would not be allowed unless the widest consultation had taken place with the people to whom he has referred—parents, teachers, head teachers and those in the wider community. The notion that central Government—this Government, of all Governments—can deal with under-achievement when local authorities, which have been working against massive opposition from the Government, have not been able to do so, is absolutely unbelievable. The idea that the Government have the answer does not ring true. This opt-out would be allowed only after consultation, and it really is a case of trusting local people.

Solihull has been able to provide good-quality pre-school education for 100 per cent. of its four-year-olds and more than 70 per cent. of its three year-olds mainly because it has prioritised such provision, but also because it has been able to estimate its income, project its numbers for the next and subsequent years, and therefore use its staffing and buildings in an economical way.

The Bill pretends to be about extending nursery education provision, but let us make no mistake about it: not to agree these amendments will work against the claimed purposes of the proposals.

There is another, equally important reason for supporting the amendments: to decentralise decision making to the local level. The decision—in consultation with users and other people in communities—on how a local authority should provide nursery places can and should be taken locally.

The Bill represents a massive centralisation of power in the hands of the Secretary of State. If it is passed, the Secretary of State will determine one set of arrangements

[Ms Morris]

for the distribution, value and redemption of nursery vouchers, and she will determine which provision can be funded and which cannot.

Let us be clear that it has taken 17 years for the Conservative Government even to get round to doing anything about nursery education—they have certainly had a long time to think about it. The idea that, after 17 years, they have come up with the one and only way of organising nursery education is preposterous. While the Government have done nothing for 17 years to advance nursery education, many local authorities, both Labour-controlled and Conservative-controlled, have got on and provided it in a variety of ways.

Mrs. Alice Mahon (Halifax): That is exactly what has happened in Calderdale, where, for 20 years, all the parties have worked together, so that 70 per cent. of three and four-year-olds now receive good-quality nursery education. What the Government propose is authoritarian, bureaucratic and centralising.

Ms Morris: My hon. Friend is absolutely right. In Calderdale, the teachers, the local authority, parents and everyone else work in partnership. They should be congratulated on devising a system that works for them. I know that my hon. Friend will have been dismayed by the remarks of the hon. Member for Leeds, North-West (Dr. Hampson), who decried the high standards that have been achieved in Calderdale, Solihull and elsewhere.

The Labour party believes that those authorities that have developed their own way of providing nursery education, with no help from the Government in the past 17 years, should be allowed to get on with it. They have proved that it works, so let them carry on. Why disrupt something when it is already working well? Why force a local community down one road when it clearly prefers another? Why switch money from nursery places to paperchases, as the nursery voucher system does?

The Government talk long and hard about decentralising power. Last night, we heard Ministers argue that even building regulations should be left to local decision. They claim that they want to give power and influence to parents and autonomy to schools. If so, the Government should welcome the new clause and the associated amendments.

The new clause is not a wrecking amendment. It will demand the highest standards of local authorities, and require them to produce a plan to show how they will develop and maintain high-quality nursery education in conjunction with the voluntary and private sectors. At long last, the provision of high-quality nursery education is a shared aim of hon. Members. It is nonsense to suppose that there is only one way in which to make that wish a reality.

Mr. Pawsey: Does the hon. Lady not realise that she has just let the cat out of the bag with that sentence? Her own words condemn her. At a time when we are moving away from the idea that LEAs are the only acceptable means of providing education, and moving towards the provision of more and more grant-maintained schools, the hon. Lady would like us to take a massive step backwards. Why do we need to do that?

Ms Morris: The hon. Member is respected on both sides of the House for his efforts in education, but he should listen carefully and read the new clauses and amendments. I said clearly that local authorities would be expected to develop a plan and work in conjunction with the voluntary and private sectors to ensure that high-quality nursery education was provided and its standard maintained. There never has been any suggestion—on Second Reading, in Committee, or even now, on Report—that the future for nursery education lies only in local authority provision. The hon. Member for Rugby and Kenilworth (Mr. Pawsey) would like us to return to those dark ages.

The new clause is designed to put on the agenda our desire for top-quality nursery education. It also acknowledges the wealth of experience and skill of local authorities, which have done the job and provided nursery education despite the Government. Under the new clause, those authorities would be allowed to make a local decision to opt out of the voucher scheme and, according to their discretion, produce a plan to do the job as they see fit.

Sir Donald Thompson (Calder Valley): I am from Calderdale. In 1977, I was chairman of the education committee that devised the system that has just received such praise from the Opposition spokesman, the hon. Member for Birmingham, Yardley (Ms Morris). I do not think that the Bill will do anything to damage that system. In fact, I am sure that it will enhance it. The local authority can still devise a plan to work with the private sector, as the hon. Lady has suggested. Calderdale has not, however, yet devised a plan to work with the grant-maintained sector.

Many working women want more flexible nursery provision than can be provided by the maintained sector. If the hon. Lady thinks that the Bill could have been framed differently, she and her party should have encouraged representatives of Calderdale to sit next to the Secretary of State and advise her. In fact, her party drove Calderdale away from consultation. The authority should have been party to the voluntary consultation.

In an effort to be brief, I put the following questions to the Minister. Can he allay the fears of my constituents about the loss of income? As far as I can see, the Bill will provide for increased income—one more child means 1,100 quid in the kitty. Can he allay their fears about the ability to plan forward? Given that the current system operated by Calderdale is so well run and maintained, I cannot see why such fears have been expressed. Can he allay their fears about the registration system being sufficiently flexible? People will then know their rights when they come to register and take their chits to the headmaster promptly. Will my hon. Friend meet some of my constituents to discuss the finer points of the scheme?

Mrs. Mahon: Before I state my specific reasons for supporting new clause 3, it is worth while commenting on the extraordinary behaviour of the Secretary of State in the media today. She said that those who are against nursery vouchers were "pathetic". I do not think that the people of Halifax, the local education authority or people up and down the country deserve that insult. We are expected to believe that the Secretary of State is the moderate, sensible voice in what is increasingly becoming an authoritarian party. She told millions of listeners today, however, that she favoured the nursery voucher system because it gave parents "choice"—something which she accused Opposition parties of wanting to deny to them.

I am receiving dozens of petitions, almost daily, from people of Halifax and Calder Valley—the very constituents of the hon. Member for Calder Valley (Sir D. Thompson). They state clearly in their petitions that they want to exercise choice. One such petition states:

"We, the undersigned parents, feel that the Government's proposed Nursery Voucher Scheme for 4 year olds is a highly bureaucratic one and will be detrimental to the quality of existing education services.

We therefore request that the House of Commons urge the Prime Minister and the Secretary of State for Education to exempt Calderdale from the Nursery Voucher System altogether, as Calderdale is already a high provider of good quality Nursery and Reception education. We believe it would be more appropriate to concentrate on providing adequately funded state nursery and reception places for all children."

Those are not my words or the words of any political party. The petition was from a group of parents whose children attend the Shade primary school in the Calder valley, which I am sure is well known to the hon. Member for Calder Valley.

Petitions are coming in from all over Halifax and the Calder valley. Parents are saying loud and clear, "We demand the right to choose what is best for our children." We should challenge the Minister to give them that choice by supporting new clause 3. I am slightly disappointed that it seems that the hon. Member for Calder Valley will not be joining us in the Lobby tonight. The Secretary of State and the Minister can hide behind warm words for only so long. The people of Britain are telling them loud and clear what they want.

6.30 pm

In Calderdale, all children are entitled to a year of full-time schooling in the school year in which they have their fifth birthday. A local organisation, Schools Against Vouchers in Education—SAVE—has produced an excellent fact sheet, which is being posted through every door. I shall quote it at some length, as I want to put the facts on record. It states:

"Education is provided free of charge in Primary School Reception Classes. Calderdale also provides nursery education for 70 per cent. of three and four year olds"—

that is a very high figure—

"and is working to expand this so that nursery schooling is available for all children in the school year in which they are four."

SAVE is not a political organisation. Its supporters come from all political parties and vote across the spectrum. It continues:

"This is now under threat from the Government's new voucher system."

That is clear from the fact sheet. It then explains some of the costs in Calderdale:

"The Voucher is called a Nursery Voucher. This is misleading since it applies to all education for four and five year olds and so covers both Nursery and Reception class.

The voucher will be worth £1,100. This is not enough for a full time place. It costs £2,256 per child"—

Mr. Pawsey: Top-up.

Mrs. Mahon: The hon. Gentleman says, "Top-up." I wish that he would come and see some of the schools in my constituency, where there is all-party support for extra funding.

Mr. Pawsey: Will the hon. Lady give way?

Mrs. Mahon: No. Anyone who makes that kind of sedentary intervention clearly does not have the good of children at heart. It was a ridiculous intervention.

The document continues:

"It costs £2,256 per year for a child in Nursery Class and £1,866 per year for a child in Reception Class.

For most children in Calderdale the £1,100 voucher is not new money."

As SAVE makes clear:

"To fund the scheme the Government will take £3 million from Calderdale. This is three quarters of the money the council spends on schooling for the under fives. This could mean fewer teachers, larger classes and cuts in nursery and reception places."

Local people are telling the Government that they do not want the new scheme. They are happy with what the council is doing, and they know that the council is working very hard to improve nursery provision from 70 per cent. to 100 per cent., as is available in Solihull.

Head teachers, teachers, governors and councillors of all political parties are campaigning to stop vouchers being introduced in Calderdale. Similar campaigns are being set up by schools all over the country. We believe that Calderdale and other local authorities should be allowed to opt out if they wish to continue providing an excellent service.

Mr. Graham Riddick (Colne Valley): Will the hon. Lady give way?

Mrs. Mahon: I am sorry, but time is short, and I want to conclude. I am making the case for Calderdale on behalf of the people who are launching the SAVE campaign. The facts are all there. It has taken 20 years, using ratepayers' money and getting all-party agreement, to provide a high standard of nursery education. I challenge the Minister to listen and learn, and the Government can do that by accepting new clause 3.

Mr. Nigel Forman (Carshalton and Wallington): I hope to astound you by my brevity, Mr. Deputy Speaker.

I am grateful for having been called to speak. I come rather late to the debate on the Bill, and I apologise to the House for that. On the other hand, I have taken an interest in education for almost as long as I have been adult and sentient, and that interest has not yet departed from me.

One of my first ever speeches in the House, when my party was in opposition, was sceptical, if not critical, of a move towards vouchers in state education. That was in 1976. In one sense, I have learnt nothing and forgotten nothing, but in another I have clung to a sceptical view on the matter.

As I understand it, new clause 3 concerns how we carry forward the expansion of nursery education in Britain. There are currently four pilot projects—three in London and one in Norfolk. My first thought is that, if they are genuine pilot projects, it would be greatly preferable if we could take a bit longer to build up the empirical evidence to find out whether or not it is a good idea. I am not in favour of rushing such matters, and I should like to hear from my hon. Friend the Minister why he thinks it is so necessary and expedient to go ahead so fast from the pilot phase to the full-blown phase.

I remember the arguments 20 years ago—nothing has changed fundamentally—that vouchers are supposed to be an empowering measure to give parents greater choice and flexibility to do well by their children. However, it is important that the House should be told tonight—even if it has been told in Committee, whose debates I have not had

[Mr. Nigel Forman]

the chance to follow as closely as I should—how much extra money will flow from the new arrangements, allowing for any clawback, and how many additional places will be created for the nursery education of our children.

Mr. Robin Squire: I hesitate to interrupt my hon. Friend's flow, but the figures have been made public. In the first year, we are providing £165 million of new money in phase 1, and £390 million is being provided over the three years. My hon. Friend will recognise that it is not possible to predict exactly how many additional places there will be, but more will be provided in response to the money.

Mr. Forman: I am grateful to my hon. Friend. That makes me feel considerably better than I did a few moments ago. Those substantial sums could do a power of good for the children concerned. It is important that we should know that.

I should report to the House that I visit all the schools in my constituency as frequently as I can. On a recent visit that I made to Bandon Hill primary school in Wallington, the head teacher, the staff, the classroom assistants and all the parents who introduced themselves to me were almost unanimous in their view. They were worried and sceptical about the implications of the scheme, although it is possible that they did not have the full facts. They urged me to make that point to the House, and that is exactly what I am doing this evening.

I had the chance to speed-read new clause 3, and I paid attention to what the hon. Member for Birmingham, Yardley (Ms Morris) said in her brief opening speech. As my hon. Friend the Member for Leeds, North-West (Dr. Hampson) said in an intervention, one of its weaknesses is that many of the paragraphs in subsection (2) of the new clause make the local education authority effectively judge and jury in its own cause.

Although there is a provision for consultation, to which the hon. Lady referred, I know from my own local authority—alas, under Liberal control—that local authorities' idea of consultation is to put out some expensive documents and go through the motions of listening, but the real parental influence is very small, so it usually turns out to be an expensive sham. If the hon. Lady is resting on that element of her argument, I think it is a fragile foundation.

My scepticism, as I say, goes back 20 years. I am glad to hear from the Minister that genuine extra money will be forthcoming. I hope that it will create useful new nursery places. If it satisfies that criterion, I shall reluctantly support him in the Lobby—but it will need to do that. I hope that the Minister will keep a close eye on developments.

Mr. Iain Mills (Meriden): I tabled new clause 5, whose objective is similar to that of new clause 3. The Minister will not therefore be surprised to learn that, for reasons that I shall outline briefly, I shall be joining those voting for new clause 3.

I am distraught at the idea that a Conservative Government are not listening to parents. I have explained to the Secretary of State and to the Minister that, in my constituency, almost every parent of a nursery school child has contacted me to tell me that they are highly satisfied with Solihull's current provision of nursery education. Whatever colleagues may say about local authorities, providing £1,800-worth of valuable education is a lot better than introducing a national voucher worth £1,100. The local education authority provides that service voluntarily; it is already strapped for cash by the Government under its standard spending assessment calculation. The money comes from council tax payers, not from the Government. Now, this Government, whom I loyally support, are saying that they intend to impose a system that is bureaucratic, expensive and open to fraud. The parents in my constituency do not want it, and I consider it nothing short of madness.

By all means introduce vouchers for LEAs that are not providing enough nursery education, but it is quite wrong to force the scheme on us and on other LEAs that are doing a fine job. There has not been enough consultation. According to the press, the pilot schemes have run into a great many problems. Forcing through the new scheme by April 1997 will amount to another Dangerous Dogs Act. This rush for nursery vouchers is wholly misguided.

What does the Minister think that I should say to parents? I intend to vote against a scheme that they do not want. Is it a fair, just or democratic solution? Is it Conservative? The Minister cannot talk about parental choice at the same time as countenancing the forced introduction of this scheme for local authorities such as the one in Solihull. The authority is not against private provision. Perhaps the private sector will eventually provide enough high-quality places—but certainly not by April 1997.

Perhaps I should not get so excited, but I am worked up on behalf of the thousands of parents who have contacted me about this issue. *[Interruption.]* The Minister is talking to his private parliamentary secretary, but I hope that he will listen to the rest of my short speech. I am grateful to him for answering my parliamentary questions and letters. He is a charming Minister, but how can he compare £1,800-worth of provision with £1,100?

6.45 pm

Mr. Robin Squire: I do not need to. Parents will.

Mr. Mills: I must point out that the provision already exists in Solihull. The Minister is going to charge parents more money for what they already have.

Mr. Squire *indicated dissent.*

Mr. Mills: Well, I do not see how the extra £700 will be created.

Mr. Riddick: The money will remain in the hands of local authorities, which will then be able to top up provision for those parents.

Mr. Mills: That is fine in theory. The briefing note says that the SSA for the under-fives from which the deduction is made

"was allocated on a need-to-spend basis and is unsuited for a flat £1,100 deduction."

Solihull's achievements in teaching reading, writing and arithmetic to three-and-a-half-year-olds have been brilliant, but the under-fours cost 100 per cent. more than other groups, so the money cannot later be recouped.

I have been asked to leave time for the Minister to sum up, and I am sure that colleagues would like to add their contributions—

Mr. Pawsey *rose—*

Mr. Mills: I shall give way only because my hon. Friend is indeed a long-standing friend.

Mr. Pawsey: I have some correspondence from the Department for Education and Employment dated 11 March, in which it says:

"There is absolutely no reason why provision for three year olds should be damaged—no resources have been deducted from LEAs' SSA in respect of provision for three year olds."

I suspect that my hon. Friend will find that reassuring.

Mr. Mills: I always value my hon. Friend's advice and find his company extremely pleasant. He will forgive me if I differ on this occasion. Every year, I have been told by Education and Environment Ministers that Solihull's SSA will improve, and every year it has got worse. That is part of the problem: the SSAs do not contribute enough money. I wonder whether my good and hon. Friend understands that Solihull is such a good education authority that more than 1,000 pupils from Birmingham, Coventry and Warwickshire are on its books.

I understand that a small amount of new money—about £20 million—is to be spent on administration.

Mr. Squire: Inspection.

Mr. Mills: If I carry on much longer I shall be shot at dawn—I do not know whether the Minister would like that. Can he give me one good reason why our well-loved, efficient, nationally reputed scheme, which is supported by all parents, should be abandoned in favour of the new one? Why cannot Solihull opt out?

Mr. Alan Keen (Feltham and Heston): I cannot beat that. I wish that more Conservative Members were willing to speak out on behalf of the parents who have contacted them, just as they have contacted me in my constituency.

The benefits of nursery education are well known. I had thought that they were accepted on both sides of the House, but I began to doubt that while serving on the Standing Committee throughout February. Research in the United States has shown that the money spent is returned four times over in the lifetime of the recipients of nursery education, but that effect will not be achieved in a watered-down system. That seems to be what the Government are intent on perpetrating on local authorities that already provide high-quality, proper education. I support new clause 3 to defend that high quality, which has been built up carefully over many years and is an investment in the future of the nation.

Both matters covered by the Bill—nursery education and grant-maintained schools—show the Government's persistent short-termism. Manufacturing industry, the health service and now children's education are suffering under the short-term policies of the Government.

We all want to give parents choice, but not to the detriment of the education of our children. If the Bill were to provide high-quality nursery education for all children, it would have everybody's full support. If it were to provide high-quality education and a chance for parents to choose additional playgroup hours, it would also have everyone's support. We do not want high-quality nursery education replaced by playgroups. Some parents, through necessity, may choose longer hours instead of quality. The Government should finance schemes to assist parents to find suitable child care or playgroups. Aiming finance in that direction would stimulate provision, but it is not acceptable to damage existing high-quality nursery education.

The provision of nursery education varies greatly throughout the country. Where it exists, it is integrated into the statutory education system and is an integral part of the infant school years of children who benefit from the cohesion and continuity that the direct links between nursery education provision and statutory education bring. The Government are suggesting a very different scheme, which can be worth while, but not as a replacement for quality nursery education.

New clause 3 would give parents the chance to make an informed and constructive choice. It would give choice to head teachers and voluntary organisations. For an LEA to opt out of the Government scheme, three quarters of local councillors would have to agree. In most cases, that would require cross-party agreement. In Hounslow, that would not be the case at the moment, but the Tory group leader has already said that he supports the retention of Hounslow's nursery education.

I asked in Committee what commercial company would risk damaging a successful part of its business, as the Government will with the nation's existing nursery education. No answer was forthcoming. Why are the Government persevering with the Bill? None of the answers rings true, so there must be another one. The hon. Members for Carshalton and Wallington (Mr. Forman) and for Meriden (Mr. Mills) have asked the same question. We understand that the Government must be attracted to the idea of sending out vouchers worth £1,100 to parents of four-year-olds. On Second Reading, I said that they might as well stamp "Vote Conservative" on the vouchers. That is the only possible explanation of why the scheme is being hurried through so quickly. I am sad to have to say that in a debate about the education of our children.

Why should a Labour Member of Parliament care about electoral prospects of Conservative Members? I care very much about the parents, and the future of our children, because they are the responsibility of us all. Why are the Government risking the futures of some Conservative Members of Parliament in areas with a high quality of nursery education, as two of them have described tonight? I do not understand. I beg the Government to have another think about the Bill and not to do dreadful damage to existing provision.

Mr. David Sumberg (Bury, South): I shall be brief. In the roll call of honour of the local authorities that provide good nursery education—Calderdale and others have been mentioned—Bury should be included. It provides good nursery and reception class education and I pay tribute to the local authority, which is not of my persuasion, and to the governors, teachers and parents.

I oppose new clause 3 and shall support the Government for two reasons. I believe that it is right in principle to give the freedom of choice that the Bill would provide. I attended a meeting with local head teachers of primary

[Mr. David Sumberg]

schools in my constituency recently and argued that case with them. The pilot scheme, too, is right, because whenever the Government have proposed legislation in the past, the cry has always been for pilot schemes.

I ask my hon. Friend the Under-Secretary to reassure me on two points, and I make those points conditional. First, can my hon. Friend assure me that the pilot scheme is genuine? I told my head teachers that it was; that lessons will be learnt from it; and that, if errors and inconsistencies are found, changes will be made. I ask my hon. Friend to give me that assurance.

Secondly, in specific terms, I have been told by my hon. Friend and his Department that, when this scheme comes into operation in Bury in 1997, if the same number of children who attended school in 1996 turn up in 1997, there will be no loss of funding—not one single penny—for the local authority of which my constituency is part. Will my hon. Friend assure me that that will be so in 1997 and in the years that lie ahead? Will my hon. Friend assure me—I accept that the arrangements will be subject to the elements of local authority funding—that the scheme will make no difference whatever to the funding arrangements for the people whom I represent? On that assurance—that parents will be no worse off and some may be better off, depending how the scheme works—and on the answer about the pilot element, I will support the Government.

Mr. Robin Squire: It is not surprising that there has been much scaremongering tonight, mainly from Opposition Members, about the alleged effect that the voucher scheme will have on local authority funding. Frankly, I remain at a loss, having had discussions for months now, to understand why Opposition Members appear genuinely to believe that nursery vouchers might damage existing good provision. Let me make it clear—they will not. I shall spend the short time available spelling that out.

If LEAs are offering a good and popular service, parents will continue to choose that service—obviously, reasonably and intelligently—and nothing will change. No school will be forced to take more children. No school will be forced to change its admission arrangements. We are not forcing schools to undertake activities that the best have not already seized with both hands. What we are doing—it lies at the heart of the debate and is no doubt why Opposition Members continue to use scaremongering tactics—is allowing parents to choose in a way that they have never been able to in the past.

New clause 3, moved by the hon. Member for Birmingham, Yardley (Ms Morris), would give every local authority the opportunity to exempt itself, for a financial year, from any of the grant arrangements set out in the Bill. The new clause sets out the conditions and circumstances in which an authority can activate that exemption.

Like my hon. Friends the Members for Leeds, North-West (Dr. Hampson) and for Carshalton and Wallington (Mr. Forman), I wish to stress that the new clause would require consultation with parents. That is an improvement on what was suggested in Committee. The new clause would even involve consultation with the private and voluntary sectors, but at heart it is still about putting local authorities back in the driving seat for the development of local nursery education facilities. All the new clause would require is consultation. There is no mention of any sector apart from the LEA sector playing a decisive role and, of course, there is no mention of a requirement on the local authority to obtain the agreement of those other sectors.

I said over and over, especially in Committee, that we want to put power in the hands of parents and, far from the Bill being a nationalising, centralising measure, it is the greatest decentralisation of all. Let parents decide what is best for their child. Let parents decide whether their child will flourish in the more informal surroundings of pre-school or a more structured environment. We want choice for all parents, not just for those who live in areas whose authorities have chosen not to exempt themselves from the scheme. There is nothing to prevent more local authorities from developing and publishing plans, and I trust that good, forward-looking authorities will do that now. We do not need legislation for that, but we do need legislation to ensure that parents are in the driving seat.

I agree with my hon. Friend the Member for Meriden (Mr. Mills), who tabled new clause 5, that none of us wants participation in nursery education to decrease. Indeed, as I have spelt out—for instance, in an intervention on my hon. Friend the Member for Carshalton and Wallington—we are providing significant new funds to expand nursery education rather than reducing it. There is already a healthy variety of nursery provision, but I want it to be extended still further. As we have made clear time and again, every parent of a four-year-old will have the power to reinforce the decision on where that child should receive nursery education.

7 pm

My hon. Friend the Member for Meriden asked me two specific questions. Let me make it clear that no one is forcing a change in the existing provision if parents do not want it. If parents strongly support local authority provision—my hon. Friend made clear the excellence of Solihull's current provision—they need not oppose the voucher scheme; they can simply take their vouchers to the local authority school of their choice, which will give it the maximum buttressing. Moreover, they can tell their friends about it.

Let me tackle a linked point that was made by both my hon. Friend the Member for Calder Valley (Sir D. Thompson) and my hon. Friend the Member for Bury, South (Mr. Sumberg). Local education authorities do not need to attract extra pupils to make the voucher funding mechanism cash neutral: they need only continue to fill the same number of places. Indeed, if they attract one more pupil, they will be in pocket. I am sure that my hon. Friend the Member for Calder Valley, as a good Yorkshireman, will appreciate that.

Let me explain to my hon. Friend the Member for Meriden that the top-up that was referred to is, in effect, the extra money that still lies with his local authority—£700. At present, the authority spends that money on providing the excellent nursery education that my hon. Friend mentioned, and it will continue to be able to do so. As for the £20 million that my hon. Friend said was spent on administration, it is spent overwhelmingly on inspection, and will ensure that more than 12,000 providers that are not currently inspected will be. I hoped that hon. Members on both sides of the House would welcome that.

Local authorities will not need to close nursery schools or classes, or change their admission arrangements, as a result of the voucher scheme. Local management of schools will enable voucher income to be passed to schools, so local authorities will not even need to change the way in which they fund those schools. I accept that, at this precise moment, I cannot persuade my hon. Friend the Member for Meriden, but I hope that he will think about what I have said. I assure him that parents and schools in his constituency have nothing to fear.

Amendment No. 3 is intended to ensure that local authority resources will not be reduced in total as a result of the voucher scheme. That goes back over ground that we discussed in Committee. In effect, the amendment would give a blanket protection to all LEAs. Although I am sympathetic in principle to the idea of ensuring that local authorities do not lose money, I will not countenance an amendment that would ensure that they retain resources for ever and a day, even when their provision is not good and parents have determined to use alternative providers.

I am at a loss to understand the intentions of amendments Nos. 4 and 11. Nursery education is not compulsory; the Secretary of State cannot prejudge parents' decisions, and would not wish to do so. While there are some 660,000 children aged four in England alone—that figure varies from term to term—I see little point in laying an annual report before Parliament setting out the number of children for whom funded nursery education has been provided.

Amendment No. 12 includes the word "evaluation". My hon. Friends the Members for Bury, South and for Carshalton and Wallington rightly drew attention to the importance of learning lessons from phase 1, and I assure them that we shall do so. Only two aspects of the scheme are different—the funding mechanism and the inspection regime. On the funding mechanism, we shall be in an excellent position to draw lessons not just from the first term of the scheme, but from the second term, which will begin in September. That will inform us about the mechanisms under which vouchers are redeemed and issued. I am pleased to say that—contrary to comments by Opposition Members—phase 1 is going very well, and the number of providers is up.

I am sorry to have spoken for so long, but a good deal is contained in the new clauses and amendments that we are discussing. I ask the House to reject them, because they are unnecessary and unreasonably delay the advent of the universal nursery education that I assume is wanted by hon. Members on both sides of the House.

Ms Estelle Morris: The Minister has signally failed to advance any argument in favour of forcing local authorities that currently provide top-quality education, and whose communities want them to continue to do so, to adopt the nursery voucher scheme.

Conservative Members have questioned the consultation provision that is inherent in new clause 3. What consultation has taken place about the introduction of the voucher scheme? How many people have queued up to say that that is the best way of providing nursery education? Local authorities did not want to be part of phase 1. Whatever hon. Members' doubts may be about the quality of the consultation for which new clause 3 provides, they cannot doubt that there has been little, if any, meaningful consultation about the voucher scheme.

Let me tell the hon. Member for Carshalton and Wallington (Mr. Forman) that his original instincts were right: there is no new money for new places in the scheme. Any new money will go into the private sector, so that parents of children who are being educated in that sector can receive £1,100 to pay for a place for which they are paying out of their own pockets. It is what is described as a dead-weight cost. There will be no new places; there is no new money; there has been no consultation.

New clause 3 would allow local authorities such as Solihull, Halifax and Bury—as we have heard from my hon. Friend the Member for Halifax (Mrs. Mahon) and the hon. Members for Meriden (Mr. Mills) and for Bury, South (Mr. Sumberg)—to go on doing what they have done successfully for the past 17 years, after listening to teachers and parents. The Government have not cared two hoots about nursery education; why, at this late stage—when they have suddenly realised that this is a service worth protecting and working for—should they be able to say to local authorities, "You have been doing this well for a long time, but move over now, because we know how to do it better"? Why should such a central Government diktat be possible? That is what the Minister is saying, however, and that is what he is asking us to vote for.

If the Minister were seriously concerned about the effects of the scheme, he would announce a proper pilot scheme. He would announce a period, after phase 1, during which proper evaluation could take place before phase 2. However, he is asking the House to ignore the proven success of Solihull and other areas, and to replace their arrangements with a scheme that has not even started a pilot phase. There is no argument for that; the Minister has never made such an argument. He has failed to do so again tonight, and I ask the House to divide on new clause 3.

Question put, That the clause be read a Second time:—

The House divided: Ayes 238, Noes 276.

Division No. 82] **[7.08 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Jean
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dafis, Cynog

Dalyell, Tam
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jamieson, David
Janner, Greville
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mills, Iain
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Raynsford, Nick
Reid, Dr John
Rendel, David
Roche, Mrs Barbara
Rogers, Allan
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony

Tellers for the Ayes:
Ms Janet Anderson and Mr. John Cummings.

NOES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy

Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McNair-Wilson, Sir Patrick
Malone, Gerald
Mans, Keith
Marland, Paul
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smyth, The Reverend Martin
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon John D *(Strgfd)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Trimble, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Patrick McLoughlin and
Mr. Roger Knapman.

Question accordingly negatived.

New clause 6

AUDIT

'.— An authority or other person to whom a grant is made under arrangements under section 1 shall be required to keep such proper accounts and audit arrangements as the Secretary of State may from time to time prescribe.'.—*[Mr. Don Foster.]*

Brought up, and read the First time.

Mr. Don Foster: I beg to move, That the clause be read a Second time.

I moved a similar clause when we discussed this matter in Committee. At that time I said that the matter was relatively simple and that I did not need to delay members of the Committee for long. There is no reason why it should delay the House now. I know that the Minister will have reflected carefully on his words in Committee. The new clause is merely a small addition to the Bill to require that bodies in receipt of grants as a result of the legislation will be required to maintain proper audit arrangements.

When we debated the matter in Committee, the Minister shared my concerns. He said:

"I recognise and share the hon. Gentleman's concern which prompted the amendment. We are of course dealing with a large amount of public expenditure and it is right that taxpayers' money should be properly audited and accounted for. That is a principle to which the Government attach the utmost importance, and the voucher scheme is no exception."—[*Official Report, Standing Committee F*, 20 February 1996; c. 305.]

I entirely agree with the Minister. He should accept what has been accepted in other legislation that has included references to the need to keep proper audited accounts, and should agree to the inclusion in the Bill of a mere 38 words that will ensure probity in arrangements for the nursery voucher scheme.

No doubt the Minister will say that the new clause is unnecessary and cumbersome and that it adds to bureaucracy, but ensuring probity, especially by the addition of only 38 words, is no great encumbrance. The Minister may also say that it will remove flexibility, but it would do nothing of the sort. It merely states that there must be a requirement that such arrangements be made and it gives the Secretary of State power to determine the nature of those arrangements. I hope that the Minister will accept what the Government have accepted many times and will appreciate the strength of the argument.

Mr. Richards: I agree with much of what the hon. Gentleman has said. Sadly, he lost his way somewhere in the middle, as the Liberal party is prone to do. I agree that it is essential that public money is properly used and properly accounted for. We must be confident that the grants that are paid to providers—public, private and voluntary—will be used to provide good-quality education for our four-year-olds. However, there is no

[Mr. Richards]

need for the Bill to specify auditing arrangements. I had thought that the leader of the Liberal Democrats would intervene, but he has sensibly backed off.

Local education authorities and maintained schools are already subject to audit and the requirements that we are imposing on private and voluntary providers will include provisions for accounting and auditing: they are a requirement of the grant. They will include a right for the Department's internal auditors and the National Audit Office to examine the books of any such provider. On those grounds, I urge the House to reject the new clause.

Mr. Don Foster: I am not entirely convinced by the Minister. Nevertheless there will be an opportunity in another place to take the matter a stage further. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

ARRANGEMENTS FOR MAKING GRANTS

Ms Estelle Morris: I beg to move amendment No. 5, in page 1, line 6, after '(1)', insert

'Subject to section 7(1A) below,'.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): With this, it will be convenient to discuss the following: Amendment No. 26, in page 1, line 6, after 'may', insert 'by regulations'.

Government amendment No. 27.

Amendment No. 9, in page 1, line 16, at end insert—

'(3A) Any arrangements made under section 1(3) above which specify the age of children shall be made by regulations.'.

Government amendment No. 28.

Amendment No. 2, in page 1, line 17, leave out 'shall' and insert 'may'.

Government amendment No. 29.

Amendment No. 6, in clause 7, page 2, line 41, at end insert—

'(1A) The power to make arrangements under section 1(1) above shall be exercised by order and no such order may be made unless a draft of the statutory instrument containing the order has been laid before and approved by resolution of each House of Parliament.'.

Amendment No. 38, in page 2, line 41, at end insert—

'(1A) Any arrangements for the making of grants under section 1(1) above shall, where those arrangements make provision for the amount of grant payable in respect of a child, be exercised by order and no such order may be made unless a draft of the statutory instrument containing the order has been laid before and approved by resolution of each House of Parliament.'.

Government amendments Nos. 30 to 32 and 34.

Ms Morris: The purpose of this rather large group of amendments is to ensure proper annual debate on the grants that are made under the legislation. As we have said, the Bill gives the Secretary of State for Education and Employment many powers. Not only does she have the power to dictate how a local community will make provision for its early years education, but Ministers can make arrangements about grant criteria, voucher values, the framework within which grants are to be administered and what action should be taken after an assessment of the scheme. All that can be done at the moment without recourse to Parliament.

Amendments Nos. 5 and 6 specifically refer to parliamentary scrutiny of the value of the grant, and that would be done in a way that is similar to the current scrutiny of the amount that is put into the assisted places scheme and the student grants and loans scheme. There is considerable similarity between the arrangements for the assisted places scheme and the nursery vouchers scheme. Both involve significant transfers of revenue from local government to central Government and out again. In addition, the nursery voucher scheme can certainly be seen as a significant change in local government finance.

In the interests of good legislation and democracy, it is not acceptable for crucial aspects of the Bill to be decided and controlled by Ministers and Ministers alone in the Department for Education and Employment without proper scrutiny by the House and the other place. The House has a record of being able to scrutinise legislation. It jealously guards that right and exercises it on the assisted places scheme and the student grants and loans scheme year by year. There is no reason why it should not be able to exercise that right in the context of the amount put into grants as part of the nursery voucher scheme. The amendments will allow proper scrutiny by the House and that is right and proper.

Mr. Robin Squire: The Bill sets out the broad framework and the necessary legal underpinning for the grants. It defines what they can be used for and refers to allowing the use of a child benefit database and defining inspection regimes and so on. As I have said—it may even have been in debate with the hon. Member for Birmingham, Yardley (Ms Morris)—the grant arrangement will include a great deal of administrative detail.

It is clearly not sensible to make all these matters the subject of legislation, whether primary or secondary, and I do not presume that the hon. Lady would suggest that. Time-consuming amendments would be needed for the slightest change and that would be absurd. It would also limit the flexibility of grants that would be paid to a range of types of institutions.

Government amendments Nos. 27 and 28 set out the child's age and describe the eligible institutions in the regulations. I shall be brief in speaking to the amendments because I am sure that it will not take much to convince hon. Members that they are eminently reasonable and respond to points that were made to me in Committee. In that context, I note and welcome the fact that Opposition Members agree with the Government to the extent that they have tabled a similar amendment to amendment No. 27.

In Committee, my hon. Friends the Members for Rugby and Kenilworth (Mr. Pawsey) and for Colne Valley (Mr. Riddick) tabled an amendment that sought to put the description of children eligible for nursery education grants into regulations rather than arrangements. They graciously agreed to withdraw that amendment following my commitment to table an equivalent Government amendment on Report—amendment No. 27 fulfils that commitment.

7.30 pm

Clause 1 defines nursery education for the purposes of the Bill by specifying the upper age limit of children who can be covered by nursery education grants. It would be neither necessary nor appropriate to include in the Bill a lower age limit or any other description of eligible children. That would greatly restrict flexibility in future, but amendment No. 27 would cause the Secretary of State for Education and Employment to make regulations to specify what I might call the lower age limit of children eligible for nursery education grant, although the lower limit need not be a specific age.

As the House is aware, we propose that, initially, the voucher scheme should cover only four-year-olds. The amendment would mean that if, for example, the scheme were extended to cover three-year-olds, fresh regulations would be needed and Parliament would have the opportunity to debate that change, if it so wished.

Amendment No. 28 covers a slightly new area in terms of responding to comments in Committee, but, as hon. Members will recall, I made it clear that I was keeping an open mind on the things that should be in the Bill and the things that should be covered by regulation. The amendment would require the descriptions of providers eligible to receive grant under these arrangements to be specified in regulations. A couple of hours ago, the hon. Member for Bath (Mr. Foster) made passing reference to that. The exception is local education authorities in respect of their schools. I have made it clear on a number of occasions, and "The Next Steps" document also makes it clear, that, to be eligible to receive grant, a provider must be one of the following: a maintained school, a local authority day nursery, a finally registered independent school or an institution registered under the Children Act 1989.

The identity of those eligible to receive grant is an important part of the policy both for parents and for providers. Parents need to know and understand which providers can accept their vouchers, and providers need to know whether they can accept vouchers if the provision that they offer is sufficiently good.

Mr. Kilfoyle: Will the Minister explain just one simple thing? If we have an annual debate on the assisted places scheme, why cannot we have a similar annual debate on the provisions made for nursery vouchers?

Mr. Squire: There are significant differences. The most obvious one is that the assisted places scheme operates on an individual by individual basis, in that the benefit, as it were, that the parent attracts is related to his or her income. With nursery vouchers, we are talking of a standard amount regardless of circumstance. There are other differences, but nursery vouchers are more akin to grants for education support and training, for instance, which are again a standard sum.

By introducing Government amendment No. 28, we have met the concerns of the hon. Member for Bath and others outside. In the same way as changing the age range of children covered by the vouchers is not an administrative detail, so changing the list of institutions that are eligible to receive grant is not an administrative detail. Both should therefore be set out in regulations. As a result of Government amendment No. 28, that will be so. I think that, on reflection, Opposition Members will agree with that.

Amendment No. 38 puts the amount of grant in regulations. Here we reach the matter that the hon. Member for Yardley referred to. It is essential that grant arrangements should specify the amount, timing, frequency and method of payment of nursery education grants. Providers need that information for planning, but to specify the amount of grant in regulations, and especially in regulations subject to affirmative procedure, would be inappropriate.

The amount of grant payable to any particular provider will depend simply on the number of vouchers that they redeem. The calculation of grant will be a matter of simple arithmetic. There is no need for that to be covered by regulations, just as the amount of grant payable in any particular case is not covered by regulations under section 100 of the Education Act 1944 or GEST regulations.

Mr. Kilfoyle: I am still unclear. Will the Minister take this a little further? Surely we do not deal with the individual circumstances of a recipient when the House debates the assisted places scheme or, obviously, the voucher scheme, given that there is a flat voucher fee. In principle, therefore, what is the difference between the two? We are not dealing with individual amounts, which necessitate account being taken of people's circumstances.

Mr. Squire: I would not want to mislead the hon. Gentleman or the House. I was not suggesting that we debate individual circumstances in assisted places scheme debates. I was seeking to show that the comparison that the hon. Gentleman drew relied on assuming that there was a strong similarity between that scheme and the voucher scheme. There are several differences, one of which I highlighted. Another is that a voucher does not become legal tender until it is accepted by a provider and so it is a different beast from the sum granted in the assisted places scheme, but the hon. Gentleman and I are able to have different opinions on this and the world will, I hope, continue to revolve.

Mr. Kilfoyle: The implication of what the Minister has said is that, somehow, the recipient of assisted places scheme financing receives it, but that is not legal tender either. Presumably, parents receive a letter saying that they are entitled to a certain amount of education, the rates for which are set out annually when we debate the cost of the assisted places scheme. How is that different from the voucher? With an assisted places scheme, we are not dealing with tender any more than we are with a voucher scheme.

Mr. Squire: I sought to point out that the difference was that, in the voucher scheme, we are invariably talking about a fixed sum that, as I conceded and as all hon. Members recognise, becomes money when a provider agrees to make a place available. As the hon. Gentleman is aware, the assisted places scheme sets out the scale of remission of fees that parents will receive according to their income. That makes it rather a different kettle of fish. It does not mean that one could not envisage circumstances in which voucher grants would be comparable with those on the assisted places scheme, but it is not an immediate, natural link. Having considered it, I could not be convinced that the hon. Gentleman's example made sense in the way that the two examples that I have given—one conceded in Committee and one in the House today—made sense.

[Mr. Squire]

They represent a significant departure. If it wanted to, the House could reasonably expect to be able to debate them under the usual provision.

As all Committee members are aware, all the grant arrangements will be set out and published. As I have said, the key aspects will be in regulations. The usual arrangements for accounting to Parliament for public expenditure will continue to apply.

Government amendment No. 30 deals with powers to make transitional arrangements. It is a technical amendment. The Government think it wise to include the usual provision for power to make transitional arrangements in regulations under the Bill. Frankly, the circumstances in which they might be needed would be relatively rare.

Government amendments Nos. 29, 31, 32 and 34 are drafting amendments that simplify the references in the Bill to regulations. The Secretary of State will of course lay all such regulations before the House in accordance with normal parliamentary procedure.

The Government accept the case for including some aspects of the grant arrangements in regulations and have demonstrated that by tabling amendments that will provide for both the description of children who can be covered by the grant and the list of providers who can receive grant to be set out in regulations. I have not been convinced that the amount of the grant, still less the grant arrangements in their entirety, should be set out in regulations. If the matter is pressed to a Division, I urge hon. Members to reject amendments Nos. 5, 26, 9, 2, 6 and 38.

Mr. Don Foster: The Minister deserves to be congratulated. As those hon. Members who served on the Standing Committee will be aware—and it is important that the House is also aware—the Minister has responded to a request in Committee that at least a large amount of information about the scheme be made available to the House annually. I want to place on record my thanks to the hon. Gentleman for his positive response to our request.

In a letter to me within the last couple of days, the Minister said that he had been giving thought to what information should be made available and put in the departmental report. He acknowledges that much of it will be statistical or historical, but says that it will be none the worse for that. He said:

> "I have in mind the following broad categories:
> Value of the voucher (including any regional variations and areas covered by different value vouchers)
> Number of Vouchers issued
> Number of Vouchers redeemed
> Total Resources made available through vouchers
> Number and type of validated institutions
> Number of inspections carried out of each type of institutions under new legislative provisions
> Number of institutions from whom validation withdrawn
> Sums of money received into consolidated fund, and from what source."

That is a wide range of areas to be covered by the report, so I am grateful for the Minister's response.

Of course, all that draws to the attention of the House the very large number of issues that will be put into effect by the Bill. It also draws attention to the very wide powers that will be given to the Secretary of State under the Bill and the arrangements to make regulations on these and many other issues. It is because the Bill gives so much power to the Secretary of State, over a wide range of issues that are not detailed in the Bill, that considerable disquiet is felt in many quarters about what is happening. That is why there have been various attempts, through the amendments, to provide an opportunity for hon. Members regularly to be able to contribute to the thinking about any changes, to debate them and to vote on them.

The hon. Member for Birmingham, Yardley (Ms Morris) said that, under amendment No. 5, the regulations would be debated under the affirmative resolution procedure. She believed that that was a perfectly reasonable suggestion. She drew a number of significant parallels—although they were rejected by the Minister—between the Bill and the assisted places scheme. Hon. Members will be well aware that, for example, section 17(6) of the Education Act 1980, which set up the assisted places scheme, requires all arrangements to be made by regulations. Section 35(2) requires regulations to be made by the affirmative resolution procedure of both Houses of Parliament.

The Minister said that there was not enough similarity between the assisted places scheme and the Bill to go down that route. He protests too much in attempting to show that there are huge differences between the two. After all, the assisted places scheme began by taking money away from local education authorities. That is exactly what is happening with the nursery voucher scheme—money is being taken away from LEA budgets to operate the scheme. As the hon. Member for Yardley said, the sums of money involved in the voucher scheme are significantly greater than the sums involved in the assisted places scheme.

7.45 pm

The Minister is not convinced that the similarities are great enough to use the same procedures. Will he therefore look carefully at amendment No. 26, which adopts a slightly different way to bring the regulations before the House on a regular basis, but using the negative resolution procedure? That would require hon. Members who opposed a particular part of the resolution to pray against it in the usual manner. It would mean that Members of Parliament, who do not have a great deal of spare time, would pray only against matters about which they felt very strongly. There would be no unnecessary time wasting, but hon. Members would have an opportunity regularly to debate issues about which they felt strongly.

Mr. Robin Squire *rose—*

Mr. Foster: I shall happily give way to the Minister. I was about to say that it would be nice if he intervened to tell us whether he thinks that that way of doing things would accord with the democratic procedures of the House, especially given his unwillingness to include in the Bill even a statement that the Secretary of State will take responsibility for the details. I happily give way and hope that the hon. Gentleman will be positive.

Mr. Squire: I am not sure whether the hon. Gentleman wants to drown me in praise, as he did earlier, or cover me with whatever the reverse of that might be. He conceded that two Government amendments will allow

for precisely what he has described to be dealt with by negative resolution if the House so agrees in due course. Apart from the amount of grant itself—and on that matter I can add little to the earlier exchanges between myself and the hon. Member for Liverpool, Walton (Mr. Kilfoyle)—can the hon. Gentleman say what other areas he has in mind that might be covered in the way he suggested? I am interested in considering them.

Mr. Foster: I think that the Minister and I are beginning to go down the same track. There seems to be some agreement and there may be a positive resolution before the evening is out which will help us to find a way forward. The Minister asked what other areas I had in mind. I would include, for example, not simply the amount of money, but the grant criteria that would operate. We would want to discuss the nature of the settings in which provision is to be made.

Mr. Squire *rose—*

Mr. Foster: The Minister is no doubt about to say that the grant setting is already included. We may wish to widen the definition if we are to consider the use of modern technology and other things that may arrive in the not too distant future. Many hon. Members on both sides of the House would want a debate, followed by a decision, about the inspection arrangements. They are not currently included.

There seems to be some coming together of both sides of the House and I am grateful for that. Perhaps as the debate progresses there may be more. The real concern for many hon. Members is that the Bill gives a great deal of power to the Secretary of State without a real opportunity for parliamentary scrutiny. Unless our amendments are accepted, when the Bill reaches another place, the Delegated Powers Scrutiny Committee will have a field day.

Ms Estelle Morris: I am amazed that the Minister has turned down the opportunity for even more debates such as those that we have shared over the past few months in Committee. But he seems to have wasted that opportunity, which is disappointing. The Bill involves much detail, and the hon. Member for Bath (Mr. Foster) has given us a list of subjects that should have proper parliamentary scrutiny. Like him, I feel that those are issues that their Lordships may address when the Bill reaches them. But, for now, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): I beg to move amendment No. 17, in page 1, line 7, after 'education', insert 'in England'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 19, in clause 8, page 3, line 17, leave out

'or Her Majesty's Chief Inspector of Schools in Wales,'.

No. 20, in clause 10, page 3, line 30, leave out 'and Wales'.

No. 21, in schedule 1, page 4, line 14, leave out from 'England' to end of line 16.

No. 22, in page 4, line 27, leave out from 'England' to end of line 29.

No. 23, in schedule 2, page 5, line 38, leave out from 'England' to end of line 40.

No. 24, in page 8, line 23, leave out

', civil servants in the Welsh Office'.

No. 25, in page 8, line 25, leave out 'or the Welsh Office'.

Mr. Dafis: The amendments would exempt Wales from the provisions of the Bill. I tabled them for several reasons—first, because many people asked for an exemption for Wales. The Parent-Teacher Associations of Wales specifically asked for one, and that is an important sign, because its members are not the educational establishment but the very people for whose children nursery and other educational provision is intended. Moreover, that association speaks with the same voice as the overwhelming bulk of opinion in Wales—not just the local education authorities but educationists, parents and the public at large. They all overwhelmingly oppose the introduction of nursery vouchers.

As for the voluntary sector, Mudiad Ysgolion Meithrin opposes the idea in principle, and fears the Bill's effects on Welsh-medium education. Can the Minister give us any assurances on that aspect? The Select Committee report asks the Welsh Office—if, indeed, the scheme is applied in full—to monitor closely the effect of vouchers on Welsh-medium education.

The Welsh Language Board recently published the results of a survey showing that 50 per cent. of parents in Wales would choose Welsh-medium nursery education if the option were available. That is a fact of far-reaching significance. How do the Government propose to ensure that that wish of 50 per cent. of the parents of Wales can be met as we increase nursery school provision?

It must be admitted that the Wales Pre-School Playgroups Association supports the scheme in principle. After all, it has a particular interest in doing so, because the scheme would make playgroups a more attractive option in comparison with local authority nursery classes than they are now. But even that body has expressed important reservations, because it is concerned that the scheme's benefits may be eroded if insufficient resources are made available. If that happens, it does not see how it could make the necessary capital investment in improved provision.

Mr. Win Griffiths: The hon. Gentleman is making an important point, because the report from the office of Her Majesty's chief inspector said that about three quarters of the settings in which playgroups operated were not of a sufficient standard. The Wales Pre-School Playgroups Association expressed strong concern about the need for capital funding if playgroups were to be eligible for the scheme. And so far as I know, the Minister has given no assurance on the subject.

Mr. Dafis: No, indeed. I am grateful for the hon. Gentleman's intervention, even though he has used up the next sentence of my speech. It would certainly be interesting to hear whether the Minister is prepared to give any kind of undertaking.

I emphasise again what the hon. Member for Bridgend (Mr. Griffiths) has already said—that the inspector's report on nursery provision in Wales emphasised the high quality of provision by local authorities in nursery schools

[Mr. Dafis]

and classes, and showed how superior it was, by and large, to the provision in the voluntary and private sectors. There was consultation on the Welsh Office proposal, but although there was no suggestion of any support, the Government insisted on going ahead in the face of overwhelming opposition.

My next reason for tabling the amendments is that legislation on education matters should always be specific to Wales. That is a matter of principle. The Bill does not apply to Scotland; that is the regular pattern of things. I simply ask: if the Bill does not apply to Scotland, why should it apply to Wales? In all kinds of areas, we must move towards parity with Scotland.

Circumstances and tradition in Wales are radically different from those in England. That is why we need a parliament with primary legislative powers in Wales—a phrase which I often utter these days—to give us the right kind of provision in all kinds of areas. I shall return to that subject later.

The principle applies to nursery education and the provisions of the Bill in particular. I shall not at this stage rehearse the ways in which the situation in Wales is different, or set out what our priorities should be for early years education. I did that on Second Reading, and what I said is on the record. However, I urge hon. Members and everyone else interested in the subject to read the report by the Select Committee on Welsh Affairs on the nursery voucher scheme in Wales.

That report is carefully prepared and written, and it presents a pretty devastating condemnation of what is happening. In the first place, it points out that

"Because of the investment already made by local authorities in Wales in under fives education, the benefit to Wales . . . will be much less than to England."

That is perhaps not altogether condemnatory, but my next quotation from the report certainly is. The report states:

"It seems extraordinary to us that the Government has determined on introducing a voucher scheme for four year olds without first ascertaining the full extent of current provision."

In our questioning of Ministers, we had discovered that there had been no process of identifying the extent or nature of existing provision.

The Select Committee report also mentions the danger that provision for three-year-olds might be reduced as a result of the introduction of the voucher scheme. I should be interested to hear the Minister's comments on that, too.

What I have said about the existing situation in Wales does not mean that we should be complacent. That danger, too, was mentioned in the Select Committee report. On Second Reading, I said that it was possible that much of the existing provision, of which we are so proud, would not be altogether appropriate. I mean, for example, the practice of providing for under-fives in primary and infant school classes. It is clear that the kind of education menu provided for children there may not give the intense learning experiences that constitute the real value of pre-school education before the age of five.

The report from the office of Her Majesty's chief inspector refers to that possibility. It says that LEA nursery schools and nursery classes provide high-quality pre-school education, but it makes a clear distinction between those and infant reception classes. We need appropriate high-quality provision for pupils in the early years, with properly qualified staff, and we should be talking about a strategy for moving in that direction.

That means that we need change in Wales. We must not get ourselves into that familiar frame of mind in which we constantly react against change. That is why we need the powers to make the changes that are relevant to us. We need a policy for the development of early years education in Wales. I described such a policy in my speech on Second Reading.

We need not only the means not to apply the Bill in Wales—to opt out—but the means to be proactive and creative. I know that the hon. Member for Bridgend is going to speak. I would like to hear from him how the Labour party, if it forms a Government after the next general election, will enable the people of Wales to fashion an education system that suits our circumstances and priorities. It is a matter not just of not doing something but of being positive and constructive.

For example, how will Labour's assembly be proactive and not merely enable us to opt out of damaging provisions such as this? I do not see how Labour's current proposals, with secondary legislative powers at best—and perhaps not even those, according to the Labour leader—will give the people of Wales such powers. I covered that quickly, Mr. Deputy Speaker, and will now proceed to other matters, but perhaps the hon. Member for Bridgend can offer me some encouragement.

If ever there were a case of Wales being dragged in England's wake in a way that is irrelevant to our needs, it is this. The Select Committee report concludes, even though it is expressed with some understatement, with the devastating comment:

"We are not convinced that in this case the possibility of taking Wales along another path was considered very seriously. "

I am convinced that it was not considered at all. The report continues:

"It is hard to believe that, if acting alone, the Welsh Office would have seen a voucher scheme as the most effective means of improving educational provision for four year olds in Wales."

That is pretty devastating. It is a perfect example of Wales's needs being ignored and our prospects being damaged by inappropriate legislation driven by other people's ideology and priorities.

I tabled an amendment that would have required a pilot project to be conducted in Wales in 1997-98 before introducing the full scheme. It was not selected, but I draw the Government's attention to it as a fallback from this amendment. It is still open to the Government to offer such a compromise and I appeal to them to do so, if they are not prepared to accept this amendment. The Select Committee recommended that there should be a pilot scheme. Will the Minister at least agree to have the matter debated in the other place to find out whether that would be reasonable? That would make good sense. There will be a general election before the scheme is properly implemented.

8 pm

Mr. Richards *indicated dissent.*

Mr. Dafis: There will be one before the scheme has been properly implemented—a matter of months, at best, after the scheme begins to operate.

Labour is committed to scrapping the scheme in Wales, which is why my unselected amendment was relevant. It is not responsible to introduce such a revolutionary scheme. It is a demand-led instrument for developing education provision rather than a process of putting resources into provision. It changes the whole approach to the funding of education. It is not responsible to introduce such a scheme at such a time. However, a pilot scheme could be run and we could examine the situation to find out whether there was justification for such a change in the funding of education. I appeal to the Government to act responsibly in the matter and either accept our amendments or at least give us the fallback compromise.

Mr. Win Griffiths: Although we did not table specific amendments relating to Wales, our new clause 3, which dealt with the conditions under which a local authority could continue to operate its own provision with the consent of the members of the council and after consultation with the parents and other providers in its area, would have covered Wales.

The situation in Wales is different from that in England. In Wales, more than 90 per cent. of four-year-olds are already in maintained provision. In a couple of counties, which, unfortunately, are in many ways about to die—Clwyd and West Glamorgan—the figure is nearly 100 per cent. The lowest provision is in Gwynedd, at 77 per cent. It is clear that the Welsh counties, without any financial support from the Welsh Office, have been good providers of education for four-year-olds.

That provision is backed by that of the Wales Pre-School Playgroups Association and Mudiad Ysgolion Meithrin. Although most of their provision is not for four-year-olds, they have some children of that age and, through their training schemes for their workers and volunteers, they have been at pains to raise standards.

The key point is the waste of money that the voucher scheme involves in Wales. For less expense than the additional money that the voucher scheme will cost, the Government could provide funding for local authorities to provide the extra 5 per cent. or so places that we need, and there would be no problems with the level of provision in Wales. Of course, there are still other problems and there will be problems under the voucher scheme.

The excellent report of Her Majesty's inspector in Wales was made on the basis of a year-long set of inspections in 1994 and 1995 in which 120 schools and 22 playgroups were inspected against an educational framework and bearing in mind the onset of the voucher scheme. The report's 23 pages showed clearly that the best-quality education—this was almost universal—was in nursery schools and classes. A little way behind came the reception classes and mixed-age infant classes that catered for four-year-olds. Quite a long way behind that came the playgroups.

That is not because the playgroups were failing to do what they intended but because in the past they have not tried to meet the formal educational objectives that schools in the maintained sector have been set. I pay tribute to the playgroups, the Wales Pre-School Playgroups Association and Mudiad Ysgolion Meithrin, for being prepared to take part in the inspections. They gave themselves a framework against which to judge whether they would be ready to take part in the nursery voucher scheme.

The issue in Wales is the quality of provision, and raising that quality, without getting involved in the bureaucratic paperchase of the voucher scheme. The inspector's report made it clear that the strong points of provision were often down to the support given by the local education authority. For professional development and in-service training, local authority courses were vital in helping to raise teachers' standards. The report also showed that the local authority guidelines and advice notes to schools on curriculum planning meant that there were high standards in the maintained sector for curriculum planning. There should be no doubt: Wales does not need the scheme.

The hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) mentioned the fact that the Welsh Office consultation had not produced much support. He could have said even more clearly that, as a result of one of his questions, it was shown that not one of the 1,100 responses supported the Government's voucher scheme. The Welsh Office put that down to mass misunderstanding; if it had been a teacher in front of a class of pupils, he or she would have been labelled unsatisfactory by an Ofsted inspection. If the Welsh Office says that everyone, without exception, misunderstood what it published about its scheme, it is just trying to wriggle out of the fact that its scheme is unpopular in Wales.

The inspectorate in Wales carried out a thorough investigation. The report of the Select Committee on Welsh Affairs made it clear that, having asked hundreds of questions of people who submitted evidence to it, there was no evidence to suggest that anyone in the Welsh Office had thought that the scheme was the way to fill in the 5 per cent. of places not yet provided in Wales. I hope that, even at the eleventh hour, the Minister will admit that the Welsh Office was grabbed by the scruff of its neck and dragged into the voucher scheme, come hell or high water, so that the bad record of English Tory councils was not over-exposed in the debate on how to improve provision.

I hope that the Minister will accept that Welsh county councils have an excellent record of provision and that the nursery voucher scheme will make no improvement that could not be achieved more cheaply and effectively, simply by providing the money directly to the local education authorities of Wales.

Mr. David Hanson (Delyn): I must place on record the excellent service that Clwyd county council provides in nursery education in my constituency and that of the hon. Member for Clwyd, North-West (Mr. Richards), the Under-Secretary of State. Clwyd county council provides nursery education for three and four-year-olds at an almost universal level. The amendments in the name of the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) provide what is needed by my constituents and by people throughout Wales. There is no desire in Clwyd—indeed, in Wales—for any nursery vouchers. There is universal nursery education provision, and the people do not want and do not need the Government's scheme.

I have been astounded at the level of opposition to nursery vouchers in my constituency and throughout the rest of Clwyd. Political parties are often accused of stirring up issues, but I can honestly say that parents, parent-teacher associations, school governing bodies and

[Mr. David Hanson]

local authorities feel strongly about—and are even resentful of—the actions of the Welsh Office in proceeding with the proposal.

A couple of weeks ago, I received a 1,000-name petition from parents at Greenfield primary school in my constituency. Next Friday, I am going to Ysgol Glanrafon to receive petitions from parents in Mold. Next Monday, I am to receive a petition from every school in Flint. Those are not the actions of people who are politically motivated, but the actions of those who seek to defend the nursery education that their children have received for future generations.

The Minister should know about nursery education in the county of Clwyd; he represents one fifth of that county in the House. For him to come to the House tonight to argue against the hon. Member for Ceredigion and Pembroke, North is to put in danger the nursery education that is provided in that council at an almost universal level.

There is a genuine fear among parents of children—both those who are at nursery school now and those who are rising to go to nursery school in future—that the voucher scheme will destroy all that is good about nursery education. It will not add anything to nursery education in Wales but will put at risk all that is good.

I plead with the Minister to accept the amendments and reconsider the issues. I see that he shakes his head, but he will reap the rewards of the amendment when he comes before the people of Clwyd, North-West at the next general election. When he does so, I feel sure that the local Labour candidate will prise from him the seat that he holds today. People in my county demand and need nursery education, and the Minister should accept the amendment.

8.15 pm

Mr. Richards: If I were the hon. Member for Delyn (Mr. Hanson), I should be looking over my shoulder, because Councillor Karen Lumley will soon be upending him at the next general election.

If ever there was a group of amendments that was politically motivated, this is it. I say that to the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) in all honesty and seriousness because, as he said, this is a matter of principle for his party. I sympathise with him politically, because his party makes no secret of the fact that it wants independence for Wales in all things—education, nursery voucher schemes and the rest. I respect him and his party for the unequivocal position that they adopt across the spectrum of political life. That is more than I can say for the Labour party.

I have looked at all the amendments, including amendment No. 17, and I have found that neither the hon. Member for Bridgend (Mr. Griffiths) nor any of his Front-Bench colleagues who speak on Welsh affairs have put their name to any of the amendments. That is the party that wants an assembly in Wales to discuss Welsh affairs—its policy on the subject does not bear scrutiny.

The hon. Member for Ceredigion and Pembroke, North raised some serious points. He asked about monitoring the effects on Welsh-medium education—to which my answer is yes. He then asked how the Government would meet the wishes of Welsh parents with regard to nursery education—my answer is that the proof of the pudding is in the eating. We shall offer parents the choice, so we shall discover whether we are meeting their needs in terms of the provision of nursery education.

The hon. Gentleman spoke about resources and raised the issue of capital funding. The Government will not be providing capital funding directly, but the voucher scheme contains an element for capital funding. If the hon. Gentleman thinks about it, he will see that the voucher scheme offers an income stream, against which providers can borrow.

Opposition Members continually talk about new build. As they have all been involved with Labour-controlled authorities, they can think only in terms of new build, but the voucher scheme—the income stream that it offers—does not necessarily mean new build; it can mean adapting or refurbishing buildings that currently provide nursery provision.

I shall talk later about the Select Committee on Welsh Affairs, about four-year-olds and about the proposal's alleged effect on nursery provision for three-year-olds. Today Opposition Members have told us that there is no need for a voucher scheme in Wales and that there is already excellent provision for three and four-year-olds. The Opposition have asked why we should have additional bureaucracy; they have said that the cost of administration will be handed to local authorities and that the scheme will threaten provision for three-year-olds and jeopardise LEA planning.

I shall briefly deal with those matters. However, I must point out that we did not hear from any Opposition Members why parents in Wales should be denied the right to choice and to diversity, which are offered in England. Wales has good provision for four-year-olds, with some 90 per cent. of them receiving some form of education in the maintained sector. That is a record of which we should be proud and I congratulate the education authorities in Wales on that.

I am at one with the comments of the Select Committee on Welsh Affairs in this respect: we should not be carried away by that record. The actual provision varies in different parts of Wales—from 75 per cent. in Gwynedd to almost 100 per cent. in Clwyd and West Glamorgan. Even when local authority provision is at the highest level, that does not mean that parents necessarily have much choice about the sort of provision that they can have for their children.

The Government's commitment to extend nursery provision to all four-year-olds goes hand in hand with their wider policy of increasing parental choice and diversity of provision. Not only are we seeking to achieve 100 per cent. provision in Wales, but we want it to be achieved in a way that gives parents much greater scope in the type of provision that they can choose for their children. In that, there is no difference between England and Wales. That is what has led us to bring forward the voucher scheme; that is why we are determined that parents in Wales should not be denied the opportunities being offered to people in England and elsewhere in the United Kingdom.

Several Opposition Members have expressed opposition to the voucher scheme. Why is there significant opposition to the voucher scheme in Wales? There is a significant amount of misunderstanding about

the proposals. That is hardly surprising, given the scaremongering tactics of, and misleading material distributed by, what might be considered responsible bodies. It is little wonder that parents put their names to petitions and to pro forma letters that are printed by the hundred by schools when local education authorities encourage them to do so.

Bodies such as the Carmarthenshire Head Teachers Federation and the Clwyd Federation of Primary School Head Teachers have sent letters and material to parents in schools that are blatantly misleading, suggesting that LEA schools will be obliged to move from full-time to part-time provision, that parents will have to pay to make it up to full-time provision, that school budgets will be cut and that provision for three-year-olds will be reduced. That is misleading, mischievous and incorrect.

We have been told that the cost of administering the scheme—in effect, the contractor's cost—could have been given to LEAs to top up existing provision to achieve 100 per cent. cover. Why do Opposition Members think that only the LEAs have the right to provide education for four-year-olds, that LEAs always know what is best for children and that parents should meekly accept what is on offer and be grateful for it? I repeat, for the benefit of Opposition Members, that the Government believe in choice for parents, but that there is a price to pay for giving them that choice—and that is a price we are prepared to pay.

I refer to the threat to provision for three-year-olds. The threat is in the minds of those who conceive the voucher scheme only as a means of depriving local authorities of funding, of those who still do not seem to comprehend, despite all the assurances that we have given, that we will transfer no more than the value of the voucher—£1,100—from local authority funding per four-year-old place. I remind hon. Members that LEAs can continue to spend more than £1,100 per four-year-old place if that is what they want, and the funding made available for three-year-old provision will not be affected. There is no reason why the voucher scheme should affect provision for three-year-olds.

Any thinking LEA would say to itself, "If we increase the provision for three-year-olds, surely that will lead them to continue in the maintained sector when they become four-year-olds." In other words, there is an incentive for local education authorities to increase the provision to three-year-olds.

I welcome the report of the Select Committee on Welsh Affairs. It has made many interesting comments and I congratulate it on considering the voucher scheme thoroughly and expeditiously. I shall comment on its report in due course. I do not agree with what the hon. Member for Ceredigion and Pembroke, North has said. I do not agree that the Select Committee's conclusions and comments on the voucher scheme are devastating.

I refer to the issue of a separate pilot phase for Wales. The hon. Gentleman must understand that the purpose of phase 1 of the pilot scheme was to look at procedures and mechanisms for the voucher scheme, and no more than that. We can learn as much from phase 1 in England as we could have done had we had a phase 1 in Wales. I made it perfectly clear, as did my right hon. Friend the Secretary of State for Wales, that had anyone come forward and offered to run the pilot scheme in Wales, we would have seriously considered the offer. However, because of the political control under which, sadly, local education authorities operate in Wales, no one came forward and offered to run a pilot scheme.

Mr. Dafis: Is the Minister saying that the only purpose of the pilot scheme in England is to look at procedures, not to look at the effect of the voucher scheme on existing provision? The second factor ought to be a part of the consideration for the voucher scheme. If it were the case, there would be every justification for having a pilot scheme in Wales.

Mr. Richards: The primary purpose of the pilot scheme is to look at procedures and mechanisms for implementing the voucher scheme. Clearly, there are secondary issues, such as monitoring of the impact of the voucher scheme. That is self-evident. That gain is external to the introduction of the voucher scheme.

I urge hon. Members to reject the amendment.

Mr. Dafis: I am disappointed that the Minister has not been prepared to make any concessions, particularly on the pilot scheme. I trust that that issue can be proposed and discussed in another place. I hope that there is more flexibility at that time. The Government ought to listen carefully to informed public opinion in Wales and provide us with that significant concession. Having said that, and in the full confidence that the matter will be discussed in the other place, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 27, in page 1, line 9, leave out from 'for' to end of line 16 and insert

'children (whether at schools or other premises)—

(a) before their first school term starting after their fifth birthday (or, if they do not attend school, before such broadly corresponding time as may be prescribed), but

(b) after such earlier time as may be prescribed (whether by reference to their having attained a particular age or any other circumstances).'.

No. 28, in page 1, leave out lines 17 to 21 and insert—

'( ) Grants may be made under arrangements under this section—

(a) to local education authorities in respect of nursery education provided at schools maintained by them, and

(b) to authorities and other persons of such descriptions as may be prescribed in respect of nursery education provided by them.'.—*[Mr. Brandreth.]*

Clause 3

Requirements

Mr. Spearing: I beg to move amendment No. 42, in page 2, line 18, at end insert—

'(4) Such requirements shall include a duty upon an authority or other person to whom a grant is paid to publish the criteria for admission to any education provided by them by virtue of any grant under this Act, including any fees or supplementary payments relating to the admission of any child.'.

This is a new subsection to clause 3, which relates to requirements that the Secretary of State may put on providers of the new so-called nursery education, which we know will not quite appear as it does today. Optimism was expressed time and again by the Government in

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Committee as to the providers who will emerge—I will not say from the woodwork, but from the ground or from wherever—to provide all the necessary places for those who may be eligible for vouchers. At no stage have the Government told us how this will happen. In a written answer to my hon. Friend the Member for Sheffield, Brightside (Mr. Blunkett) on 15 January 1996 at column *471*, they provided a table showing the large number of new places that would be necessary in addition to those that already exist in maintained nursery schools, in maintained classes and in reception classes of primary schools.

It is true that there will be some existing private places in various areas, but the figures are extraordinary. In Norfolk—one of the counties under test, and the only one outside London—there are places for at most 40 per cent. of four-year-olds now, which means that at least half the children aged four in the county will require new places as soon as the next school year. Unless my figures—which I obtained in answers to parliamentary questions—are wrong, about 10,000 places will be required in Norfolk alone.

8.30 pm

There may be a deficit. Perhaps fewer providers will present themselves. In time, the number of providers may increase, but we do not know. We also do not know who they will be. They might be firms from abroad; they might be supermarkets. If Compagnie Générale des Eaux can own what was the London and Brighton Railway, I suppose that it can own Brighton and South Coast Schools plc—I do not know, but it is all within the ambit of the legislation.

Importantly, there may well be an initial deficit of places, in which case it would be possible for certain things to happen. I asked the Secretary of State for Education and Employment:

"what guidance she has given to accepted, or potential providers of early-years education concerning selection of children, or parents, holding vouchers relating to them, when valid applications for places exceed the capacity of the settings they are authorised, or able, to provide"—

the settings being the various types of accommodation and teaching available to pupils. The answer—from the Minister of State, as it happens—was thus:

"Places will be allocated according to providers' admissions criteria which they will be required to publish."—[*Official Report*, 7 March 1996; Vol. 273, c. *348*.]

In other words, it would be possible for an admissions criterion to be a fee or an additional fee or the provision by parents of additional sums of money for this, that or the other—which, alas, happens all too often in our existing maintained schools.

I am therefore proposing amendment No. 42, which makes the following important provision:

"Such requirements shall include a duty upon an authority or other person to whom a grant is paid to publish the criteria for admission to any education provided by them by virtue of any grant under this Act, including any fees or supplementary payments related to the admission of any child."

I should have thought that the amendment would appeal to the Conservative party and the Government, purely on the ground that, if those conditions are available to the provider, as the Minister has said, and if there is a possibility—so far as I can see, there is nothing to prevent it in the Bill—of fees or supplementary payments being charged, they would want the parents to know, would they not?

This is all about parents' choice, the choice of the different settings and the different qualifications of the teachers and all the great choices that will now be laid before us—a feast of educational choice, according to the Minister and all the apologists for the scheme. We must therefore have information as to whether there are any additional payments. I should have thought that the Government would welcome the amendment on those grounds alone—giving freedom of choice to parents who hold vouchers. Many people may be disappointed because a voucher does not mean a place. It was said in Committee that any fee or additional payment should be advertised, and there should be a provision in the Bill to show that it is a duty of the provider so to publish.

Mr. Richards: The amendment seeks to ensure that providers covered by the grant arrangements publish their admission policy, and fees relating to admission, as a requirement of grant.

We have already made clear our commitment, as set out in the next steps document, to make it a requirement of grant for providers to publish information for parents. I refer the hon. Member for Newham, South (Mr. Spearing) to pages 16 and 17—especially page 17—of that document. This is important, as it will enable parents to make informed decisions about their preferred choice of provider, and help to lever up standards. The document includes a list of information that providers will need to cover in their prospectuses, which includes the admission policy and, where applicable, the fee policy. Similar requirements will be applied in Wales.

I do not think, therefore, that the amendment is necessary. We are committed to ensuring that providers publish such information for parents, but it would be inappropriate to include that type of detail about the nature of the requirements of grant on the face of the Bill.

I urge the House to reject the amendment.

Mr. Spearing: The Minister's answer is extraordinary because, in the course of very few sentences, he contradicted himself. He referred to the so-called next steps document and pages 16 and 17, where there is a heading "Information for Parents". On page 17, it does say "fees (where applicable)" but if it is so important, why is it only in those guidelines? We have heard about guidelines before. If it is so important, and if parents are so important, and all this information is so important—especially on matters of the pocket, of supplementary money—self-evidently it should be in the Bill and thus in the Act.

I find the Minister's response so astounding that I am sure that the matter will be discussed at another time and in another place, where there is more time to go into it. I therefore beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 6

POWER TO BORROW

Mr. Kilfoyle: I beg to move amendment No. 15, line 36, at end insert—

'(3A) The Secretary of State may not give consent under subsection (6) of section 68 of the Education Act 1993 unless he is satisfied that—

(a) the school will be able both to repay the sum borrowed and to pay interest thereon without recourse to additional grant from the funding authority for schools; and

(b) the borrowing is not to be secured against core fixed assets

and he shall by regulations specify the definition of core fixed assets for the purposes of this subsection.'.

The amendment seeks to safeguard grant-maintained borrowing. That raised much raucous laughter in Committee, because members of the Government could not understand how we would wish to protect the interests of schools that may or may not have opted for grant-maintained status but necessarily remain part of the educational fabric and will shortly be integrated into a new framework of local management of schools.

The amendment seeks to place on the face of the Bill safeguards that were set out in the earlier consultation on that issue by the Department for Education and Employment, for which the Government repeated their support in Committee.

Mr. Pawsey: May we tease the hon. Gentleman to say a little more about the way in which grant-maintained schools will be reintegrated?

Mr. Kilfoyle: It is a very simple matter, which we have well rehearsed on the Floor of the House and in Committee. The hon. Gentleman well knows that we propose a tripartite system of schools—community schools, aided schools and foundation schools—and that grant-maintained schools will be part of that. We are great advocates of that; we are not great advocates of a status that advantages a small number of schools to the disadvantage of many.

In Committee, while expressing support for the underlying objectives of such safeguards, Ministers argued that advice to the Funding Agency for Schools on considering applications—through a remit letter, whatever that might mean—would set out those safeguards and that it would be best to leave decisions to administrative discretion in the light of specific local circumstances rather than set out the safeguards in legislation. Indeed, we have been told several times that that will include a requirement for grant-maintained schools to prove their case first to the Funding Agency for Schools.

Opposition Members should be forgiven if we take such assurances with a large pinch of salt. I, for one, recall the assurances that the Opposition were given that grant-maintained status in itself would not be extended to schools that were due to be closed under the surplus places proposals, but that somersault took place in the face of a decline in the number of applications for grant-maintained status at that time. While that programme continues to grind to a halt, a desperate Government are liable to do anything to encourage schools to become grant-maintained.

The amendment provides an opportunity to probe further into the nature of the remit letter and what factors the Funding Agency for Schools for England should bear in mind when considering whether assets are core assets. It will also provide an opportunity to explore the links between core assets and the new Education (School Premises) Regulations, which were approved yesterday against strong opposition from Labour Members. We argue that links between the two proposals are indissoluble.

On the question of the relevance of inserting these safeguards into legislation, it might be sensible to stress that little should be left to chance when defining the terms under which such borrowing can take place because we are dealing with the future of education for the nation's children. Placing conditions in the Bill will help to ensure that there is no abuse of borrowing arrangements, and that the effect on children's education will be limited. At the very least, this debate will provide useful material in *Hansard* for hon. Members to digest and it should provide some further insight on the status of a remit letter.

I do not mean to suggest that there will be any impropriety by schools, but some school governors might feel that they can embark on a set of proposals for which they are particularly ill-suited because they do not have the depth of experience or knowledge. We examined that possibility in great detail in the debate. I expect that the Minister will come back on that and say that that is the role of the FAS, but many Opposition Members would argue that that agency is very partial when it comes to reflecting the whims of Government policy.

The Under-Secretary of State's contributions on core assets in the Standing Committee were less than clear. He argued that there was a proposed working definition of core assets, covering those that are

"essential to a school's function or needed to meet statutory requirements."

He then explained the problem of providing such a definition because circumstances in schools varied—of course they vary. The FAS should decide instead on a case-by-case basis, though he suggested two rules of thumb:

"Is the asset essential to allow the school to meet statutory requirements? Is the asset essential to its functions in other respects?"

Later still, he suggested:

"The starting assumption of the Funding Agency for Schools for England is that all school buildings are core assets. It would be open to a school to argue when it submits its loan application to the FAS that particular buildings are not essential to the school's functioning".—[*Official Report, Standing Committee F*, 22 February 1996; c. 406-7.]

Which is it to be? Who will decide—the FAS or the school itself? How will a remote body, such as the FAS, be able to assess whether a school's assertion that an asset is not essential is accurate? Should not the views and advice of parents, governors and the local education authority—which would still have an overarching responsibility in the vast majority of local education areas—be sought? Would it not be more sensible to set out in regulations a framework against which applications should be judged? Could not that include some scope for local discretion?

We believe that it would be far better for the legislation to go further and spell out detail along the lines set out in the earlier consultation. When the Minister responds and

[Mr. Kilfoyle]

defines core assets, perhaps she will tell us which of the following, many of which I adumbrated in Committee, are open for use as collateral: classrooms; subject rooms such as art, drama, photography and history rooms; common areas such as assembly halls and gymnasiums; common open areas, including those that are planted with grass or landscaped, and car parks; playing fields; playgrounds; office accommodation for senior staff, which is particularly appropriate because we expect that there will be more administration, whether in grant-maintained or locally managed schools; and staff rooms and rooms made available to sixth formers or to pupils for club activities—we know that such provision was singularly lacking in the regulations passed yesterday, but there are still references to that type of provision in the guidelines.

8.45 pm

Could any of the following be used as collateral: accommodation for caretakers and other staff, science laboratories, technology rooms and workshops, audio-visual and theatre facilities, swimming pools or libraries? The list is endless. We would like the Minister to tell us which of those core assets will covered by the legislation.

I should like to tell the Minister about three of my recent experiences in schools while travelling around the country. I do not expect her to comment on individual schools, and I know that she has already declined to comment on one, for very good reason, but I think that my experiences can serve as good illustrations of the problems that schools face.

The first school was the Monk Fryston Church of England primary school, in the Selby area of Yorkshire. That school was originally built for 40 children, but it now takes in 120 children. We can argue all we like about the way in which one classroom serves as the school hall, gymnasium, dining room and storage room, or about the overcrowding of the various facilities there. Outside that school, however, encroaching on the playgrounds—which were conveniently taken out of the Education (School Premises) Regulations last night—are demountables. Are they core assets?

As I mentioned demountables, the second example came to mind. Last Friday, I was with my hon. Friend the Member for Halifax (Mrs. Mahon) at Sowerby Bridge high school. I have also noted what the hon. Member for Calder Valley (Sir D. Thompson) said in the debate about the time when he was education chairman for Calderdale, when that school was pleading for new demountables, some of which had been there for 40 years as temporary accommodation. The hon. Gentleman was subsequently elected as a Member of Parliament, and he has presumably failed to advance the case of that high school and its problems with its 13 demountables. Are they core assets? I doubt very much whether Sowerby Bridge high school could deliver the national curriculum without those demountables. Are they permanent features?

The third example is probably one of the strangest I have encountered, and I have travelled to many schools. I was recently at a primary school in Gravesham, which is adjacent, on a very large site, to a grant-maintained secondary school. The peculiarity is that the primary school is on one part of an open site. After a forced route march, one gets to the other half of the school, which is part of a quadrangle, three parts of which belong to the secondary school. That is a grant-maintained school. One has to cross the playground to get to the primary school. I wonder which is the core asset. We know that, under the minimum space regulations, schools have been allowed much latitude in terms of playgrounds, but is the playground a core asset? Is it a core asset of the secondary grant-maintained school, or is it a core asset of that primary school given that it provides access from one half of the school to the other?

I know that the Minister wants to reply, so I shall conclude soon. We have more than 24,000 schools. We know that only a small minority of them—about 1,100—are in the grant-maintained sector, but policies affecting grant-maintained schools have a habit of being introduced for other schools. I am sure that many of the grant-maintained schools are also in difficult circumstances.

I can foresee that, without a definition of core assets, many problems will arise when loans are taken out on the basis of core assets. I foresee at least two results. First, it will damage the provision of what we term core education and, in particular, provision of the national curriculum. Secondly, unless we are extremely careful, someone else will pick up the tab for it. In Committee, we were told that governors would not be jointly and severally liable, which I accept, but we were also told that no guarantee will be provided by the Secretary of State or the FAS. That being so, and if one cannot convince potential lenders that they have an asset that is a realisable security, why, for goodness sake, does clause 6 provide for such borrowing? We asked the same question repeatedly in Committee. A paradox seems to exist and I hope that the Minister will take the opportunity to explain it to the House.

Mr. Jamieson: My hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle) has clearly marked out the difference between the Opposition and the Government on this important matter. We are in favour of the careful and prudent use of taxpayers' money, but the Government are quite happy about the careless and imprudent use of the exceedingly limited resources for school buildings.

The Opposition know that clause 6 is largely superfluous. I have already spoken to a number of grant-maintained school heads and their governors, who cannot conceive how they will find the money from their revenue budgets to pay back the loans envisaged under the Bill. They do not understand what part of their land or buildings they could use as collateral against such loans.

As I said to the Minister in Committee, even a modest building in a school could cost up to £500,000 to provide. At the very minimum, a school would have to pay back about £50,000 a year out of its revenue budget to finance that building. That is approximately the cost of two and a half teachers. That repayment could go on not just for one or two years but for between 10 and 30 years. Such is the length of time that that school would have to forgo teachers in order to provide for the new building. Unfortunately, the Government are trying to treat schools rather like businesses, but very few comparisons can be properly made.

Yes, we are happy that schools should have financial autonomy, but no, schools do not have an unlimited ability to expand. Of course, schools get most of their money from the public purse.

Mr. Andrew Rowe (Mid-Kent): Will the hon. Gentleman give way?

Mr. Jamieson: Time is short and the hon. Gentleman seems to have just popped in for a few minutes, so he will understand why I will not give way to him.

The amendment would ensure, as any lender would in other circumstances, that the borrower could pay back the money. The key question is whether a borrower can pay back the loan and the interest. It seems infinitely sensible to the Opposition that that safeguard should be included in the Bill. We want to know that that borrowing can be repaid without further recourse to other funds that a school may call upon the Funding Agency for Schools to provide.

The amendment would also ensure that the borrowing is not made against core assets. At this stage we need a clear definition of the core assets against which a school cannot borrow. No clear definition is supplied in the Bill. It is important to know that definition because, if a school defaulted on its payments, are we to assume that those assets could be repossessed? Could the bailiffs go into the science room and take the equipment out? Is that what the Minister is suggesting? If not, what is the point of using those assets as collateral? Children's education is far too important to be left to the vagaries in the Bill. We need a clear definition of the core assets.

We are told that the Funding Agency for Schools will consider loan applications. If, once the Bill is enacted, the agency received between 100 and 200 applications, to how much scrutiny would it subject each of those bids? Will it find time to send officials to look closely at a school's buildings and assets to see whether they meet the definition of core assets? Those of us who sat on the Committee considering the Education Bill in 1993 will know that we were told that the Funding Agency for Schools would have a light touch. If it is required to scrutinise in detail loan applications, that is not equivalent to a light touch. For that reason, the Bill needs to contain a clear definition of core assets.

What we need, and, most of all, what parents and governors need, is a yardstick against which the applications will be measured. The Opposition appreciate that the matter is too important to be left to the terms of the Bill as currently drafted. The Bill should contain a clearer definition of core assets. I invite the Minister to make that clear to us now.

The Parliamentary Under-Secretary of State for Education and Employment (Mrs. Cheryl Gillan): The one thing that the Opposition cannot bear is the success of the Government's education policy—for example, on the national curriculum, testing and, in particular, grant-maintained schools. Those schools are successful and well run. They have demonstrated that they know how to use self-governing status wisely. We want to recognise that fact by giving them the additional freedom to borrow money on the commercial market.

Amendment No. 15 would include in the Bill some of the Government's proposed administrative safeguards on borrowing by GM schools. We have made it clear on a number of occasions that those schools will be allowed to borrow only if they can service any debt from their income without prejudicing their main business. I can assure the House that there is no question of the Government making additional grant available to GM schools to allow them to take out larger loans. Recurrent funding for GM schools will continue to be directly related, as it is now, to the funds received by schools maintained by local education authorities.

The other part of the amendment relates to core assets. I can confirm that GM schools will not be allowed to offer core assets—those that are essential to their functioning—as collateral. I am pleased to see that the Opposition have taken on board those proposals and agree with us about the need for safeguards on commercial borrowing by GM schools.

Safeguards are necessary for three main reasons: first, to protect the public interest in publicly funded assets; secondly, to ensure that schools can continue to provide education in accordance with their statutory responsibilities; and thirdly, to maintain public accountability for the use of public funds.

Although we agree with the Opposition about the need for safeguards, we think that applying them in the form implied by the amendment will introduce unnecessary inflexibility. We resisted similar amendments in Committee. We resist amendment No. 15 because we take a sensible and consistent view about what should properly be contained in primary legislation and what should not.

That represents the essential difference between our approach and that of the Opposition. We are in favour of choice and diversity, whereas the Labour party is in favour of uniformity and prescription from the centre. In diversifying circumstances, it is entirely inappropriate for such detail to be prescribed in legislation. We want to leave GM schools the ability to act effectively.

I can understand that the Labour party, which seeks to prescribe a uniform system, would want to enter every small, detailed point in primary legislation. Even if we agree with the general objective, we do not want to reach it by some form of Procrustean bed.

Opposition Members also want us to define in regulations what is a core fixed asset. That is both unnecessary and undesirable, although we understand the concerns that underlie it. Defining core assets in regulations is difficult because the circumstances of individual schools vary so widely.

The hon. Member for Liverpool, Walton (Mr. Kilfoyle) repeated word for word what we said in Committee, so he knows our two simple rules of thumb: whether the asset is essential to allow the school to meet statutory requirements and whether it is essential to its functioning in other respects. I am pleased that he appears to have listened carefully in Committee as he noticed that the starting assumption of the Funding Agency for Schools is that all buildings are core assets.

I hope that Opposition Members recognise that, although we share their concerns about the importance of protecting publicly funded assets, such decisions are best left to administrative discretion in the light of specific local circumstances.

In Committee, Opposition Members produced a number of powerful arguments against their own amendment. They gave us a long list of facilities—

[Mrs. Cheryl Gillan]

including photographic studios, gymnasiums, information technology rooms, assembly halls, sports halls and landscaped areas—that they thought should be defined in regulations as core assets.

We agree that such units may well be essential to a school's functioning, but whether they are or not depends on such considerations as the use to which governors wish to put them and the other facilities that are available on the school's site—in other words, on specific local circumstances. Opposition Members think that photographic studios should be core assets, but what if a school has two? Should they both be core assets? The answer will depend on local conditions and it does not make sense to anticipate all possible contingencies in regulations.

9 pm

I thought that the House would want to know the reason for the legislation, as Opposition Members have asked. They have often alluded to the fact that schools would not want to borrow. I am pleased to say that a school in the south-east wants to borrow funds and extend its buildings and has already, in anticipation of the Bill, had discussions with bankers in principle about a loan. Two schools in the south-east intend to borrow £500,000 each, in both cases to finance the construction of a performing arts centre. Another wants to borrow to improve its sports facilities. A school in East Anglia is currently preparing a substantial project to be financed by borrowing. Another in the south-east intends to borrow money to build a new caretaker's house.

The grant-maintained school movement has been a great success for the Government. Opposition Members take every possible opportunity to try to scupper the grant-maintained movement. To put it into perspective, the hon. Member for Walton has said on many occasions—but it bears repetition—

"The Minister cannot be in any doubt that we"—

in the Labour party—

"have made a firm commitment to abolish GM status because it is not compatible with our new arrangements for schools."—[*Official Report, Standing Committee F*, 22 February 1996; c. 373.]

That is another Procrustean bed.

The amendment is not necessary. It is a mischievous, dog-in-a-manager amendment. The Opposition want to get rid of grant-maintained schools, but they want to spoil them on the way. I urge all my hon. Friends to vote against this useless amendment.

Mr. Kilfoyle: The hon. Lady has evinced on many occasions her interest in all matters concerning the regions of outer space between the galaxies. She has a far more informed knowledge of the core of the galaxy than she has of core assets. It is the height of gall that she should accuse us of having stolen the Government's ideas on core assets.

Conservative Members might argue that we explored GM borrowing ad nauseam. As for the Procrustean beds that the hon. Lady accuses us of desiring, there must be a black hole in my knowledge of Greek mythology. I put it down to the notion that working-class heroes like myself were lucky to find a potato sack on the dock road.

The proposals put forward by the hon. Lady tonight will do nothing to advance the educational interests of the vast majority of our children. More importantly from the hon. Lady's perspective, they will do absolutely nothing to encourage the grant-maintained sector. That is evidenced by its response, which was mentioned on the front page of *The Times Educational Supplement* several weeks ago: less than 5 per cent. of grant-maintained schools bothered to respond. Overwhelmingly, grant-maintained schools were not interested in taking on further debt.

Given the Government's failure to make a clear commitment on what core assets ought to be, so that schools can guarantee the delivery of the national curriculum, we feel impelled to vote for the amendment.

Question put, That the amendment be made:—

The House divided: Ayes 230, Noes 271.

Division No. 83] **[9.04 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Allen, Graham
Alton, David
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Cunningham, Roseanna
Dafis, Cynog
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Garrett, John
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hall, Mike
Hanson, David
Harman, Ms Harriet
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hodge, Margaret
Hogg, Norman *(Cumbernauld)*

Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony

Tellers for the Ayes:
Mr. Robert Ainsworth and Mr. Peter Hain.

NOES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Allison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Deva, Nirj Joseph
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Malone, Gerald
Mans, Keith

Marland, Paul
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stewart, Allan
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Garry Streeter and
Mr. Derek Conway.

Question accordingly negatived.

Clause 7

ORDERS AND REGULATIONS

Amendments made: No. 29, in page 2, line 40, at beginning insert—

'( ) In this Act "prescribed" means prescribed by regulations made by the Secretary of State.'.

No. 30, in page 3, line 5, at end insert—

', and (b) may contain such incidental, supplementary, saving or transitional provisions as the Secretary of State considers appropriate.'.—*[Mr. Robin Squire.]*

Schedule 1

NURSERY EDUCATION GRANTS: INSPECTIONS ETC.

Amendments made: No. 31, in page 5, line 5, leave out

'by regulations made by the Secretary of State'.

No. 32, in page 6, line 6, leave out

'the Secretary of State may by regulations prescribe'

and insert 'may be prescribed'.

No. 33, in page 7, leave out lines 44 to 46 and insert—

'13.—(1) Where a person has conducted an inspection under paragraph 6 he shall make his report in writing to the Chief Inspector within such period as may be prescribed, subject to any extension not exceeding three months which the Chief Inspector may consider necessary.

(2) Once the report of an inspection has been made to the Chief Inspector under sub-paragraph (1) he shall without delay send a copy of it to such authorities and persons as may be prescribed.'.—*[Mr. Robin Squire.]*

Schedule 2

NURSERY EDUCATION GRANTS: DISCLOSURE OF INFORMATION

Mr. Spearing: I beg to move amendment No. 43, in page 8, line 26, leave out from 'Office' to end of line 29.

The amendment, which perhaps was missed in Committee, might be described as a gentle probing amendment. It proposes the deletion of paragraph 1(1)(b), which states that the schedule applies to

"any person exercising any function by virtue of section 2 and any persons who are employed by (or are directors or other officers of) any such person or who carry out the administrative work of any such person."

The schedule relates to the disclosure of information about social security.

Paragraph 2 of the schedule states:

"The Secretary of State may supply to any person to whom this Schedule applies any such social security information as the person may require for or in connection with the exercise of any function relating to grants in respect of nursery education."

The Bill is legally interesting: it is written in high legal code. In order to understand what the schedule means, we must find out what persons are involved in section 2—or clause 2, as it currently is. Clause 2 states:

"Arrangements under section 1 may provide for grants to be made, or other functions relating to grants to be exercised, otherwise than by the Secretary of State."

I am glad to see that the present Secretary of State is here, waiting for Third Reading, to which we shall come shortly.

Because schedule 2 gives authorisation to "any person", the Secretary of State and her successors can ask any other person to take over any function relating to grants involving so-called nursery education. That person can be a provider; the provider could presumably be Capita or its successors, or any sub-contractor—if that is allowed in the contract—or, indeed, any number of people. The possibilities are mind-boggling.

That person could be an employee of such a provider of education, a director of a nationwide firm, or—dare I mention it again—of an international firm, who supplies education by virtue of being a provider, whether for one school or for a large number. Schedule 2 empowers the Secretary of State to supply a whole range of people: sub-contractors, providers, some voluntary, some mutual, some, perhaps, private firms, with an unimaginable range

of information relating to social security. Later in the schedule is printed half a page of what will happen to those people if they misuse that information.

I want to know—I think that the Minister can now tell us—why social security information must be disclosed to such a wide range of people. It is unlikely now that even the head of a school—he or she would probably not dream of doing so—has any right to go to the social security office to obtain information about the circumstances of a parent. I cannot see that happening. It may happen, but I very much doubt it. Schedule 2 gives legal effect on a whole range of people who are not professional teachers or members of a local education authority, but who instead can be in a myriad of private firms involved in the execution of this important Bill.

Will the Minister explain why on earth that power is in the Bill? Will it go as widely as I think the Bill suggests? Should it not be cut down a great deal?

Mrs. Gillan: The hon. Gentleman has impressed us throughout the Bill with his concern on many matters, but I often think that he is just a little off beam. We are all concerned to maintain the confidentiality of social security information. It is essential that we exert a great deal of care over the way in which that information is used and who has access to it. That is why schedule 2 makes it an offence to breach that confidentiality and sets out the penalties that would be incurred by anyone who did so.

If the contractor appointed to run the scheme was unable to have access to the child benefit centre database, that would result in a poorer service for parents, the contractor would be unable to offer as much help over the parents' queries and it would take longer for voucher applications to be processed. It could result in more expensive administration. It would require the involvement of the child benefit centre in the administration of the scheme, which would add extra stages to the processing of voucher applications. Finally, it would give us a less secure system, because checks to prevent fraudulent requests for vouchers would be more difficult to carry out.

The hon. Gentleman's amendment would place an unnecessary restriction on the supply of that information and would be detrimental to the administration of the scheme. Therefore, I hope to be able to persuade him to withdraw it.

Mr. Spearing: I said that it was a probing amendment, and the Minister has been partly helpful. I was not deleting the penalties. Far from it; they are essential. It is clear that the administration of the scheme will be very much involved—rather like housing benefit—in the social security system. I put a big question mark over that. It might be necessary to obtain some information relating to social security to avoid fraud, but that is not one of the purposes of the Bill.

I conclude from what the Minister said that schedule 2 is a means of integrating the administration of the scheme, which is complex in itself, with the social security machinery of the locality, or perhaps a wider region, or even a national scale. That is new, and although it may be implicit in the minds of the Department and of Whitehall, it could perhaps be done in a more expeditious and economic way. That matter will engage those concerned in further stages of the Bill. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 34, in page 8, line 30, leave out from second 'information' to 'was' in line 33 and insert

'of a prescribed description which'.—*[Mrs. Gillan.]*

Schedule 3

CONSEQUENTIAL AMENDMENTS

Amendments made: No. 35, in page 11, line 6, at end insert—

'. In section 162 of that Act (provision by local education authority of goods and services in connection with special educational needs), after subsection (2) insert—

"(2A) A local education authority may supply goods or services to any authority or other person (other than a governing body within subsection (1) above) for the purpose only of assisting them in making for any child in respect of whose education grants are (or are to be) made under arrangements under section 1 of the Nursery Education and Grant-Maintained Schools Act 1996 any special educational provision which any learning difficulty of the child calls for.".'.

No. 36, in page 11, line 6, at end insert—

'. In section 305(1) of that Act (interpretation), before the definition of "financial year" insert—

" "the Education Acts" means the Education Acts 1944 to 1996,".

.In section 306 of that Act (index), before the entry relating to "financial year" insert—

"the Education Acts section 305(1)".'.

—[Mrs. Gillan.]

Schedule 4

REPEALS

Amendment made: No. 37, in page 11, line 14, column 3, at beginning insert—

'In section 308(2), the words "(referred to in this Act as "the Education Acts")".'.

—[Mrs. Gillan.]

Order for Third Reading read.

9.24 pm

The Secretary of State for Education and Employment (Mrs. Gillian Shephard): I beg to move, that the Bill be now read the Third time.

The Bill is about promoting choice, diversity and standards in education, and those have been at the heart of the Government's education reforms. I shall deal first with choice. It is parents who know what is best for their children, and it is teachers, parents and governors who know what is best for pupils at local schools. The Bill will, over time, deliver choice to parents who want to give their four-year-olds the best possible start in life, and it will extend the range of options that are open to grant-maintained school governors who want to improve the facilities that they provide for pupils.

Secondly, I shall deal with diversity. In order to have genuine choice, there must be diversity of provision. The Bill will encourage such diversity. It will expand the provision of the good-quality nursery education that parents want in the maintained, the private and the voluntary sectors. It will help to drive up standards by providing good-quality, inspected education with agreed

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outcomes for all four-year-olds, and it will allow grant-maintained schools to build on their individual strengths by acquiring appropriate new assets. In short, the Bill will help parents, teachers and governors to make their own decisions about their own affairs.

I was pleased to note the extent of agreement in Committee and in the House today about the importance of good-quality nursery education. We want a significant expansion of nursery education. Over time, the expansion will lead to a place for every four-year-old whose parents want one, and we have no intention of compromising on quality. We already have the School Curriculum and Assessment Authority's desirable learning outcomes. These goals for pre-school education resulted from extensive consultation and command widespread support among parents and professionals. The Bill contains proposals for an inspection system under Ofsted which will ensure that all providers are working towards those goals.

I note the concerns about staff qualifications, ratios and premises. Those matters are important and nursery education providers are in no doubt about what is required of them, but it will be up to them to decide how to achieve the goals that we have set.

Dr. Hampson: Will there be flexibility about how those standards are determined? Much of our debate on Report was about standards seemingly being related to buildings, the size of the classroom and classroom facilities and so on. In my constituency there are hardly any local authority-provided nursery facilities, and about half of them would not meet the requirements on buildings and classrooms that Opposition Members insisted upon in our earlier debate. I am talking about places that are provided by local authorities in their buildings. We have to acknowledge, do we not, that it is about standards of teaching and not—

Madam Deputy Speaker (Dame Janet Fookes): Order. This is an inordinately long intervention.

Mrs. Shephard: Of course the arrangements will be interpreted flexibly, but it is important that the educational outcomes and inspections are considered and applied with great care because our quality controls are clearly focused on the outcome, which is good-quality education for four-year-olds. That is what matters most and the twin pillars of the SCAA's desirable learning outcomes and Ofsted's inspection framework will help institutions to achieve such quality. Most importantly, the introduction of nursery education vouchers will put parents in the driving seat.

Ms Hodge: In Norfolk after 1 April, when parents, one presumes, have their £1,100 voucher, but find that they have no place, to whom will they turn—to the school, to the local education authority, to Capita or to the Government? Who is responsible for not giving that choice to those parents in April?

Mrs. Shephard: I am sorry to disappoint the hon. Lady, but 388 providers from the voluntary and private sectors are registered for the scheme and there will be 22 new nursery units. Those providers in Norfolk must provide only eight places each to ensure that every child in Norfolk who is eligible for a place but who has no place in local education authority provision will have one provided in the private and voluntary sectors. I recognise that that is a disappointment to her, but that is how it is.

Local authorities and other providers already do much for four-year-olds in a variety of ways. The Bill will not necessarily change the pattern or diversity of provision where that provision is good, where it meets parents' needs and where that is what they choose. Vouchers will be a stimulus to parents and providers alike. It is parents who will choose the right setting for their children. Our proposals will ensure that providers are responsive to what parents want.

One Wandsworth head teacher said:

"This arrangement"—

the voucher scheme—

"pushes me to raise standards. We cannot afford to be lax or complacent. Anything that forces me to give my utmost should be welcomed."

Another said:

"If private nurseries are providing a better quality of education and my parents are looking to go out there, then I want to see what they are providing, and improve my position. That's what it's about. That's what education is about."

Parents naturally have the highest aspirations for their children. Our proposals will allow them to realise those aspirations. Unlike Opposition Members, we believe in fulfilling the aspirations of all parents. In contrast, Opposition Members would deny to other people's children the opportunities that they seize eagerly for their own. When nursery education will be extended for the first time and funded to the tune of a total of £750 million to every parent who wants it in this country, with an inspection framework and with agreed educational outcomes, I find it extraordinary that all we should hear from the Labour party is a collective whine about such education not being confined to the public sector. How well that illustrates that, despite its new designer vocabulary, which extends to knowing the word "diversity", it is still locked in the grip of institutions at the expense of individuals' interests.

Mr. Don Foster: The Secretary of State did not have the opportunity to join us in Committee, but she will have discovered from her ministerial colleagues that, throughout the deliberations in Committee, no hon. Member from either side of the Committee suggested that the state sector was the only way in which high-quality provision could be made. Does she agree that hon. Members on both sides of the House have acknowledged that high-quality provision can be made by a mixture of state, private and voluntary sector provision?

Mrs. Shephard: I am delighted to hear it and pleased that, during a few short weeks, my colleagues have achieved such good conversions among Opposition Members.

We are already beginning to see the fruits of our plans in the four authorities involved in phase 1. Interest in the scheme has been great. In the phase 1 regions, more than 600 private and voluntary sector providers have registered to join the scheme, alongside maintained schools. Of those, at least 40 have no four-year-olds now and will be providing new places. Some 200 providers have

already inquired about phase 2. The helpline has taken more than 20,000 calls from parents and others and some 95,000 copies of the information pack are in circulation.

It gives me great satisfaction that children and parents in those regions will shortly benefit. The first vouchers are already in the hands of parents.

Mr. John Greenway (Ryedale): Does my right hon. Friend share my disappointment that North Yorkshire education authority has not joined the pilot scheme—even though it claims, rightly, that the majority of four-year-olds are provided for in nursery education? Will she confirm that local authority provision is not threatened by the Bill? Does she agree that a written answer by our hon. Friend the Under-Secretary stating that there are still some 880,000 surplus school places shows that there is plenty of capacity for expansion of nursery education in the state system?

Mrs. Shephard: My hon. Friend is right. I am delighted that the time draws nearer for North Yorkshire children and other children and parents throughout England and Wales to benefit from phase 2 of the scheme, under this Bill.

Sir Malcolm Thornton (Crosby): I want to ask my right hon. Friend the same question I asked on Second Reading, in common with other hon. Friends—notably my hon. Friend the Member for Carshalton and Wallington (Mr. Forman), who spoke earlier—about the assessment of phase 1. Will she reiterate her view that there will be genuine assessment; that if there are lessons to be learnt, they will be; and that where something does not work, it will not be imposed in phase 2 without that fact being taken into account?

Mrs. Shephard: My hon. Friend has taken a close interest in these matters. I assure him that we shall evaluate exactly how the scheme works as phase 1 proceeds. I know that my hon. Friend the Under-Secretary has already given an assurance that we shall consider evidence from the inspections when they come on stream this autumn.

I need to make some speedy progress, so I will not take further interventions. I shall also curtail what I had planned to say to give other hon. Members time to speak.

The second part of the Bill concerns grant-maintained schools, which are a success story. There are now 1,100 stretching from Devon to Cumbria. They include schools large and small; primary, secondary and special. Parents from all walks of life make GM schools their first choice. Those parents include several hon. Members—indeed, some distinguished Labour Members—who obviously appreciate the freedoms that enable GM schools to produce such excellent results. It is a pity that their views are not shared by the hon. Member for Sheffield, Brightside (Mr. Blunkett). His plans would destroy the essence of the GM schools that some of his colleagues enjoy. We, on the other hand, have always said that self-governing status would be successful. Parents also say so when they vote for schools to become self-governing, and now Her Majesty's chief inspector of schools has confirmed it.

Since 1989, the schools have built up a well-deserved reputation for high standards, excellence of provision and popularity with parents. That is because they believe in themselves and in what is best for pupils. It is small wonder that the right hon. Member for Sedgefield (Mr. Blair), the hon. Member for Peckham (Ms Harman) and several of their colleagues are queuing up for places at GM schools for their own children. *[Interruption.]* GM schools quite naturally want to provide the best possible facilities for their pupils—*[Interruption.]*

Madam Deputy Speaker: Order. There are too many seated interventions.

Mrs. Shephard: Commercial borrowing will provide additional resources on top of grants already available. Controls on borrowing operated by the Funding Agency for Schools, on behalf of the holder of my office, will ensure that schools are prudent. Subject to those controls, commercial borrowing will enable more capital projects to be supported in more schools. It should also help governors to enter into partnerships with the private sector under the private finance initiative.

Giving borrowing powers to GM governing bodies will bring them into line with other self-governing institutions, such as colleges of further and higher education. It will help them to run their own affairs. It will give them increased power to decide how they want to develop to meet the needs of their pupils and the local community.

The Government's policies have transformed the educational scene. We have driven up standards, increased parental choice and put the power of decision making back where it belongs—with parents, teachers and governors. By contrast, Labour Members say that they support choice—they certainly support it for some. They have learnt how to pronounce the word "diversity". Yet when presented with the chance to give positive support to real choice for all parents and real diversity of school provision, they retreat to the familiar collective protection of the interests of the institution over those of parents and children.

This Bill is about real choice, real diversity and a real increase in standards. That is what Conservative Members believe in. I commend the Bill to the House.

9.39 pm

Mr. David Blunkett (Sheffield, Brightside): In opposing Third Reading, I thank my hon. Friends who spoke both for England and for Wales from the Opposition Front Bench, and also my hon. Friends on the Back Benches, for the excellent way in which they have dealt with the Bill both in Committee and throughout today. They have drawn attention to the fact that where there is no place, there is no choice, and where there is no provision, there is no opportunity for parents to redeem their voucher.

The notion that the Secretary of State has put forward tonight, that this is the first major expansion of nursery education in this country—she has just reiterated it—is a shocking observation which will be resented by parents, schools, other providers and by the local education authorities, most but not all of them Labour controlled, which have expanded the nursery education programme against the vehement opposition of the Government over 17 years.

We have welcomed the Conservative party's conversion, at last, to the idea that nursery education is right for the children of this country and that by expanding

[Mr. David Blunkett]

it we can give children a decent start in life, and build the opportunities and standards that the Opposition have been promoting. In authorities across the country, against the odds, with reductions in budgets and the abuse that we experienced 15 months ago, when authorities were held to account for daring to spend money on nursery education, we have pressed forward with that cause.

To suggest, as the Secretary of State has done tonight, that providing a paper promise is an alternative to expanding real nursery education, is an insult to the British people. They know, as people involved with the pilot projects have discovered, that a voucher does not offer a nursery place in their locality or within their reach.

Instead of proceeding as the Government are doing, we have offered to sit down with the Government, with the Liberal Democrats and with the private, voluntary and statutory providers to arrange for development plans to be drawn up in every local authority in England and Wales to ensure that we provide those nursery places. But the Government have rejected that suggestion, as they rejected every amendment and every effort to try to make sense of a nonsensical Bill.

The Government rejected the proposal that special consideration and weighted provision should be given to children with special educational needs. The right hon. Member for Mole Valley (Mr. Baker), a former Secretary of State for Education and Science, expressed his interest in special needs. I accept his commitment and his belief in the importance of that area—but he of all people, as a former Secretary of State for the Environment, as well as for Education, should know the difference between standard spending assessment and grant, between a myth or a shadow and real resources.

The Government may be able to play ducks and drakes with the British people for one more year, but they will not be able to continue to draw a veil over the eyes of those who will soon see what is being done to them. People will try to redeem their voucher and find that there is no place. As in the pilot projects, people who are already receiving a perfectly decent free place, with highly qualified staff, for their children, and who therefore understandably throw their vouchers in the bin, will not be able to understand why their local nursery school or reception class asks them to fish it out again and present it, so that it can be sent round in a bureaucratic nightmare, to redeem through a chaotic bureaucratic mechanism the same money as is already being provided.

This is the biggest nonsense that the Government have ever invented. They have attempted to create an artificial market where none exists instead of drawing together private, voluntary and local authority providers to plan places. I have to tell the hon. Member for Calder Valley (Sir D. Thompson) that the Government have not planned it in a way that would make it possible to build up places by planning them in neighbourhoods that did not have them and working with parents and teachers in schools to provide them. The idea that a market system and a piece of paper can provide something that people sitting down and working together cannot plan is nonsense. The Secretary of State knows that. It is not only that in its early stages she opposed the scheme, but that her colleagues know that she did.

In the *Sunday Express* last Sunday—*[Interruption.]* That is not exactly known as a socialist newspaper. It said:

"Sources close to Mrs. Shephard say the voucher scheme—launched last month . . . has flopped.

They say that she thinks it is Mr. Major's fault for forcing her to go ahead with the scheme despite her doubts."

It continues:

"'It is the same old story with the vouchers and grammar schools. Some bright spark in Downing Street has a bright idea, but doesn't think it through properly,' said a senior Tory who is close to Mrs. Shephard.

'She warns them of the pitfalls, but they don't want to know. They go ahead and announce it, shove it on her desk, and tell her to get on with it.'"

Mr. Richards: The hon. Gentleman is under-performing.

Mr. Blunkett: I am apparently under-performing because I am quoting the Secretary of State's friends, who believe that she has been dropped in the mire. She was quoted as saying:

"She did not so much want to ring Mr. Blackwell."—

of the No. 10 policy unit—

"She wanted to ring his neck."

One cannot blame her for that when a right-wing Tory could be so indecent and lacking in gentlemanliness as to say that Secretary of State was

"so sopping wet . . . you could shoot snipe off her."

One must know Norfolk and the wetlands to know what a snipe is.

Snipers from the rear, snipers from the left of her, snipers from the right of her. They are all over the place. The right hon. Lady is being shot at by people who know nothing about education and who have, on the whole, educated their children privately. That is why she is so safe. Few of her Cabinet colleagues could dare to take her place. She is pushing forward with something that she does not believe in and knows will fail, but she has been forced to accept it.

Every scheme that the policy unit at No. 10 comes up with is another way of trying to create an ideological divide rather than caring about and investing in the needs of children. We and the British people are sick and tired of ideological experiments and laboratories.

Mrs. Gillian Shephard: The hon. Gentleman talks of splits and divides. Would he like to tell the House where he stands on

"middle class left-wing parents who preach one thing and send their children to another school outside the area"?

Does he have "no truck" with them or has that particular split been healed?

Mr. Blunkett: The difference between me and the Secretary of State is that I stand where I have always stood. I stand for parents, for information, for decent, high-quality provision. Decent, high-quality provision requires a qualified teacher to supervise and organise nursery education.

How can the Secretary of State suggest that she is providing nursery education and expanding the scheme, when she will not accept amendments that ensure that a qualified teacher is in charge of those nursery classes and

can supervise what takes place? I promise the Secretary of State that if the scheme goes ahead without qualified education and provides something that is less than the nursery education that the Prime Minister promised, we shall harry her now and throughout the general election.

We shall also challenge—if necessary, in the courts—the provision of a voucher for something that is not education and should therefore be taxed. In the words of the hon. Member for Buckingham (Mr. Walden), the cost of the scheme is the "dead-weight cost" of providing a subsidy to those already buying private care, for whom the whole of the voucher scheme has been invented. It subsidises the better-off and denies those who need nursery education. It denies those who require special needs provision and provides a shoddy and unacceptable bureaucratic scheme instead of a clear commitment to expanding nursery education for all three and four-year-olds in England and Wales. It is time to put a stop to this nonsense and, instead, join together to co-operate and do what we have offered to ensure that every parent can have the security of a free nursery place for their child.

9.50 pm

Mr. Don Foster: Choice, diversity and standards—that has now become the Government's mantra; but they should recognise that merely repeating the words does not mean that something will happen. The policies that the Government have promoted and their funding regime will not ensure choice, diversity and the raising of standards; the policies contained in the Bill certainly will not do that. Nothing has happened during the Bill's passage to reassure me on the numerous concerns that I expressed when the Secretary of State first introduced the proposals. There has been overwhelming opposition to the proposals contained in the Bill. The Government have refused to listen to any of the voices that have raised serious opposition to them.

The Bill is cumbersome and bureaucratic—a view that is understandably shared by the hon. Member for Meriden (Mr. Mills). As we have seen, the Bill will fail to ensure the rapid provision of the extra infrastructure needed for the high-quality nursery education that we desperately need in this country. It will not provide significant increased provision; it will not boost provision and may even harm what exists for three-year-olds. It will fail to cover the cost of full-time provision, which will mean that the less well-off, who are unable to afford the necessary top-up fees, will receive nothing.

The Bill will fail to provide extra support for children with special educational needs. It will provide nothing for the training of the additional teachers and inspectors; it will fail to ensure that the full evaluation of the pilots takes place before the scheme starts. It will fail to encourage strategic planning and links between education and care provision. In short, the Bill will fail to provide what is desperately needed: high-quality early years education for all three and four-year-olds whose parents want it. How bizarre of the Secretary of State to devote so much of her speech to grant-maintained schools; how bizarre to draw attention to the least successful of all the Government's education policies.

During the Second Reading debate, I argued that the Bill should be rejected because it contained too many blanks; none of those blanks has been filled in. The hon. Member for Meriden feared that the Bill would be another Dangerous Dogs Bill. Just like Sherlock Holmes' famous dog in the night, let us hope that this one will not bark.

9.54 pm

Mr. Steinberg: My hon. Friends and I have long campaigned for publicly funded, high-quality nursery education for all three and four-year-olds whose parents want it. After years of Tory hostility towards nursery education—both here and in Tory local education authorities—the Prime Minister promised us nursery education for all four-year-olds. Every parent of a four-year-old should expect their child to obtain a nursery education which is from a qualified teacher and properly trained support staff, which will allow their individual learning needs to be met, which is in premises suitable to those needs and with sufficient teaching space, which has safe indoor and outdoor play areas and appropriate health and welfare facilities, and which has class sizes and staffing ratios that take into account both educational and child care needs.

However, what have we got? The measures outlined in the Bill, as it stands now, will not deliver high-quality nursery education. Such a system of voucher, pupil-led funding threatens existing high-quality and full-time nursery education, will not guarantee an increase in local provision, will punish those local education authorities that are already committed to expansion and may even reduce provision in some areas. The Bill wastes public money on a private company to administer and to police the system. It also raises expectations of increased choice, which will ultimately lead to parental disillusionment.

According to a parliamentary question that I asked recently, there are 145,000 four-year-olds in the voluntary and private sectors who will qualify for nursery vouchers in the private sector. This is a massive subsidy to the private sector. Many of the parents who are receiving the vouchers are too embarrassed to take the money. Huge sums of taxpayers' money are going into private, profit-making nursery establishments that may or may not give a quality provision.

There is nothing for local education authorities to expand their provision. It is common sense that at the present time a local education authority has only a certain number of places for children—and whether it be many or few, the nursery voucher scheme will not allow them to expand. There is no capital to build. It is impossible to provide places without the resources to do so. In some areas, where there are no or few nursery places in the local education authority sector, this will stay the same and parents can go only to the private sector—parents will not have a choice.

In areas such as Durham, which have good and reasonable provision, the position could be made even worse. Not only will they not be able to expand, but they may lose places. Why? Because money is to be clawed back from the local education authorities to pay for the scheme—clawed back not from those authorities that get under-fives allocations in their standard spending assessment but do not use it for the nursery provision, but from authorities that do use it to provide nursery places. That is illogical and unfair. Durham will lose £2.5 million in the deal. Authorities that provide nursery places will be penalised, and the authorities that do not provide them will be rewarded. Only this Government could be so daft or so sinister. The Bill should be defeated, and I hope that that happens this evening. We shall vote against it.

9.57 pm

Mr. Kilfoyle: I shall plagiarise the marvellous adjective of the hon. Member for Buckingham (Mr. Walden) for the final time: this spatchcocked piece of legislation deserves to go down for a number of reasons. In terms of inspections, it fails in relation to the premises, which seemed to exercise the hon. Member for Leeds, North-West (Dr. Hampson) so much, and it fails in relation to standards. It fails on the commitment—or lack of it—to qualified teachers in all institutions.

The Bill fails in terms of the provision of places, and not only in the 200 black holes identified by the Pre-School Learning Alliance. Conversely, it will damage good providers, whether in Solihull or the majority of Labour councils that make excellent provision. The Bill also fails in terms of children with special educational needs. Despite the arguments of hon. Members, and even the support of some Conservative Members, no concession was made by the Government. Crucially, the Bill fails because it does not properly consider the need for an evaluation of phase 1 before a commitment to phase 2.

The other half of the Bill fails in terms of the facility that is offered for borrowing to grant-maintained schools. It will do nothing to increase provision in the majority of those schools, as they showed by their lack of interest in the proposals. It does nothing to help the vast majority of our schools—the other 24,000. I shall use a fencing metaphor: the Government have approached this with a sabre while we have danced with foils. To put it in a boxing simile: the Government have used brute strength to push through unpopular proposals like a Mike Tyson, while the Muhammed Alis of the Labour party have given them a lesson in the science of dealing with it.

I note the absence, yet again, of members of the Standing Committee. No commitment was made in Committee by members of the Committee, and no commitment has been made tonight by members of the Government, to fair provision for all our children.

I urge the House to reject the Bill.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 272, Noes 238.

Division No. 84] **[10.00 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carttiss, Michael
Cash, William
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'shr)*
Curry, David *(Skipton & Ripon)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McNair-Wilson, Sir Patrick
Malone, Gerald
Mans, Keith
Marland, Paul
Martin, David *(Portsmouth South)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Merchant, Piers
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*

Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Rifkind, Rt Hon Malcolm
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Shaw, David *(Dover)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Soames, Nicholas
Speed, Sir Keith
Spencer, Sir Derek
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stewart, Allan
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Gary Streeter and
Mr. Patrick McLoughlin.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Cunningham, Roseanna
Dafis, Cynog
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Fatchett, Derek
Faulds, Andrew
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hutton, John
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McCartney, Ian
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, Bill
O'Neill, Martin
Orme, Rt Hon Stanley
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Quin, Ms Joyce
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen

Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wigley, Dafydd
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony

Tellers for the Noes:
Mrs. Bridget Prentice and
Mr. John Cummings.

Question accordingly agreed to.

Bill read the Third time, and passed.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation),

LOCAL GOVERNMENT FINANCE

That the Special Grant Report (No. 18) (Grant to the Receiver of the Metropolitan Police District) (House of Commons Paper No. 239), which was laid before this House on 27th February, be approved.—*[Mr. Burns.]*

Question agreed to.

DEREGULATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 14A(1)(a) (Consideration of draft deregulation orders),

CREDIT UNIONS

That the draft Deregulation (Credit Unions) Order 1996, which was laid before this House on 19th February, be approved. —*[Mr. Burns.]*

Question agreed to.

PETITION

Rural Crime

10.12 pm

Mr. Nicholas Baker (North Dorset): I have the honour to present a petition from my constituent, Mrs. Olive May Smith, and others to the House, arising out of an horrific armed robbery on Milborne St. Andrew post office in Dorset in my constituency on 22 December 1995, as a result of which the Smith family suffered serious injuries.

The petitioners ask the House to urge the Home Secretary and the Government, together with the police authorities in Dorset and other rural areas, to target rural crime and to see that police manpower is increased so as to deal with the threats to our community life from violent law breaking of this kind.

The petition has my full support and I am grateful for the opportunity to present it on behalf of my constituents.

To lie upon the Table.

Home and Share Ownership

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Burns.]*

10.13 pm

Mr. David Evans (Welwyn Hatfield): The house-owning and share-owning democracy in which we live has come about through successive Conservative Governments. Before we look at the effect that it has had on our nation and people, we must look back to the chaos of the late 1970s, after five years of Labour Government.

The most embarrassing moment, which made a laughing stock of the whole British people, was when the then Labour Chancellor, Mr. Healey, on his way to Heathrow received a message that the International Monetary Fund was not going to trust him or the Labour Government with any more borrowed money; and that from that moment on the fund would be running the finances of our country. In other words, the country was bankrupt and the receivers had moved in. Britain was broke. The IMF asked the Chancellor to turn his car around since the ticket in his pocket was invalid, as neither he nor the Government could pay for it: "Please return to No. 11 and hand over the keys of the safe." The only thing the Chancellor ever turned around was a 747 going to New York. It certainly was not the economy.

That was just one of the reasons why we needed a Conservative Government—to enable our people to have a stake in their own lives through home and share ownership. I could give 60 other reasons, but I shall list just six.

First, in 1979 there were rats as big as cats running around Leicester square, because the Transport and General Workers Union said that the rubbish was not to be collected. Unfortunately, after five years of a Labour Government, the cats themselves were bedraggled, demotivated and dispirited—rather like the rest of us.

Secondly, we could not bury our loved ones, because the TGWU said that the gravediggers could not dig the graves. Thirdly, all the hospitals were shut to new patients, and urgently needed drugs could not be delivered to other patients because the Confederation of Health Service Employees and the National Union of Public Employees—now parading under the name Unison—would not let anyone cross the picket lines manned by rent-a-mob.

I suppose that nobody will ever forget that lady dying of cancer on the pavement outside Kingston general hospital. This is not new or old Labour: it is Labour.

Fourthly, we had a top rate of income tax not of 40, 50, 60, 70, or 90 per cent. but of 98p in the pound. No wonder nobody bought shares—anyone receiving a dividend would have had to hand it over to the IMF. People say that it will not happen again. They are right—not while we have a Tory Government. But I would not be so sure if that lot over there were ever given power. [HON. MEMBERS: "Where are they?] Not here.

Fifthly, inflation in 1977 was running at 26.9 per cent., and over five years of Labour Government it averaged 15 per cent. No wonder the hon. Member for Dunfermline, East (Mr. Brown) is not prepared to say whether inflation is at the right level, or should be lower or higher. The fact is that, with inflation this low, he is totally bewildered and does not know what to say.

Sixthly, in the 1970s public utilities were losing money alongside the nationalised industries. After privatisation, British Steel leaped from making losses of £1.774 billion in 1979-80 to making profits of £733 million in 1989-90. I could go on and on, but I think that what I have said has set the scene for this debate.

I turn first to Government policies in respect of share ownership. The Labour leader, the right hon. Member for Sedgefield (Mr. Blair), said on 1 November 1987:

"Public utilities like Telecom and gas and essential industries such as British Airways and Rolls Royce were sold off by the Tories in the closest thing to legalised political corruption."

Unlike the right hon. Member for Sedgefield, the Conservative party do not consider selling off those industries the closest thing to legalised political corruption, because it enables employees to share the success of the company they work for.

It is worth noting, too, what the hon. Member for Glasgow, Garscadden (Mr. Dewar), the Labour Chief Whip, said about the privatisation of British Steel. He called it

"a shoddy measure . . . totally irrelevant to the real interests of the industry, and it is based on dogma. The Labour party is unequivocally, implacably opposed to it".—[*Official Report*, 23 February 1988; Vol. 128, c. 238.]

The hon. Member also declared that, if British Airways were privatised,

"it will be the pantomime horse of capitalism if it is anything at all."—[*Official Report*, 19 November 1979; Vol. 974, c. 125.]

It must be the only pantomime horse in history that has proved worth backing. British Airways is now the most successful world leader, with more international scheduled services than any other airline.

Is it not remarkable that the RMT has purchased 7,500 shares in Eastern Electricity, 10,000 shares in Thames Water, and 15,000 shares in British Gas? The hon. Member for Holborn and St. Pancras (Mr. Dobson), in January this year, produced a report on the alleged failure of water privatisation. He declared that his report documented

"the full extent of the failure, waste and greed of water privatisation."

Well, if it was such a failure, why did his union buy 10,000 shares in Thames Water?

The hypocrisy continues. The Labour-controlled local authority pension funds have invested more than £1,000 million in privatised companies. The Leader of the Opposition will be pleased to know that the value of privatised shares held by his local authority, Islington, is more than £24 million. However, that sum pales into insignificance compared with the investment level of South Yorkshire, whose shares are valued at more than £100 million.

Mrs. Teresa Gorman (Billericay): Good God!

Mr. Evans: As with education reform, Labour party members throughout the country are benefiting from the policies of economic reform and privatisation, but they are resolutely sticking to the Leader of the Opposition's line, which is to say one thing and do another.

I am sure that we would all like to know that the RMT sponsors shadow Cabinet modernisers such as the right hon. and hon. Members for Holborn and St. Pancras, for Kingston upon Hull, East (Mr. Prescott), for Garscadden, and for Livingston (Mr. Cook). Another union, the GMB, has bought shares in Rolls-Royce, British Telecom, British Steel and British Airways. The GMB sponsors shadow Cabinet high fliers such as the hon. Members for Dewsbury (Mrs. Taylor), for Eccles (Miss Lestor), for Monklands, West (Mr. Clarke), for Blackburn (Mr. Straw) and for Hamilton (Mr. Robertson).

It is therefore not surprising that the Prime Minister has welcomed those moves—so do I—by stating:

"I am delighted to welcome Islington, Lewisham and Southwark to the stockbroker belt, but it strikes me as odd that the Opposition opposed privatisation . . . and yet they buy shares in privatised companies and enjoy profits from them."—[*Official Report*, 1 February 1996; Vol. 270, c. 1121.]

It is not surprising, however, that Islington has joined the stockbroker belt, since one of its residents is hot-footing it to join the toffs at the Oratory.

As a measure of the success of privatisation, the following facts are of especial interest. One: since privatisation, British Telecom's prices have fallen in real terms by 35 per cent. on average. Two: there is now no waiting list for telephones to be installed. In 1984, there was a waiting list of 250,000. Three: domestic gas prices have fallen by 23 per cent. in real terms since privatisation in 1986. Gas prices in Great Britain are lower than those in Germany, France, Italy, Belgium and the Netherlands, and an additional 1.5 million customers have had their supply connected to the mains since 1986. Four: the average annual household gas bill, including VAT, is down by 20 per cent. since privatisation. Five: the average domestic electricity consumer will pay approximately £2 a week less in real terms in 1996 than in 1994.

The reality is there for all to see. When Labour was thrown out of office in 1979, the nationalised industries were costing the taxpayer £50 million a week in losses—£2,600 million a year. Today, in Conservative Britain, newly privatised industries pay approximately £60 million a week in taxes on the profit they earn in the private sector—£2,000 million a year. Privatised industries, particularly the utilities, gave the public what was for many their first opportunity to be shareholders. Now 12 million people are shareholders.

I am delighted that, in 1984, someone could buy shares in British Telecom for 130p each, and that, 11 years later, in November 1995, those shares could be sold for 414p. People began to believe again that they could have a stake in their country and their future. Had Labour had its way, none of those 12 million people would have had an opportunity to invest in the future. The right hon. Member for Sedgefield talks of a stakeholding nation. I say to him, "Been there, done that, got the T-shirt. Next!"

As for home ownership, we have the lowest mortgage interest rate for 30 years. In February 1979, the minimum lending rate was 14 per cent.; in 1996, most lenders' standard rate is 7.25 per cent. Every 0.25 per cent. reduction in the interest rate, when passed on, means a saving of £6 a month on the average mortgage.

What has home ownership done for this country? Let us start with "An Englishman's home is his castle"—and that undoubtedly goes for the rest of the United Kingdom as well. That is why we do not want Labour to give Britain away to Brussels, as it would. The difference between us and that lot over there is that we stand four square behind the union jack, while they stand four square behind Jacques Santer under the skull and crossbones of Brussels.

[Mr. Evans]

Notwithstanding Labour's total opposition to the right to buy, 1.3 million people who were once downtrodden tenants of the feudal barons of local authorities now own their own homes, and many are still applying to buy them—800 a week, according to the 1994 figures, which are the latest available. That is despite the scare stories from Opposition Members.

We know that Labour fought tooth and nail—Labour-controlled councils, and Labour Members of Parliament—to stop people owning their own homes, although Labour council leaders and Members of Parliament owned their own homes, and, in some cases, had bought their council houses. That is another instance of their saying, "Do as I say, not as I do."

Nothing says that more clearly than the 1983 Labour party manifesto, on which the Leader of the Opposition and his shadow Chancellor were elected to Parliament, which stated that they would

"End enforced council house sales, empower public landlords to repurchase homes sold under the Tories".

Yet, for the umpteenth time, there are U-turns all over the place. The right hon. Member for Sedgefield said, on 5 March 1996:

"I want to set out a picture of housing in which Labour supports the aspirations of the majority of the people to own their own homes."

Do we or the British people believe him? Of course we do not. Why should we? The effect of the Government's policies on home and share ownership has been that we, the people, are once again a proud nation. The Great is back in Britain. We have transformed people's aspirations. They can and do own the houses in which they live. They can and do have a real opportunity to invest in the infrastructure and future of our country. Long may it continue.

Today, people sit in the homes they own, and instead of watching a Labour party broadcast, they turn to the financial page on teletext to see how their shares are doing. They know that, under the Conservative Government, they will continue to prosper and be part of a great United Kingdom.

10.30 pm

The Economic Secretary to the Treasury (Mrs. Angela Knight): I thank my hon. Friend the Member for Welwyn Hatfield (Mr. Evans) for raising such important issues. Is it not noticeable that no Opposition Member cares or is sufficiently interested in this matter to attend this evening—apart from some of my hon. Friends who have decided that they want to sit on the Opposition Benches, just temporarily, for the debate?

My hon. Friend is correct that the reason why home and share ownership is so important, why we believe that these matters are fundamental for the democracy of this country, is that they are important to all our constituents. He was right to remind us of how it used to be. He gave us six reasons. There are many more. If he will bear with me, I shall give another six.

The first, of course, was inflation, which was running at such a rate that it wiped out my grandfather's pension, and no doubt those of many other people of whom hon. Members know. As a country, we were producing goods that people did not want because the quality was not good enough, and at a price that was rising week by week. Taxation was high not only for individuals but for companies as well.

Direct-grant schools, such as the one that I went to, were abolished. Mine was abolished not because it was a bad school but because it was a school that the Labour party was philosophically against allowing in this country. If someone could afford a holiday, it was, perhaps, a week or 10 days in Spain, and only a few pounds could be taken because the currency was in such a bad state.

My hon. Friend is correct to remind us how it was. It is too easy to forget the reality of life under the Labour party. Indeed, he mentioned, in his opening remarks, British Steel, which, in some respects, is a company dear to my heart, because I was running a company whose customer was British Steel when it was a nationalised company. As a customer, it did not pay its bills. It was a poor customer. As a company, it was one of the biggest loss makers of all time in this country—when it was nationalised. As soon as it came into the private sector, we had a steel company of which we could be proud, which produced products that people wanted—an international competitor of world renown. My hon. Friend is right to remind us that that is what it is all about. That is what we stand for as a party. Those are policies that the country wants.

I was delighted to hear my hon. Friend quote some of the tremendous contradictions in what Labour Members say—indeed, what Labour Front Benchers say on behalf of the Labour party. He quoted the rubbish they speak on so many subjects. He quoted many of their predictions that have proven entirely and utterly wrong. My hon. Friend quoted another even more important feature of Labour Members, which is that they say one thing and do another on whatever subject, whether it be education, law and order or the subject he mentioned—pension funds.

It is correct to point out the tremendous advantages of the privatisation programme. It has enabled ordinary people not just to own shares but to take a personal interest in successful major industries. It has played a key role and has resulted in about 13 per cent. of the population owning shares in the privatised companies. Privatisation has meant that inefficient companies that were formerly propped up by the taxpayer are now contributing to the public purse. Companies that were formerly nationalised and poor have become world players. As my hon. Friend said, they are now serving better the home market and the people, whether they are gas, electricity or telephone customers.

Privatisation has resulted in companies becoming net substantial contributors to the public purse, rather than blotting paper that soaked up public money. It has resulted in a real share-owning democracy. British Telecom, British Gas and British Airways are but part of a long list of companies that not only provide a better service but from which, as my hon. Friend rightly said, people have made money for themselves and their families out of owning shares. Customers, companies and constituents all over Britain have prospered as a consequence.

There has been tremendous progress in wider share ownership over the past 17 years. The number of shareholders in the United Kingdom has risen dramatically. In 1979, there were about 3 million, but today there are more than 10 million. More than one in four adults own

shares. In 1993, the last year for which there is comprehensive data, almost half of all those shareholders held shares in two or more companies. These were not one-off shareholders, because they had seen the benefits of shareholding and bought shares in more and more companies. That is important, because it encourages savings, investment and enterprise. It helps people to help themselves.

We saw the need to encourage ownership and commitment in society, and there is true participation in a variety of ways. That is a long way from the so-called stakeholding that was explained by the Leader of the Opposition. *[Interruption.]* Where is he? If shareholding and a property-owning democracy were important to Labour Members, at least one of them would be here, but there is no one on the Opposition Benches to listen to this important debate.

The Leader of the Opposition tripped around the country talking about stakeholding. We can be quite sure that the only stake in which he is interested is the big stake that his party wants in everybody's pocket. Those who want to know who will benefit from that stake in everybody's pocket should ask the unions and the single-issue pressure groups, the bizarre ones. But do not ask the great majority of the people, because they know that, while they will get nothing from so-called stakeholding, they will get everything from a shareholding and property-owning democracy under the policies that have been pursued by our party for so many years.

We have given people the freedom to invest in personal pensions and to take out occupational pensions and other pension plans. That enables them to provide for their independence and their future.

My hon. Friend the Member for Welwyn Hatfield rightly spoke about that other most basic desire that is near to so many hearts—owning one's own home. If he will forgive me, I should like to quote a few statistics. In 1979, there were 11.5 million home owners. In 1985, there were 13.5 million. In 1996, there are more than 16 million—a 40 per cent. increase since 1979.

Every opinion poll on home ownership shows that the vast majority of people still want to own their own home, so we are helping home owners by cutting tax, leaving them with more money to spend as they choose, by reducing unemployment, and by keeping interest rates, and thus mortgage costs, as low as possible. One of the ways in which we are ensuring that more people can, if they wish, own their own home is by reducing unemployment month after month after month.

My hon. Friend is right to introduce the subject of Europe in that context. How true it is that the additional costs that so many Governments place on companies in Europe are resulting in unemployment rising, although it is falling in this country. It is no to minimum wages and to the social chapter, because it is yes to employment, to jobs, to low taxes, to interest rates as low as possible, to home ownership and to those policies that we stand for and that other parties in this country do not. Other countries in Europe have shown the way not to go.

Since the Budget, we have had three reductions in interest rates. Mortgage costs have fallen. The average outstanding mortgage costs about £160 a month. Repayments are at their lowest levels in relation to incomes for more than a decade. Interestingly, a 0.5 per cent. reduction in mortgage rates has a greater effect on the average mortgage than a 5 per cent. increase in mortgage interest relief at source. That is an interesting connection, because it shows just how important it is that we keep interest rates as low as possible.

National average house prices are starting to rise. They have risen for seven months in succession. The housing market is starting to turn around in all our constituencies. Mortgage rates are at their lowest levels since I was 15 years old, and inflation has not been so low since before I was born. I might not be a spring chicken, but I am not an old hen either. If I put those two figures in that context, it shows that we have an economy and we have achieved a position of which we can be proud.

A total of 1.6 million people have bought their own homes through the right-to-buy scheme. We believe in the right to buy. The Opposition parties want to own people's homes, not let people own their own homes. Those parties believe that, if they own a home, they own the soul. We believe that people should have independence.

In the past 17 years, we have taken significant steps to help to create a society based not on soundbites, but on sound policies of ownership, commitment and participation. Our policies on home and share ownership, savings, investment and enterprise have given millions of ordinary people what they wanted for themselves and their families in the United Kingdom in the 20th and 21st centuries. We will continue to do that for many years to come. I thank my hon. Friend for raising this important subject on the Adjournment.

Question put and agreed to.

Adjourned accordingly at seventeen minutes to Eleven o'clock.

House of Commons

Wednesday 20 March 1996

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Housing (Scotland)

Motion made, and Question proposed, That this House do now adjourn.—[*Mr. Conway.*]

9.34 am

Mr. Alex Salmond (Banff and Buchan): I am grateful for this opportunity to raise the issue of housing in Scotland. I suspect that housing is still the dominant issue raised in most hon. Members' constituency surgeries, and the trend has certainly accelerated over the past few years.

It seems to me, as I am sure it does to many hon. Members, that the right to live in a warm, dry and secure home is a basic human right that should be afforded to each and every person in society. The provision of decent, affordable housing is a key factor in determining quality of life, economic well-being and the health of all people. As such, it is the highest priority of the Government and every political party. In securing this debate, the Scottish National party is signalling that housing is and will remain at the top of its political agenda.

A nation cannot ever, to quote the Prime Minister, be "at ease with itself" when people are badly housed and while 500 to 1,000 people sleep rough on the streets of Scotland's cities and towns every night; while last year 40,000 households applied to local authorities as homeless. That figure equates to 78,000 people—about the population of a town the size of Paisley. Nor can the nation be at ease with itself while 150,000 children in Scotland are living in damp housing, where they are at risk from cold-related illnesses such as bronchitis and asthma.

Acceptance of the basic right to a home is one factor that distinguishes a civilised society from a non-civilised society. Decent, affordable housing is also the passport to participation in society. We know that people who live rough on our streets are denied not only the right to a home, but often the right to a job, as well as proper access to the health service and even social security benefits.

Housing authorities are uniquely placed to act as a centrepiece of care in the community. That means more than bricks and mortar; it means taking preventive action and providing community support and strategic planning for people with support needs, not only those living in institutional care but those who are already resident in the community and who require support. If there is to be any hope of meeting the needs of such people, more, not less, central Government funding is required to adjust the housing stock accordingly.

We know from a variety of authoritative sources, and from our experience as Members of Parliament hearing constituents' pleas for help in our surgeries, that the basic right to a warm, decent, affordable home is denied to far too many citizens in Scotland. That is either because they have no homes or because the properties that they occupy fail to meet the most basic housing standards.

Housing problems in Scotland are of a magnitude that can be properly described as a crisis. That is certainly the view of the housing professionals' organisation, the Chartered Institute of Housing in Scotland. In its recent report, "Investing in Scotland's Housing?", it said:

"There is a real crisis of underinvestment in housing",

and it called on the Government seriously to address the issue.

The 1996 house condition survey has just begun, so we do not yet know the updated profile of Scottish housing, but it is worth recalling the results of the 1991 survey, for which hon. Members campaigned for many years. It found that one in 20 occupied houses in Scotland—95,000 houses—were below tolerable standards. One in eight homes—267,000 homes in Scotland—suffered from damp. Indeed, more than a quarter of Scottish households—392,000 homes—were affected by damp, condensation or mould. Shelter in Scotland has estimated that, today, about 186,000 households are on council house waiting lists in Scotland—about one third of the total council house stock, compared with one seventh in 1981.

Over the past few years, the realisation has dawned that the crisis in Scottish housing is not confined to urban areas—it extends to rural areas, too. Conditions in rural areas are particularly severe. Between 1985 and 1995, rural homelessness increased by 154 per cent. A report to be published in the coming week by Shelter will expose the extent of rural housing problems.

Figures for the number of houses that are below the tolerable standard are now highest in rural areas. I see the hon. Member for Argyll and Bute (Mrs. Michie) in the Chamber. I am sure that she is aware that 24 per cent. of houses in her constituency are below the tolerable standard, which is the highest of any area bar the Western Isles. On average, rural houses are 50 per cent. more likely to be affected by dampness. One in six homes—63,000 in rural areas—have a dampness problem, and that proportion rises to a third of all homes in the privately rented sector in rural areas.

If we examine the Government's response to the housing crisis in rural and urban areas, we find that it simply fails to match the scale of the problem. In fact, Government policy has contributed directly to making matters worse in many respects. They have slashed housing expenditure, which in turn has led to a decline in investment. According to figures from Shelter, between 1989-90 and 1995-96, capital investment in housing fell by 26 per cent. in real terms. If investment had been maintained at 1989 levels, an additional 27,000 affordable homes could have been built during that period.

The total level of housing support grant made available to Scottish councils next year will be a paltry £19.4 million, compared with £228 million in 1981. The scale of that cut testifies to the savage onslaught that councils, as housing providers, have suffered over the past decade at the hands of the Government.

All sectors of public provision—council housing, Scottish Homes and housing associations—are facing massive cuts. According to the Chartered Institute of

[Mr. Alex Salmond]

Housing in Scotland, housing expenditure faces an overall cut of 22 per cent. in 1996-97. Local authority allocations will be cut by 17 per cent. in cash terms, and that is certainly not enough to tackle housing stock disrepair or homelessness. The Scottish Homes budget is to be cut by £55 million—a 21 per cent. cut in real terms—which will severely and seriously reduce the development programme for housing associations and co-operatives.

Yesterday, I had a series of meetings with housing associations and campaign groups in Scotland. One of the points that each of them made related to their resentment that the cut in the Scottish Homes budget did not receive the same publicity or interest as a smaller, although equally undesirable cut in the Scottish Enterprise budget. They took that as a signal that housing is currently not a sufficiently high priority in the political debate in Scotland. I hope that this debate and hon. Members' speeches will redress part of that impression.

Last year in the Scottish Grand Committee, the Minister's predecessor, now the Minister of State, Scottish Office, assured my hon. Friend the Member for Angus, East (Mr. Welsh) that

"There will be more than £2.8 billion for housing in the coming three years."—[*Official Report, Scottish Grand Committee*, 3 May 1995; c. 8.]

I shall be listening very carefully to hear whether the Minister cares to repeat that that is still the target for the next three years. Many housing organisations say that that target will not be met.

Across Scotland, investment in council housing will decrease by at least one fifth. Capital allocations for Scottish local authorities totalled £423 million for 1995-96, which was made up of some £254 million in receipts and £168 million in borrowing consents. That was an 8 per cent. reduction in cash terms and an 11 per cent. reduction in real terms for the year.

Scottish Office cuts in housing investment in the coming financial year will exacerbate the problems that councils will suffer because of the shortfall in receipts. Tenants who live in the poorest housing and who have the lowest incomes—those whose homes need essential repairs or who need a home itself—will lose the most. The survey on capital allocations found that 30 out of the 42 authorities that responded are experiencing a shortfall in receipts this year. Due to a reduced number of houses being bought through the right to buy, local authorities will have a shortfall of at least £33 million in capital receipts this financial year.

Local authorities will, of course, now be required to use 25 per cent. of receipts to help pay off the housing debt, rising to 50 per cent. in the following year. In itself, paying off that debt will take millions of pounds out of housing provision in Scotland. The Chartered Institute of Housing reports councils as summarising their situation as follows:

"Contracts may have to be postponed, rewiring will have to be deferred as will heating replacement. The start date for projects will have to be delayed, which will also impact on spending for 1996-97. Authorities modernisation programmes will have to be curtailed."

In the new Aberdeenshire council, my new local authority, it is estimated that investment will decrease by at least 32 per cent. in real terms. In 1997-98, further investment cuts of 17 per cent. are planned.

The approved development programme for Scottish Homes has been slashed from £325 million to £280 million. That will mean that the number of housing association starts will be cut from 9,000 in 1995-96 to just over 6,000 in 1996-97, a reduction of one third. In other words, 3,000 families who would have been adequately housed are set to lose out in the coming financial year because of cuts in the programme.

As a result of funding cuts, there is pressure on housing associations to increase the percentage of private finance and to decrease quality, leading to higher rents and increased long-term costs. The Government are proposing to sell the UK loan book to the private sector. One of the questions that I should like the Minister to deal with today is whether the Scottish Office will support a separate sale of the Scottish loan book, thereby opening the door to at least the possibility of Scottish housing associations buying out their own debt.

As I said, yesterday I had the opportunity to meet representatives of housing organisations in Scotland. I met representatives of *The Big Issue*, the Scottish Council for Single Homeless, Shelter in Scotland, the Scottish Federation of Housing Associations and the Chartered Institute of Housing in Scotland. They all agreed that the overriding challenge facing Scottish housing is lack of investment, and each of them argued that the resources available for housing are inadequate to deal with the problem.

Hon. Members will recall that, during the 1992 US presidential election, those working to secure a Democrat victory constantly and famously reminded voters that the major issue in the campaign could be summarised in the phrase, "It's the economy, stupid." The Minister responsible for housing in Scotland should have the phrase, "It's investment, stupid," on his ministerial desk, because that basic political and social fact encapsulates the problem and the solution facing Scottish housing. The Scottish Federation of Housing Associations put the situation rather well in its manifesto, "Putting Housing on the Political Agenda", when it said:

"Housing is a long-term national and community asset. We believe that our current housing crisis will not be resolved until a greater proportion of our nation's wealth is invested in our housing stock."

The short-sightedness in the Government's approach could not be more apparent. They fail to recognise that investment in public housing is not only of social benefit, but almost certainly of economic benefit. In addition, it brings substantial advantages in the reduction of health service costs to the national health service, and has a role to play in reducing crime. Housing is a key factor in economic regeneration, reducing unemployment and kick-starting local and national economies.

The Chartered Institute of Housing has estimated that, for each £1 invested in housing, there is an immediate return of 50p in reduced welfare benefits, increased personal and company taxation and in the generation of local expenditure. Shelter calculated that every house in poor condition costs the health service £300 per year per occupant, putting into stark relief the relationship between poor housing and bad health.

The cost to the national health service of cold and damp housing alone has been estimated at £800 million per year. That figure is for the UK, from the Standing Conference on Public Health working group in 1994.

The average energy rating of a Scottish home, on a scale of one to 10, is only 3.3. I am sure that hon. Members need no reminding that there are 3,000 cold-related deaths in Scotland every year, yet, for a 5 per cent. increase in building costs, we know that energy efficiency can be raised by up to 50 per cent. We also know that asthma directly costs the NHS £437 million, according to current figures, and that that figure is increasing yearly. It is estimated that a further £400 million in lost productivity and £70 million in costs to the Department of Social Security result from the prevalence of asthma.

Much crime and anti-social behaviour such as burglary and vandalism is housing-related. The Chartered Institute of Housing in Scotland, which published "Housing and Crime—How well we are managing", found that a major element in managing crime is partnership with the police, local agencies and community groups, but whether that approach is via management initiatives such as this, security-led initiatives or design initiatives, they all require proper resourcing to have any chance of success.

The Scottish National party offers an alternative, which we think is capable of dealing with the scale of the Scottish housing crisis. We want to establish a Ministry of Housing, to provide strategic policy direction, with a Cabinet Minister with sole responsibility for housing. Our intention is to transfer three quarters of the councils' housing capital debt to central Government over a four-year period, which would release up to £945 million of new resources that would otherwise be spent servicing that debt. At the moment, the bulk of council rent in Scotland goes to paying loan charges from previously accumulated capital debt.

We argue for the replacement of Scottish Homes with a new agency, whose sole purpose would be to provide good-quality housing and a high standard of public sector management. It is remarkable that we have in Scottish Homes one of the few housing agencies in the world whose sole intention and drive seems to be to get out of housing and managing houses.

Through the transfer of capital debt to central Government over a four-year period, Scottish councils would have substantial additional resources to tackle dampness, insulate homes and repair and maintain existing stock, and an additional 10,000 empty homes would be returned to use in that period.

Mr. Matthew Banks (Southport): Let us be clear about this: is the hon. Gentleman saying that the whole of the local authorities' debt in Scotland should be transferred to the national taxpayer, because that debt currently stands at about £1,040 per head of the population north of the border?

Mr. Salmond: I was suggesting that 75 per cent. of the £4 billion of accumulated capital debt should be transferred to central Government over a four-year period. As the hon. Gentleman will know, that will have no effect on the public sector borrowing requirement, as the PSBR is both a local and a national borrowing requirement. The £900 million-plus over four years that I have estimated is the effect of deferred interest will then be paid by central Government.

The hon. Gentleman will recall that when the water services industry in England was transferred to the private sector, a £4 billion to £5 billion debt write-off, or dowry, was awarded to the private companies. Although there has recently been a £700 million write-off of capital debt in the Scottish industry, it has been accompanied by a lowering of the spending provisions, to give no additional resources to the industry in Scotland.

The hon. Gentleman is in a poor position to argue that transferring capital debt—or writing it off, for that matter—is not a viable policy option, when the Government have been keen to adopt it when sending industries into the private sector. We are suggesting that the same mechanism be used to refinance the public sector, without the privatisation process. The hon. Gentleman is probably not aware that the mechanism of transferring capital debt was first suggested by, I think, the late Sir Robert Grieve, one of the great authoritative figures in Scottish housing, in a report on Glasgow housing some years ago. I think that Robert Grieve would have forgotten more about Scottish housing than the hon. Gentleman is ever likely to learn.

With those new resources, we would be able to carry out a substantial programme of new build—perhaps 11,000 new homes, to be developed by local authorities in partnership with housing associations.

I shall soon conclude my remarks in order to allow a number of hon. Members the opportunity to speak, some of whose speeches have, I note, been signalled in the Scottish press. I would not want to deprive readers of the *Evening News* in Edinburgh of the advantage of hearing a contribution from the hon. Member for Edinburgh, Leith (Mr. Chisholm).

I have some specific questions for the Minister. The housing organisations told me yesterday that they were concerned—I am choosing my words carefully—that the Minister with responsibility for housing was about to announce a rough sleepers initiative in Scotland. They were concerned not that he was about to announce the initiative, but because it seemed that the initiative was to have no additional resources, unlike that in England, which received a total of £250 million for London and elsewhere.

Housing associations and bodies in Scotland expressed concern that the Minister was minded to announced a rough sleepers initiative involving the secondment of housing staff from Scottish Homes, but no additional resources. I am sure that the Minister will take the opportunity to allay the concern that he might announce such an initiative without the resources required to make a difference.

I have at various times heard the Minister talk about high public expenditure on housing in Scotland. The argument that anything spent in the public sector represents some sort of subsidy, even when it is not subsidised—by and large, housing in Scotland is not now subsidised because of the decline in revenue support—whereas private sector housing, which is subsidised, and rightly so, does not represent subsidy, is foolish. If he compares the accounts of public housing provision in England and Wales with those in Scotland and removes the capital debt overhang, which, I suggest, would be a good and viable policy option for any Government, he will find that expenditure per house in England is currently higher in the public sector than in Scotland.

I cite figures provided by the Library, which estimates that last year, in terms of housing revenue account expenditure, £2,070 was spent per house in England and

[Mr. Salmond]

Wales compared with £1,680 in Scotland. Given what we know about the quality of Scottish housing stock, is the Minister satisfied that there is such a discrepancy in the public sector between expenditure per house in Scotland and expenditure per house in England and Wales?

Unlike the Government, who take the attitude that anything in the public sector is bad and anything in the private sector is good, the Scottish National party has no ideological bias in favour of any form of housing, public or private. In fact, we should like owner-occupation to be made a lower risk by continuing to allow tax relief, investigating the feasibility of fixed-rate mortgages and restoring grants to those who have the problem of trying to maintain older housing stock in the private sector in durable condition.

I ask the Minister to reflect on the fact that the balance of housing in England has been a severe problem for the English economy. In the boom periods—for example, that of the 1980s—economic expansion was diverted into the housing market, leading to a rapid escalation in house prices, which was, in turn, a contributory factor to the stop being applied to economic expansion. In more recent years in England, the overhang of negative equity has been a feature in depressing consumer expenditure and has led to problems in the English economy.

The Minister might like to reflect on the fact that one reason why the Scottish economy has been performing marginally better than the English economy in the past few years has been that the balance of our housing stock is substantially different. That view was supported in a recent book by Gavin McCrone, the former Scottish Office economic adviser. There is substantial evidence of the advantage of having a balance between the public and private sector, so can it really be a good thing that the Minister with responsibility for housing recently said in Shelter's publication that it was his ambition to have no council houses at all in the whole of Scotland? That is an ideological ambition that bears no relation whatever to what is best for the economy, the housing stock or our people.

No country can rest easily on its wealth and opportunity while its people live in squalor. The SNP has a vision of Scotland—a Scotland of fresh walls and bright windows, a Scotland where homes are free of fungus and condensation, a Scotland where children do not wheeze and rattle. It is a grand vision, but, in a civilised country, it is no more than the people deserve.

Scotland needs a new roof over its head, a roof that keeps each and every citizen dry, warm and secure. Despite the catcalling of the so-called Housing Minister, I suggest that most of us want to get on with the task of building it.

9.58 am

Mr. Phil Gallie (Ayr): One reason why Scots do not face negative equity is connected not with the balance between public and private sector but with their good sense. They did not go mad, as people did in the south-east of England some years ago, and pay massive sums for overvalued properties. Scots kept a balance and purchased at the right level. That is a great credit to all Scots and the fundamental reason why we do not have such problems in Scotland.

Ms Roseanna Cunningham (Perth and Kinross): Does the hon. Gentleman suggest that ordinary people in England and Wales are more stupid than people in Scotland? That is what his comparison implies.

Mr. Gallie: Three, four or five years ago, people in the south-east of England did not use sound judgment. I make no apologies for saying that. Opposition Members are pointing at my hon. Friend the Member for Southport (Mr. Banks). I know that their geography is a bit out, but Southport is certainly not in the south-east of England, on which area the problem centred. It affected not only the people but the housing industry, which became greedy and created long-term problems for itself.

The hon. Member for Banff and Buchan (Mr. Salmond) fails to recognise the massive change in Scotland in recent years. I give credit to the Scottish National party, which, supported by Conservatives between 1977 and 1979 in the jointly controlled Cunninghame district council, pushed ahead with the privatisation programme on council houses. We started the council house sale programme. That is a great credit to the Scottish nationalists and to the Conservatives. We stood out against the Labour party, which was burying its head in the sand. Happily, it has changed its attitudes recently.

There have been massive changes in housing schemes right across Scotland. There is massive investment, not from the public sector, but from private owners—from the individuals in the houses. Council house schemes that used to have an austere feeling about them and looked dull back in the 1960s and 1970s have undergone a massive turnaround. That says much for the Government's policy of selling council houses.

From 63 per cent. of houses being in public ownership, the figure is now about 39 per cent.—a massive turnaround. That is a great credit to Scots, across the board. It has met the dreams of many Scots who wanted to own their own properties. I hope that it will continue. The hon. Member for Banff and Buchan failed to recognise that massive investment. Apart from that, the Government have permitted investment in local authority housing. Some £1 billion will be pushed into local authority housing over the next three years, despite the massive reduction in the number of local authority houses. Since 1979, over £6 billion has been spent on local authority housing. That is a considerable investment, in which the Government can take considerable pride.

In addition, since the inception of Scottish Homes, an extra £2 billion has been put into public sector housing stock. That does not take account of the massive amounts of money from the Treasury and, above all, from taxpayers' pockets, via the housing benefit scheme. A heck of a lot of the cash that has been passed on to local authorities for council housing comes from the benefit scheme. Some 70 to 72 per cent. of local government revenue for local authority housing comes direct from the Treasury or through the benefits budget. That should not be overlooked.

The change in the balance of housing is a marvellous example of devolution in practice—removing the controls of Government, councillors and people interfering in other people's affairs, by passing on responsibility to individuals who want to manage their own affairs. That is real devolution—not creating another layer of politicians, but giving people the right to judge and determine for themselves. Once again, the Government should take great pride in that.

Opposition Members have a misconception about levels of capital investment and the fact that capital receipts from the sale of local authority housing have not been allowed to be passed on to local authorities for reinvestment in their housing stock. In England, that has been the case until recently, but in Scotland it has not. Money realised through the sale of council housing stock has gone back into that stock. I give great credit to the Conservative administration of Kyle and Carrick district council over the past four years, which has invested in and brought up to date the houses under its control. It has done a magnificent job of upgrading, which has been much welcomed by tenants.

Mr. Salmond: From the drift of the hon. Gentleman's argument, I take it that he will vigorously oppose the proposals to force local authorities into repayment of debt as opposed to investing in the modernisation schemes that he is describing.

Mr. Gallie: Unlike the hon. Gentleman, I do not believe that we can pass debt from one area of the public sector to another. It is all the same. If a debt was passed to the central Treasury, as the hon. Gentleman proposed earlier, it would change only the pocket from which the taxpayer pays for the debt burden. Privatisation of companies, to which the hon. Gentleman referred, was a different case. At the same time as we got rid of debt, we passed on the requirement for investment to a different pocket—the private sector. It was obliged to invest after privatisation. There has been massive investment by the private sector in the water industry in England. That must be welcome.

Mr. Andrew Welsh (Angus, East): Does the hon. Gentleman oppose Government policy on writing off water debt in Scotland? All the things that the Government said could not be done have suddenly been done in respect of water. Why have they not been done in respect of housing, which would help solve Scotland's massive housing problem, which the hon. Gentleman is ignoring?

Mr. Gallie: I am not ignoring it. Local authorities were responsible for incurring that debt. They should carry it forward.

Mr. Welsh: What about the water authorities?

Mr. Gallie: The new water authorities are different bodies, a different ball-game. That debt will be paid for by the Treasury and, ultimately, by taxpayers across the country. It is a transfer of resources. Housing, and the budget suggestion of the hon. Member for Banff and Buchan, are different. In Scotland, the water authorities' debt has been contained in the Scottish budget. It has not passed on to the national Treasury, but is contained in the Scottish block grant. That would have to be the case if we changed the rules on housing. I do not believe that other services in Scotland could stand that. The hon. Member for Banff and Buchan laughs, but services such as health and education need all the cash that can be pushed in. We cannot offload the debt on to the national Treasury. That would not be acceptable.

Mr. Matthew Banks: My hon. Friend makes an important point. Given that there is currently more leverage in Scotland than in the rest of the United Kingdom, should we not strike a balance? We should spend half the money available on improving the infrastructure of our housing stock. However, as local authorities in Scotland are in debt to the tune of more than £5.3 billion, it is right and proper that some of the money should go to pay off that debt, which costs some £154 per head of the population per year.

Mr. Gallie: I sympathise with those comments. I could see the point of local authorities carrying debt and even extending it some years ago, when inflation was out of control. People said that it would be impossible to bring inflation back into line, but this Government tackled the problem. Inflation is now pegged at 2 per cent. to 3 per cent. and that removes the advantage of carrying a high debt burden. A balance must be struck now and we must hold debt at its present level rather than incurring further debt.

The hon. Member for Banff and Buchan talked about the poor standard of the housing stock. That point is recognised because, over the past four or five years, the Government have carried out surveys of a kind that were not carried out in the past. The surveys have identified problems that people suspected were there, but of which they were not fully aware. The problems are beginning to improve, perhaps too slowly, because all of us would like to see massive strides. Once again, I congratulate the Government on identifying the extent of the problems.

There is, of course, housing in the private sector, including rented properties. Through the Government's efforts, there has been massive investment in private housing stock. In the 1980s, there were extremely generous improvement and repair grants. The hon. Member for Glasgow, Govan (Mr. Davidson) is present for this debate. When one wanders around Glasgow, one sees the massive upgrading of the housing stock. One must recognise the massive part that the improvement and repair grants have played in raising standards in the city.

There are still areas of Glasgow where investment is needed. Strangely enough, it is most needed in the post-war housing that was provided by the local authorities, which did not always use good judgment. Many of the real problems in housing in Glasgow are found in relatively modern properties that were provided in the 1950s and 1960s.

I am concerned about the tendency in some areas of my constituency for private landlords to buy large houses and to split them so that they can be used for multiple occupancy. There are real causes for concern. In many instances, there is a lack of control by the landlords. A lack of respect is shown by many tenants who come through the housing benefit system, and who have no real interest in the properties and no real identity with the neighbourhood. Such dwellings are mushrooming in certain areas, which has a bad effect on owners and other residents there. I ask my hon. Friend the Minister to consider that problem in the months ahead, because it is serious and must be addressed.

The hon. Member for Banff and Buchan spoke about the need for investment in energy efficiency. We have recently had a massive disaster in Scotland following a harsh period of very cold weather. Housing stock in the private sector and in the public sector was seriously damaged, especially in the central belt. Fortunately,

[Mr. Gallie]

people had taken precautions, especially in terms of the widespread use of loft insulation, which was mainly funded—very generously—by central Government. Virtually every pensioner in the land had access to free insulation and virtually every local authority carried out insulation programmes, with additional support from the Government. That programme has been hit hard in recent times. We must give care and attention to such issues in future.

10.14 am

Mr. Malcolm Chisholm (Edinburgh, Leith): I congratulate the hon. Member for Banff and Buchan (Mr. Salmond) on obtaining this debate and on being able to find a copy of the Edinburgh *Evening News* down here before 9.30 am—something that I have not managed to do.

I shall concentrate on the housing revenue account capital budget, which is the key budget for the modernisation, central heating and window replacement programmes that are so desperately needed by many of my constituents. It is also the budget for the building of new council houses, although precious few are being built nowadays.

The figure this year for the HRA capital budget in Edinburgh is £32 million. Three possible figures have been given for next year under the resource planning assumptions. Edinburgh has been told that it will get £26 million, £24 million or £22 million. Figures have been given three years in advance; if we take the central figure, Edinburgh will suffer a cut of £30 million, not taking account of inflation, in its council housing capital budget over the next three years. The Greater Pilton area in north Edinburgh, which is part of my constituency, will lose £11 million of desperately needed housing investment over the same period. I shall describe the effect that that will have on my constituency.

If we have the same amount next year as we have had this year, we could have some new council houses in the West Granton area of my constituency. As a result of the cut, even if we get the highest figure, there will be no new council houses there. The Minister will say, "Okay, let the private sector do it." However, attracting private sector money for houses for rent in that area is a problem. Even if we are successful in attracting private sector money, there will be fewer houses for rent than there would have been, and the rents will be higher.

We have a serious problem in Edinburgh. Only 16 per cent. of the stock is council housing. I know that the Minister wants to continue to increase home ownership, but the reality is that many people cannot afford to buy their houses and, because of increasing job insecurity, that situation is becoming more common. We shall have a serious problem in terms of the number of houses available for rent and the change in the budget figure means that the problem will get worse.

The Muirhouse area is in much need of housing modernisation and new build. On the top figure that the Government have suggested—£26 million—some modernisation work can be carried out in Muirhouse. There will be no modernisation work anywhere else in Edinburgh, but there will at least be some in Muirhouse. The council has taken the view that to attract private finance into the area, it must keep up its commitment to public housing. Obviously £26 million is not enough, but I tell the Minister that if he must pick one of the three figures, the top figure is the least that Edinburgh needs. Some modernisation work can then go ahead in Muirhouse and that may have knock-on effects on other developments in the area. Many of the houses have already been vacated, ready for modernisation. The tenants have been devastated by the news that the programme may not go ahead and I have had many representations on the issue. I make this plea to the Minister. If he cannot go beyond £26 million, he must at least give us that amount.

The other area of my constituency that has been affected is the Granton-Royston area. Some 311 houses in Royston were expecting modernisation in the next three or four years, but that modernisation scheme has been taken out of the housing programme. Granton Medway, a street in Granton, has been the subject of two housing studies in the past few months, by Edinburgh university and by the home energy advice team. The information was sent to the Minister.

Much information has been available from those studies about the state of houses in that not untypical street. It was found that 58 per cent. of people complained of dampness, 78 per cent. of condensation and 45 per cent. of mould. Two thirds of the bedrooms surveyed were below the official tolerable standard, which means that they were so cold that they were a risk to health. Many of the health problems, especially children's respiratory problems, were described in that report. Another fact that emerged was that tenants in that street were paying between 10 and 15 per cent. of their income on heating bills—twice the national average—because of poor insulation and the poor condition of windows.

That street is not unique. Recently, I visited houses in Crewe road gardens, quite nearby, and saw many similar problems. Much work therefore needs to be done. We need far more than £26 million, but at least, if we are given that top figure suggested by the Government, some window replacement and central heating work might go ahead in the Granton and Royston areas.

If the Minister cannot go beyond £26 million, I make a plea to him that at least we may have that figure. It is still a massive cut of about 20 per cent. on the £32 million that we had this year. I know that the Minister will say that the council must sell its stock and make money in that way. There are plenty of arguments about that, which I do not have time to make. Even if the council met the target that the Government have set for next year of £1.25 million through selling stock—that is, in blocks rather than in individual sales—that would represent, even at the top figure, a massive cut for next year's budget in Edinburgh.

The Government will also say, "We are putting money into housing associations and so on and new houses can be built by them instead of by councils." We know that, as the hon. Member for Banff and Buchan said, Scottish Homes has had a massive cut in its budget and its development programme is down by £40 million next year. We know that the number of new starts by housing associations next year will be half what was planned, and that depends on Scottish Homes transferring £50 million of its stock, which may not happen, so we may have even fewer new starts than the 650 throughout Scotland about which Scottish Homes is now talking.

We have a massive housing crisis in Scotland. At the last count, there were 42,000 names on council housing waiting lists. The Scottish Office estimates that, because of demographic changes, 150,000 extra households will be required in the next 10 years.

We know from the Scottish home condition survey about the condition of Scottish houses. One in 20 is below the official tolerable standard and one in four suffers from dampness, condensation and mould. The Government's response is to slash housing expenditure, especially council housing expenditure. There is also a problem, which I do not have time to go into, with the budget for private housing, which must now compete with education and everything else for a share of a much diminished capital cake. We know that one in eight tenements in Edinburgh needs repair, and that cannot be done on present resources.

It is not only a housing problem. Investing in housing makes sense in economic and employment terms because of the direct jobs that are created and the indirect employment spin-offs. There are also health effects. Cold homes affect people's health and lead to additional national health service expenditure, they affect people's income because they must spend more on fuel and they affect the environment because people must use more fuel.

Low housing expenditure creates a vicious spiral of social and economic decline, whereas additional housing expenditure can create a virtuous circle of increased employment and better housing conditions. I make a plea to the Minister today at least to award the top figure to Edinburgh, although it must be said in conclusion that that in itself will be woefully inadequate.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. We are 17 minutes away from the winding-up speeches. Three hon. Gentlemen and one hon. Lady hope to catch my eye. With co-operation, I hope that all will be successful.

10.23 am

Mr. Matthew Banks (Southport): I had supposed that the hon. Member for Argyll and Bute (Mrs. Michie) would seek to catch your eye, Mr. Deputy Speaker, and perhaps she will do so in a moment or two, but I shall heed your warning and speak briefly.

I listened with genuine interest to the remarks by the hon. Member for Banff and Buchan (Mr. Salmond). We have several things in common, including the fact that we both represent parts of the British Isles that neither of us was from originally. I note from memory that the hon. Gentleman's constituency benefited considerably from the borrowing consents that were announced by the Scottish Office in the past couple of weeks. I congratulate the hon. Member for Banff and Buchan. The nationalists seem to be doing extremely well in the ballot for Wednesday morning debates. They are obviously all putting in for the same subject. I only wish that some Conservative Members had similar success.

My hon. Friend the Member for Ayr (Mr. Gallie) rightly drew attention to the Government's success in selling more than 32 per cent. of the public sector housing stock in Scotland. That transformation was founded on our belief in choice and in a property-owning democracy.

In the light of the remarks by the hon. Member for Banff and Buchan and the general socialist desire for quantitative measures of success, let me say that we should not underestimate the fact that about £6 billion has been spent on housing stock in Scotland since 1979. An investment programme in council housing of more than £1 billion will take place in the next three years. Planned total expenditure of £3 billion is nearly three times that in England. Scottish Homes has invested more than £2 billion in Scottish housing since it came into being and has a budget of about £320 million for the coming year.

On top of the £424 million made available for housing stock investment, £16.8 million in borrowing consents has been made available to local authorities which have suffered from the fact that less money has been available as a result of decreased council house sales.

Mr. Salmond: I have some figures from the Scottish Federation of Housing Associations which show that 48 per cent. of working tenants in England, are on housing benefit compared with 27 per cent. in Scotland. Is the hon. Gentleman at all worried that the Government's policies have driven so many working tenants in England into the poverty trap and on to housing benefit?

Mr. Banks: If the hon. Gentleman will forgive me, he makes his own point in his own way and I wish to make my own point in the two or three minutes available to me, rather than allowing him to take me down that cul-de-sac.

My party and I realise the importance of genuine investment in housing stock. We also know that public money can never be fully exploited—can never gain value for money—without complementary qualitative reforms. The failure of opposition parties to grasp that point is still the great divide that separates us from them.

As I said in the House on 6 March in the debate on education in Scotland, we have devolved a great deal of power to the Scottish people, not by imposing a tartan tax or establishing an alternative bureaucratic apparatus staffed by apparatchiks in Edinburgh, but by giving tenants the right to own a home—and what can give anyone a greater stake in society than that?

Our approach to housing has assigned a limited though significant role to Government and local authorities. We prefer to enable the individual to find a home for himself. The themes of greater opportunities for home ownership, wider choice for tenants and targeting help on the most needy are much in evidence in Scottish Office policy.

We believe in levering private sector finance to supplement public funding. We believe that the mixture of the investment from business and financial institutions with public funds creates a more permanent and effective revitalisation of housing in urban areas than spending public funds alone.

The great difference between the Conservatives and the opposition parties is that the Conservatives believe in giving the people of Scotland greater choice and devolving greater power, not only to Edinburgh and the Scottish Office, but to local councils. Long may that policy continue.

10.30 am

Mr. Ian Davidson (Glasgow, Govan): I shall be brief because this is an important debate and I know that other hon. Members wish to speak. Housing in Scotland is a

[Mr. Ian Davidson]

national disgrace. More people in Scotland go to Members of Parliament and to councillors about the state of housing than about any other issue. Regardless of the fine words and statistics that are bandied around by the Government, an enormous number of people in Scotland live in damp and cold houses, are inadequately housed because their accommodation is the wrong size and cannot get a house in the area that they want. Those people are not being adequately looked after by the Government.

This issue does not have the attention that it deserves because so many of the opinion formers are adequately housed. Few Members of Parliament, few councillors and few journalists live in council housing and are subject to the difficulties of dampness and of cold accommodation in which a large number of our population live. Therefore, the issue does not concern the public print and it is inadequately covered on television. It is swept under the carpet because the people who suffer tend to be the less vocal and those less able to access the sources of public information. Therefore, that great disgrace is inadequately covered by the media.

The Government are pursuing a vendetta against the public sector. They have deliberately decided to cut public spending, to drive people into the private sector—in many cases, into the hands of unscrupulous private landlords who are seeking to exploit the system of housing benefit for their personal gain without regard to the quality of the accommodation that they provide. The Government have been remiss in tackling the issue. They appear willing to allow the exploitation of those in need by unscrupulous private landlords, without adequate supervision.

In the time available to me, I shall raise one other issue: the anti-social behaviour of tenants in council housing. The Government should treat this issue more seriously than they do. They ought to introduce legislation to allow councils much greater power to tackle anti-social behaviour.

Mr. Gallie *rose—*

Mr. Davidson: I shall not give way to the hon. Gentleman because only a limited amount of time is available.

Many people have their lives destroyed and the peace in their homes disturbed by anti-social behaviour, and the Government are not prepared to allow councils adequate powers to deal with the matter. I hope that the Minister will deal with the issue in his winding-up speech and that he will promise us legislation that will enable councils to deal with those problems.

10.32 am

Ms Roseanna Cunningham (Perth and Kinross): I wish to speak in the debate because of the common misconception that housing problems are pretty much the province of the big inner cities. I shall concentrate on my constituency because it is widely seen by many people as one of the more prosperous parts of Scotland—and in some ways it is. However, it still has a housing problem, both in Perth and in the rural areas. There are homeless people in Perth. Indeed, there is a growing problem—I know that that may come as a surprise to people who have swallowed some of the lazy, shorthand descriptions of Perth and Kinross. One scheme, the churches' action for the homeless, has provided day facilities in Perth for a number of years and it has only recently felt the need to expand its activities, providing a wholly admirable day centre for the young homeless. In addition, the Cyrenians provide beds for mentally ill homeless men in Perth.

If the Under-Secretary announces a rough sleepers initiative today, he should announce that there will be some resources to go with it. If homelessness is a problem in Perth, it will be a problem in the rest of Scotland. The Cyrenians and the churches' action for the homeless are examples of what is felt to be necessary in my constituency. I assure hon. Members that there is a real unmet need.

Perth has a growing population, a factor that brings its own pressures. In the context of housing, it means a pressure on the existing stock—no matter the form of tenure. In addition, the area's desirability in terms of owner-occupation means that it is attractive to builders and that the prices are higher than in many other areas. The availability of owner-occupied housing is not matched by sufficient affordable rented accommodation. For example, the Perth housing association has to operate in an area of high land prices and competition from speculative builders in a city that is built up almost to its boundaries. There is no abundance of empty houses to be bought and renovated in Perth—as is the case in many inner cities—even if the association had the resources to do so, which it does not.

Budgetary reductions imposed on the Perth housing association in 1995-96 are already delaying site starts and limiting opportunities for site acquisitions—yet it has one of the biggest waiting lists in Scotland. Demographic projections show that in 10 years or so, Perth will be bigger than Dundee, but there is no sign of an increase in resources to cope with that growing population, at least in terms of housing. The situation is quite the reverse—for example, the Scottish Office, in cutting the budget to Scottish Homes, is ensuring that, when those cuts are passed on, the pressure in Perth will become ever worse. Fewer new starts means longer waiting lists. Is the Minister content with the fact that those who are already waiting for houses will have to wait even longer?

It is not just the housing association sector that is suffering. The savage cuts in Scottish Office grants to local authorities will have a serious effect on the provision that the voluntary sector administers. This, together with the restricted manoeuvrability of the housing associations, is likely adversely to affect bodies such as the Cyrenians, whom I have already mentioned. They know that they are not—with the eight to 10 beds that they have available—reaching everyone in the area whom they consider to be eligible. Again, there is unmet need in Perth and Kinross—one of the supposedly more prosperous parts of Scotland.

Although organisations such as the Cyrenians work hard, they cannot take up the entire responsibility. The fact that we rely on them to do so much is an indictment of the past 16 years of Tory Government. Cuts in local government budgets directly affect local authority housing provision. Information from the Perth and Kinross district council housing department shows that the waiting lists in Perth and Kinross have risen by 27 per cent. over the past six years. In response to the hon. Member for Ayr (Mr. Gallie), let me say that that is a direct result of a reduction in investment in council housing. In the same

period, the number of applications to the housing authority from homeless people rose by more than 50 per cent. I repeat: this is in a part of Scotland that is widely regarded as being one of the most prosperous.

I am not trying to repeat a litany of local organisations involved in housing—I do not have the time and I cannot cover all the issues that I would like to cover. I am making a serious point. As I have said already, this is happening in a part of Scotland that is widely seen as being well off and prosperous. For many people in my constituency, that is true—but there are also many people for whom it is not true. They are suffering now and they will suffer even more in the future because of the Government's housing policies.

In Perth and Kinross, and in the rest of Scotland, people are suffering because of what is effectively an ideological bias against a particular sector of the housing market. That sector of the housing market is as necessary in my constituency as it is in the rest of Scotland. It is as important to the homeless people in Perth and Kinross as it is to the homeless people in Glasgow, Edinburgh, Dundee and Aberdeen. Homelessness, wherever it strikes, has exactly the same effect on the individual, no matter where they might be.

Mr. Gallie *rose—*

Ms Cunningham: I shall give way to the hon. Gentleman if he is brief—we are pushed for time.

Mr. Gallie: Does the hon. Lady join me in welcoming the extra investment that the Government have recently announced for hostels for the homeless?

Ms Cunningham: I am always happy to welcome extra investment. However, there have been years and years of reductions in investment and there has been a cumulative effect. Homelessness in my constituency is increasing, as it is elsewhere in Scotland, and has been increasing over the years that the Government have been in power. The Perth and Kinross district council has been a Tory administration for the past four years. Happily, that will be the case for only another two weeks because the voters of Perth and Kinross saw the wisdom of removing that administration and voting in a Scottish National party administration for the new unitary authority.

Those who run local authorities have to do so in the context of a Scottish Office that seems to be hostile to the idea of public sector housing. That has to be seriously addressed because an entire sector of the housing market is effectively run down. The Minister made it quite clear that he wants to see, ultimately, an end to public sector housing. That is all very well, but the vast majority of people—enormous numbers of people—will never be able to afford mortgages, certainly in such places as Perth and Kinross. There is real need in constituencies such as mine, just as there is elsewhere in Scotland. I hope that the Minister will address that subject and understand that if there are problems in Perth and Kinross, the problems in other areas must be even worse.

10.39 am

Mr. John McAllion (Dundee, East): I congratulate the hon. Member for Banff and Buchan (Mr. Salmond) on his good fortune in the ballot which enabled him to secure the debate this morning and, more particularly, on his chosen subject. It has given us one of the great parliamentary occasions so far this Session in that we have witnessed the hon. Member for Ayr (Mr. Gallie) accusing others of being lacking in sound judgment. I am sure that the House was grateful for that.

I congratulate the hon. Member for Perth and Kinross (Ms Cunningham) and my hon. Friends the Members for Edinburgh, Leith (Mr. Chisholm) and for Glasgow, Govan (Mr. Davidson) on their contributions to the debate. They displayed detailed and expert knowledge of the crisis facing public sector housing in Edinburgh, Glasgow and Perth. They all exhibited a knowledge and understanding of Scottish housing that was clearly lacking in the hon. Member for Southport (Mr. Banks), who almost routinely pops up in Scottish debates to display his complete ignorance of all matters concerning Scotland. Nevertheless, he is welcome to the debate, as he provides us with entertainment, if nothing else.

I particularly welcome the debate this morning as, by my calculation, it doubles the time provided for debating housing in Scotland on the Floor of the House. The only other debate on these matters so far this Session is on the draft Housing Support Grant (Scotland) Order, on which the Government have to spend one and a half hours every year. In this Session, there have been just three hours on the Floor of the House in which Members elected in Scotland have had the opportunity to debate one of the most important subjects to the people of Scotland. That, more than anything else, makes the case for establishing a Scottish Parliament where Scottish housing can be given a proper national focus and where it can be debated by the elected representatives of the Scottish people.

The Parliamentary Under-Secretary of State for Scotland (Mr. Raymond S. Robertson): How many debates have the Opposition initiated on housing in Scotland and how many applications have been made through the usual channels for such a debate?

Mr. McAllion: The most recent debate on housing in Scotland was in the Scottish Grand Committee. That debate was initiated by the Opposition. Although the Scottish Grand Committee is part of the House, it is not a Scottish Parliament established in Scotland to debate Scottish issues—and that must happen.

Although there has been little debate in Westminster on Scottish housing, there is a real debate in Scotland among those who are interested in housing. The basic demand that has arisen out of that debate is for increased investment in the housing stock. That demand now has widespread support across Scotland.

Shelter, the Convention of Scottish Local Authorities, the Scottish Trades Union Congress, the Chartered Institute of Housing in Scotland and the Scottish Federation of Housing Associations are widely respected bodies with huge experience of Scottish housing. They are all knowledgeable about Scottish housing and call for a massive programme of additional investment to meet the housing crisis in Scotland.

Those organisations propose additional investment of about £580 million in each of the next five years. If that programme were realised, it would allow 13,000 affordable rented homes to be built in Scotland in each

[Mr. McAllion]

year. It would halve the numbers of houses below the tolerable standard in Scotland and restore repair and grant expenditure to the heady levels last experienced under Baroness Thatcher. Ministers cannot call those demands irresponsible. They have not been conjured up out of thin air, but are based on a detailed knowledge of housing needs in Scotland.

One such example is the demand for housing which has been generated by the increasing number of elderly people in Scotland. In 1992, the number of people over 75 represented about 6 per cent. of the Scottish population; by 2032, they will represent 11 per cent. of the Scottish population—in other words, the numbers will almost double in the next 35 years. If care in the community is to be honoured and if elderly Scots are to be given the opportunity to live independent lives, there will have to be a wider range of flexible housing options. That will require increased investment in the Scottish housing stock.

Mr. Matthew Banks: Will the hon. Gentleman give way?

Mr. McAllion: No. The hon. Gentleman has made his speech, so he will have to sit down.

The same is true for those with learning difficulties and those who suffer problems with their mental health. If they are to avoid a lifetime in institutional care, there will have to be greater investment in integrating housing with social care in Scotland. The examples are endless. They include meeting the needs of the 78,000 homeless people in Scotland, according to the latest estimate by Shelter; meeting the needs of rural Scotland, which Conservative Members claim to represent; meeting the needs of young people—particularly very young people—coming out of care, a group whose plight was recently described by the journalist Jon Snow as a continuing national disgrace; and meeting the needs of those trapped on waiting lists and those in damp-ridden houses.

The knee-jerk response to all those demands for investment would be that the country cannot afford it and that the public purse is already stretched to the limit trying to satisfy the demands for social welfare spending and that housing will simply have to take its turn. That response ignores completely the strong economic case for investing in housing which receives widespread support across Scotland. Time prevents me from discussing every aspect, but I shall give a few examples of the arguments that support it.

House building and repair remain a labour-intensive industry that creates more jobs for a given level of investment than almost any other sector of the economy. Therefore, by investing in housing, we can quickly get more people back to work so that fewer people will claim benefit and be a drain on the public purse.

As has already been said, poor housing has a direct impact on people's health and therefore contributes to increased spending on the health service, as is evidenced by the incidence of bronchitis and asthma. Increased investment in housing would decrease the demand for spending on the national health service. The lack of good-quality, affordable rented accommodation reduces labour mobility and undermines our national economic performance. A growing number of people in Scotland are beginning to ask not whether we can afford to invest in housing, but whether we can afford not to do so.

Let me concentrate on one particular issue of housing investment under the present Government—housing benefit. Yesterday, I attended the national poverty hearings at Church house in London. It was a moving occasion in which real experts in poverty—the poor themselves—told the rest of us what it was like to be poor. They said that the hardest part was the negativity and hostility directed towards them by the rest of society—for example, being described or thought of as a scrounger, a waster, someone who did not want to work or was congenitally lazy. One of them summed it up beautifully when he said that there is no such thing as the poverty gene: people are poor not because of any lack in themselves, but because they are victims of a system which discriminates against them and makes them poor. The housing benefit system that has been promoted by the Conservative party is evidence of that.

Housing benefit in Scotland is enormously expensive. It currently costs the taxpayer around £900 million every year. That is £320 million more than the additional investment called for by Shelter, the Scottish Federation of Housing Associations and other bodies. They call for an additional investment in the housing stock of £2.9 billion in the next five years. The Minister would cry, "Where will the money come from?" but over the same five years he plans to invest £4.5 billion in the housing benefit system. We are entitled to ask him where he plans to find that money.

What are taxpayers being asked to pay for by that huge investment? They are being asked to subsidise unrealistic rent levels to keep rent at a level that tenants cannot afford to pay. They are being asked to pay to make it impossible for people on full housing benefit to get off benefit and back to work. They are being asked to pay to make people entirely dependent and trap them in poverty. Those are the consequences of the Government's housing policies.

There is an overwhelming need to rethink the present strategy whereby ever-increasing rents in Scotland are backed up by ever-increasing levels of housing benefit. Shelter has asked that urgent consideration be given to the relationship between rents and the benefit system. It is not alone in that call. Scottish Homes—the Government's own national housing agency—is arguing the economic case for controlling housing costs in Scotland. It points out that, for those not in work, the high cost of housing, coupled with the operation of the benefit system, reduces work incentives, thereby reducing overall labour supply and damaging the economic interests of the Scottish people. That leads us to ask: why does the Minister not listen to the advice of his national housing agency and break the ever-spiralling levels of housing benefit, rising rents and benefit dependency in Scotland?

Housing must become the priority of the elected representatives of the Scottish people and the focus of a genuine national debate about the best way to tackle Scotland's housing crisis. Housing must be viewed not in isolation but as part of the wider social and economic context. At the end of the day, housing impacts on the country's economic performance. It impacts on people's health and makes them less able to contribute to the economy. Housing also impacts on educational opportunities. It is critical that housing should be viewed once again as part of the wider economy and as an

investment rather than a drag on public spending. If that is to occur, there must be a serious national debate about housing in Scotland. That will never happen in this place: it will happen only in a Scottish Parliament.

10.50 am

The Parliamentary Under-Secretary of State for Scotland (Mr. Raymond S. Robertson): I am delighted to have the opportunity to respond to the debate and I congratulate the hon. Member for Banff and Buchan (Mr. Salmond) on securing it. Many points have been raised this morning and obviously I will not be able to refer to them in the short time available to me. However, I shall endeavour to address as many as I can, and I shall try to write to hon. Members regarding the issues that I do not cover.

I turn first to resources, as that subject has dominated the debate this morning. The hon. Member for Banff and Buchan seemed to suggest that £4 billion in local authority housing debt could be spirited away if it were moved to different areas within the public sector. In addition, he suggested that, in his independent Scotland, £945 million would be available for new investment. He seems to forget that his great, independent Scotland would face a massive budget deficit. He did not say where the money would come from.

Last year, my right hon. Friend the President of the Board of Trade produced figures compiled by Government economists showing that the deficit would be £6.7 billion. Those findings were backed up by the independent Fraser of Allander Institute. The much-respected House of Commons Library said in 1993-94 that the deficit would be more than £7 billion. *Scotland on Sunday*—which is certainly no friend to the Government—predicted that the budget deficit would be £4.5 billion. I suggest that the hon. Gentleman is playing politics of the very worst kind: promising much and raising expectations, knowing all the while that he can never deliver.

Mr. Salmond: There are mistakes in that calculation. The hon. Gentleman will be aware that the equivalent figure for the whole of the United Kingdom is £53 billion under his Government. That is why we have seen 22 tax increases—which have occurred in Scotland also—in an attempt to redress the balance. Will the hon. Gentleman concede that all the spending commitments about which I have talked today and their revenue consequences are laid down in the budget plans produced by the SNP? If he wants to attack those figures, the documents are available. If he has not read them or does not understand them, he should admit that to the House.

Mr. Robertson: I was being kind to the hon. Gentleman by not adding in his party's spending plans, which would take the budget deficit to £10 billion. The hon. Gentleman is asking us to believe that Government economists, the Fraser of Allander Institute, *Scotland on Sunday* and the House of Commons Library are wrong and that he is right. In so doing, he displays an arrogance on which the Scottish people will judge him.

Throughout his 11-minute speech, the hon. Member for Dundee, East (Mr. McAllion) referred continually to lack of resources and the need for more money. However, he did not say how much the Labour party would spend over and above what we are spending. I am prepared to give him a minute of my speaking time if he will come to the Dispatch Box and tell the House exactly how much a Labour Government would spend over and above the plans that I have announced.

Mr. McAllion: The Government are currently spending £900 million subsidising failure and trapping people in poverty. If the hon. Gentleman were to listen to the Scottish Federation of Housing Associations and its very wise advice on how to make rents affordable for Scottish people, he would reduce the housing benefit budget—thereby releasing resources for investment in housing—and get people out of poverty, off benefit, back to work and paying taxes. In that way, he would create a virtuous circle instead of the circle of failure that his broken and useless policies have imposed on the Scottish people.

Mr. Robertson: We have fantasy figures from the SNP and no figures from the Labour party. I contrast that approach with the Government's actions. We plan to make almost £2 billion available for housing in Scotland in the next three years. Spending by local authorities could amount to about £1 billion. In 1996-97, the gross capital provision for investment by local authorities and Scottish Homes will amount to nearly £680 million. That means that, since 1979, we have invested £6 billion in council housing and £2 billion in private sector housing by local authorities.

This year, we have maintained net borrowing provision at planned levels, and gross investment by local authorities in council housing is expected to amount to almost £350 million in 1996-97. Over the same period, the number of council houses has fallen by about 25 per cent.—which means that the debt to which the hon. Gentleman referred has increased by 60 per cent. That is unacceptable, and there is a pressing need to tackle council housing debt.

Like the hon. Member for Edinburgh, Leith (Mr. Chisholm), I am aware that most of the new authorities have made representations about the estimates that we are about to announce. I told the hon. Gentleman yesterday when we met to discuss the matter that, before making a final decision, I shall take on board all the representations from local authorities. If hon. Members wish to discuss the matter on behalf of, or in conjunction with, local authorities before a final decision is taken early next week, I shall be delighted to meet them.

Local authorities owe it to themselves and to their tenants to maximise receipts by every means at their disposal. I shall now take a few minutes of the time of the House to refer to the potential for generating receipts from the sale of housing stock to other landlords.

Mr. Welsh: Will the Minister give way?

Mr. Robertson: With respect, I have only four minutes left in which to reply to the debate.

In the past, some hon. Members have questioned whether the £22 million included in the provisional estimates for stock transfers next year is achievable. That figure represents the sale of about 1 per cent. of the total local authority housing stock in Scotland—that must be achievable. I believe that orders of that magnitude can be

[Mr. Robertson]

achieved, for example, through the sale of empty properties or through the transfer of a small number of houses to existing locally based housing associations.

I acknowledge that it may be difficult to achieve substantial large-scale stock transfers next year, but authorities should start to plan now for such transfers in 1997-98. As I have said on several occasions, I believe firmly that authorities should generate more resources for housing investment through selling stock to other landlords. I expect local authorities to take the steps necessary to maximise receipts.

The threat to increased investment in Scotland's housing comes not from Her Majesty's Government but from the ideology expressed by Opposition Members who believe that only councils should build houses and be landlords. That is a mentality from the past which does nothing to address the needs and the demands of social housing in Scotland as we approach the millennium.

I turn now to some points raised specifically in the debate. The hon. Member for Banff and Buchan asked about the sale of the Scottish Homes loans portfolio. We shall shortly appoint advisers to examine the matter and we shall look closely at his idea for separate sales per country.

The hon. Member for Glasgow, Govan (Mr. Davidson) inquired about anti-social tenants. I am on record as saying that the Scottish Affairs Select Committee, under the chairmanship of his hon. Friend the Member for Kilmarnock and Loudoun (Mr. McKelvey), is examining the matter. I shall wait until it has reported to the Government and to the House before deciding on a course of action—it would be madness to try to duplicate that Select Committee's work. However, some of the powers that the hon. Gentleman suggested have not been requested by Labour-controlled councils. There is an immense area to explore, but I am willing to wait until the Select Committee has reported before deciding what, if any, legislation should be brought before the House.

Homelessness and rooflessness have been mentioned. Homelessness continues to be a national priority for local authorities and for Scottish Homes, which hopes to make about 2,400 homes available for homeless people this year. Helping rough sleepers remains a priority in the homelessness programme and I am sure that all hon. Members would agree that, before we bring forward any plans on rooflessness initiatives, we need to be properly informed, and that is why my predecessor commissioned a research report into what was happening. I expect to have the results of that this summer. I can tell the hon. Members for Banff and Buchan and for Perth and Kinross (Ms Cunningham) that I will consider carefully all the indications of that research, but I do not want to make policy without being properly informed, and that is what the research project will do.

Earlier this year, we consulted on the code of guidance on homelessness and asked for comments by 30 September from a wide range of bodies, including those representing the views of homeless people.

Mr. Salmond: Will the Minister concede that such an initiative would require—

Mr. Deputy Speaker: Order. Time is up.

Engineering

11 am

Mr. Tim Rathbone (Lewes): I welcome this opportunity to raise in the House once again the all-important subject of engineering. I can vouch for the operation of the ballot in obtaining this slot for an Adjournment debate, having waited for months for my lucky day to arrive. No element of choice is involved.

In these days of political correctness, I must declare my interest in this subject. First, I am a founder member of the all-party engineering development group and, for the past four years, I have had the honour to be its chairman. Secondly, I am a parliamentary adviser to Seeboard, my local electricity company—now also a gas supplier—and to Chanel, an industry leader in fashion and fragrance. Both companies draw on engineering talent for their success and I accentuate that point because it shows the diversity of engineering operations in industry. Thirdly, I must declare my position as a business adviser to Lexion, which is a growing management consultancy deeply involved in improving the performance of many varied engineering companies in Britain and elsewhere.

I am not alone in my interest in this debate this morning, as you can see, Mr. Deputy Speaker, from the number of colleagues who are here. I wish to record apologies from some of my hon. Friends who would have liked to have been here and from whom the House would have been interested to hear, but who have been kept away, mostly by service on Select Committees. I mention especially my right hon. Friend the Member for City of London and Westminster, South (Mr. Brooke) and my hon. Friends the Members for Macclesfield (Mr. Winterton), for Norwich, North (Mr. Thompson), for Bolton, North-East (Mr. Thurnham) and for South Dorset (Mr. Bruce).

To put the debate in its proper context, I remind the House that engineering is Britain's biggest profession by a long chalk, and that it is the greatest contributor to Britain's gross national product. Engineering is one of our key national capabilities, as was so aptly pointed out by Dr. Alan Rudge at the launch of the new Engineering Council last month. He said:

> "Engineering encompasses issues which impact upon every aspect of social and business life. Engineering is about innovation, wealth creation, quality of life and even national survival . . . it is also concerned with the effective management of Time, Money, Technology and People. In all of these aspects the Engineering Profession can make a contribution which deserves to be heard."

I am glad to have this opportunity to add a parliamentary voice to that statement this morning.

I shall put in a word here about the new Engineering Council, to place it on record. It was launched in February with two specific aims—to unify the engineering profession and to establish a new, forward-looking relationship and partnership between the council and the 39 engineering institutions. At its launch, the council was described by the Deputy Prime Minister as a vital first step towards a stronger voice for engineering in Britain. That it is already happening.

It is crucial that the engineering profession is properly understood and respected, that the contribution of engineers is heard and that young people are attracted to a career based on engineering. I pay tribute to Sir John Fairclough, who launched and worked so hard to achieve

the initiative to unify the profession. I wish Dr. Alan Rudge very well as the first chairman of the new Engineering Council senate.

It is a happy coincidence, as my hon. Friend the Minister for Small Business, Industry and Energy will know, that the debate coincides with SET 96, the third national festival of science, engineering and technology, which is taking place under the auspices of the Department of Trade and Industry all this week. The subtitle of SET 96 is "The Essence of Trade and Industry", which correctly positions our debate today. I congratulate my hon. Friend the Minister for Science and Technology on that initiative and I hope that my hon. Friend the Minister for Small Business, Industry and Energy will transmit those congratulations to him.

My hon. Friend the Minister for Science and Technology has shown a considerable grasp of the fast-changing issues and he has dispelled many of the fears of the prophets of doom about the move of the department to the DTI last summer. He has led the efforts to improve the integration of competition, innovation, technology, science and engineering, and continually drawn attention to the importance of training in primary science and mathematics as the cornerstone for competitiveness in SET-based industries.

SET 96 follows up the DTI's Action for Engineering campaign of last autumn and is a further step forward in the Government's activities to promote engineering in this country and abroad. It is due to be followed by the Year of Engineering Success—YES—which will run all through 1997 and is due to be launched in Parliament at the end of this year. It is a co-operative initiative by the engineering profession, employers, industry, business and the Government. It will mark and remind people of the vital role of engineering in our country's economic success in an increasingly competitive world, and of the contribution that engineering makes to our lives at home, at work, in transportation, in health care, in communications, in leisure and, not least, in our future environment.

It is of long-term importance that better public awareness and appreciation must increase the interest of more able children in engineering and technical courses at school and in the pursuit of engineering studies in further education. I shall return to that subject in a moment.

It is no mistake that the name of the YES promotion spells "yes". The intention is that, by the end of 1997, when opinion-formers are asked if they think engineering is important to the economy, they will respond yes; when school children are asked if they are interested in a career in engineering, they will say yes; and when parents are asked if they would be pleased for a child to become an engineer or technician, they will say yes. The promotion must establish engineering as a preferred profession for young people and an exciting route for any ingenious and resourceful student with an eye to the future.

Much has already happened in previous years to advance our argument. The Royal Society of Arts, Manufacturers and Commerce continues to make a valuable input to developing new ideas and approaches. The society was the patron of Industry Year, ran a series of seminars on manufacturing and wealth creation in the economy, conducted an erudite and deep study of the workplace of tomorrow, and continues to contribute a series of lectures and other activities. The BBC, which is so often criticised in the House—and with some justification—featured last winter a special television session celebrating engineers and their achievements, which was an immense success. The Engineering Training Authority continues to focus on the skills and training needs of engineering manufacturing industry. Year after year, the Engineering Employers Federation makes an important contribution to knowledge about engineering and the environment in which it operates.

Engineering institutions such as the Institution of Electrical Engineers are establishing engineering centres to provide local access to best practice, information and advice, and schemes such as the continuing performance project update and develop technical and non-technical skills. In addition to the many institutional programmes, the Engineering Council organises initiatives aimed at promoting engineering through, for example, Young Engineers for Britain—an annual competition that attracts entries from more than 1,200 budding inventors between the ages of 11 and 19. Women into Science and Engineering aims at attracting more women to engineering. The proportion of women engineering undergraduates has more than doubled during the period of that campaign, but remains at 15 per cent. The Environment Award encourages engineers to take account of environmental issues and to find solutions to environmental problems. Neighbourhood engineer schemes link professional engineers and technicians with local secondary schools. They support teachers and give pupils valuable insights into engineering as a career. The technology enhancement programme funded by the Gatsby Charitable Foundation aims at improving technology, science and mathematics teaching. There is also the DTI-inspired action for engineering programme, but the Government must continue to give even stronger support in informing British people of the vital role that engineering plays in our national life and well being.

The Royal Academy of Engineering continues its good work of encouraging and maintaining excellence under the presidency of Sir William Barlow. Among all its activities, perhaps the most prestigious is the award of the qualification FEng—fellow of the Royal Academy of Engineering—to those distinguished engineers who meet the demanding professional requirements of that title, who number fewer than 1,000. It is high time that that qualification was considered on a par with a fellowship of the Royal Society, for it is just as meritorious and important.

The academy provides on a cost price basis the parliamentary group's administrative back-up; without that help the group would not be as effective as it is. The group's membership comprises 98 Members of Parliament, 36 peers, 23 individuals and 136 corporations and universities. Our secretary, Jennifer Lindley, makes it all tick, and we are all very grateful to her.

Mr. Barry Sheerman (Huddersfield): As I was in Committee, I missed a couple of minutes of the hon. Gentleman's opening remarks. While he is thanking various parties for their contributions, I am sure that he will mention the role of universities in innovation in engineering. Many fascinating and exciting best practices are to be found at universities such as Warwick, Huddersfield and the University of Manchester Institute of Science and Technology, but there is concern among

[Mr. Barry Sheerman]

the heads of innovating institutions about the tremendous pressure on their departments following the most recent round of budget cuts.

Mr. Rathbone: The hon. Gentleman entirely correctly anticipates comments that I shall make later.

All the endeavours that I described have the one aim of building a better future for British engineering as a wealth creator. Concern about the future of engineering equates with concern about the future of the United Kingdom. Wealth creation starts with engineers. Innovative British engineering solutions are world beaters. One good example is an ultrasonic gas meter just the size of a brick, which won the 1995 Royal Academy of Engineering MacRobert award for its revolutionary design, and orders for it are coming in from all over the world. We must encourage and develop more success stories.

Improving the quality of life is as important as wealth creation. Solutions to pollution and environmental degradation continue to come from scientists and engineers. Leanburn engines, battery-powered cars and fuel cells will help to control vehicle emissions, and all our lives will benefit. The technology foresight exercise identified key areas of research that are critical to wealth creation. The Government must continue to support and expand support through research councils, the UK engineering base and the key technologies that technology foresight identified. Let us be clear that technology foresight will fail if industry does nothing. The Royal Academy of Engineering is actively encouraging industry to take a long-term view of markets and technological opportunities, and to spend more on research and development to take advantage of them.

Returning to the crucial requirements for success, we must improve the teaching of basic mathematics in schools. Worrying statistics from a recent Exeter university study of mathematics abilities in Great Britain and other countries were presented at a conference in Birmingham yesterday. Young people in Germany, Poland or Singapore—to pick just three examples—are far ahead of their British counterparts at the age of 13, and they are even further ahead at 14. It seems that teachers in Britain are unwilling to correct mistakes or to demand precise and exact work; that children are allowed to resort to calculators at too early an age, before they have achieved a proper understanding of numbers; that there is too little streaming to speed comprehension and improvement, especially of high achievers and low achievers; and that, too often, the qualifications of primary school teachers of mathematics are too low.

National wealth creation depends on the training of young people to levels at least as high as those in other industrialised countries, and it must start with a good foundation in basic mathematics. Teaching standards need improvement, whatever other changes may be made to our school systems. To achieve that—here I touch on the point made by the hon. Member for Huddersfield (Mr. Sheerman)—we must continue to put new technology into our schools and adapt teaching and learning procedures to give all students the necessary knowledge and skills that they and our country need. That leads me to engineering education in universities.

There is a desperate need for more of our most able young people to go into engineering, which is a fascinating, broad, challenging and rewarding area of study and work. There is a shortage of top-quality chartered engineers and incorporated engineers, in part because too many students, even those who may be more naturally practical, are tempted into more theoretical areas of study. The universities have a role to play in that. Engineering should be used more widely as a general education leading to a variety of careers.

In that context, I must mention engineering at the University of Sussex, in my constituency. Since the university's initiation in 1965, engineering has functioned there as a closely integrated school of studies. By avoiding a conventional departmental approach to engineering, which can create barriers between civil, mechanical and electrical engineering, the Sussex school has been able to establish a range of highly successful interdisciplinary degree programmes and well-funded industrially relevant research activities, the quality of which is recognised both nationally and internationally.

Because of its unified nature and relatively small size, the school can respond more rapidly to developments in the engineering profession—most of which occur at the interface between traditional disciplines—than most of its competitors. In that way, engineering, in all its parts, is made more interesting and relevant. Even in Sussex there is room for more women applicants to take advantage of that.

Young men and young women should know that graduates from engineering and science-based courses are finding it easier to get satisfactory jobs than are many other graduates. What is more, they are attractive to a range of employers and are involved at the cutting edge of industry and business. It is also quite clear that graduates are now entering a well-paid profession. The Engineering Council's recent survey of salaries shows that the median annual salary for a chartered engineer is in the region of £35,000. It is also clear from recent studies that engineering is the best route to promotion to the very top of UK business.

There are some concerns, however, and I come to the point raised by the hon. Member for Huddersfield. The recent cuts in capital funding for universities announced in last November's Budget will have a particularly bad effect on departments of engineering and science, where investment in technological and research facilities needs to be increased. Retraining and re-education are of growing importance. It has been estimated by the Institution of Electrical Engineers that the half life of a technical degree is now only four years. Professional engineers need to keep their skills and knowledge up to date. Universities have increasingly to cater to that need.

There is a need for better research and for better funding of it. If Britain is to increase its productivity and competitiveness in Europe and the world, policies that attract innovative graduates into research are essential. It is relevant that the Science and Technology Committee in another place made the point that the absence of career opportunities for researchers is one factor in the lack of attractiveness of science to school children.

As I reach my conclusion, I must make a few wider comments on aspects of wealth creation that affect engineers, engineering companies and everybody else. We have a hard-won low level of inflation. Whatever else we do, we must maintain it; it influences all the costs of

manufacture. A properly maintained value for sterling is important to raw material costs and the costs of outsourcing, and a competitive exchange rate is an important base for export sales. The national business overhead is being better contained in Britain than in many other countries, and more successfully than in previous years—but more effort is always needed to keep down business rates, the cost of national insurance, the hidden costs of less than good transport systems, the costs of meeting legislative requirements and much more. All are real costs for business and can be to the real detriment of engineering success.

We must see what more can be done to encourage and to help small firms. More than 95 per cent. of engineering firms have fewer than 200 employees, and more than three quarters have fewer than 20 employees. Many of the engineering industry's suppliers and customers are also small companies. I realise that this is close to the Minister's heart, as he was responsible for the Department of Trade and Industry's small firms in Britain initiative last year. I urge him to seek out better methods of equity finance for small firms; more help for small firms in managing their finances and their businesses; opportunities to reduce regulation on their operations, as outlined by the Prime Minister only last week; and better and more continuous Government strategy for house building, construction, infrastructure inputs and export development, in which all small firms, particularly small engineering firms, have a vital interest.

Every engineer knows how important it is to know how the various parts of any system interrelate and to have a vision of the purpose of all endeavour. That is a good approach for government as well.

The quality of our education output—to put it in manufacturing terms—is not good enough, particularly considering the considerable sums that are spent on it. The fact that many technology and science courses are undersubscribed demonstrates either that pupils are not made aware of the interesting careers available in engineering and similar professions, and the importance to the future prosperity of our country, or that they consider the discipline of study in those subjects too hard compared with the softer options of the humanities, business studies or media studies, which are so popular. That problem arises particularly if they have not had the necessary basic training in mathematics and sciences early in their school career.

Perhaps the problem arises from a lack of reliable careers advice in schools or from the professions, although the Engineering Council has a number of programmes that aim to encourage schools and their pupils to consider this career option. A constituent of mine wrote recently:

> "I have found engineering to be most rewarding in terms of job satisfaction, contact with people, overseas travel and living abroad and seeing an end product benefiting the community".

We can all draw inspiration from that.

11.27 am

Mr. Gordon Oakes (Halton): I congratulate the hon. Member for Lewes (Mr. Rathbone) on the precision of his speech, which is very apt in a debate on engineering, but most of all on raising this subject. As he said, this is Science, Engineering and Technology Week. Yet this one-and-a-half-hour debate on a Wednesday morning is the only contribution that the House is making to what should be a focus event throughout the nation. For once, the media are doing something about it—usually, they do not—but, alas, we are not, except for the hon. Gentleman. I do not acquit my own party in any way. We had a Supply day on Monday, and there are many things that we could debate about science and engineering, but we chose not to. We are as much to blame as the Government.

Mr. Sheerman: I have just come from the industry forum of the Labour party, in the City of London. Hundreds of people were there for the launch, by my right hon. Friend the Leader of the Opposition, of an event tied in with this week, so the Labour party, in many respects, has been fully and actively involved in this week.

Mr. Oakes: I am delighted to hear it. I was not talking about what the Labour party is doing in the country as a whole; I was talking about what we are doing in the House. It is only because the hon. Member for Lewes raised the subject of science, engineering and technology that we are talking about it today.

The hon. Gentleman mentioned some of our past engineering achievements. They are indeed outstanding. In the last century, our nation led the world in railway and marine engineering; in this century, we have led the world in aeronautical and nuclear engineering, telecommunications and television. All those developments emanated from this country. But do we still lead the world in engineering? Alas, I think not. We should analyse what went wrong and, by means of national policy, endeavour to put some of it right.

Only a couple of years ago, the channel tunnel was opened, linking this country with continental Europe. One hundred years ago, such an enormous engineering achievement would not have been celebrated just in Kent; it would have been celebrated in London, Liverpool, Manchester, Edinburgh and the north of Scotland. There would have been festivities—all manner of events in recognition of that tremendous achievement. In fact, very little credit was given to the engineers who built the tunnel in the face of enormous difficulties. There was carping criticism about the cost and the time that the work took, but we did not hear anything about what had been achieved. The hon. Member for Lewes was right to raise this subject, because the nation is no longer achieving such things.

As the hon. Gentleman pointed out, engineering has many spheres, and we could lead the world again in the next century—which is now approaching. The hon. Gentleman mentioned the environment. If we are to maintain our present standard of living, and keep our atmosphere and water clear and clean, chemical engineering is the only answer. Some organisations may disagree; presumably, they would like us to go back to living in caves. That is one solution, but it is not what the British people want.

The hon. Gentleman mentioned both chemical and electrical engineering. Given the present level of pollution, we must invent an electric car that is economical and non-polluting, and the only people who can do that are electrical and mechanical engineers. Work is already under way, but are the resources sufficient?

[Mr. Oakes]

Debates about water are taking place in various parts of the country, including your part of the world, Mr. Deputy Speaker. Can the nation really afford to let its fresh, clean rain water flow into the ocean without conserving it? We need barrages. Barrages need not be the enemies of ecology; engineers can be eco-conscious and enhance the ecology of an area, provided that such considerations are built into their plans. Civil engineering has enormous potential not just to conserve this country's resources, but to provide a better environment and give a lead to the rest of the world.

Will we be at the forefront in the next century, as the hon. Gentleman and I hope? I do not know. I am not happy with the way in which the Government have dealt with the whole question of science, engineering and technology. Three years ago, a White Paper was produced, and was widely welcomed in the House. I spoke in the debate on that White Paper, as did many of my hon. Friends and members of the Liberal party. We all praised the present Chief Secretary to the Treasury, who was then the Minister responsible for such matters. The White Paper was imaginative. What has happened to it? An imaginative Department was created, making science, technology and engineering a priority, and—vitally—a Cabinet Minister was there to fight its corner in the Cabinet. When the present Chief Secretary left that Department, however, the steam seemed to go out of it. Science, technology and engineering became just another aspect of the Department of National Heritage, along with the citizens charter and the lottery. That is no way in which to treat the subject.

The present position is even worse. The Department of Trade and Industry now deals with science, technology and engineering. Short-termism is inevitable in that Department, because there is not enough interest in blue-sky projects. The Department will want to link science and technology, and confine itself to specific, narrow projects. That is where the research money will go. Moreover, no Cabinet Minister is involved other than one with a conflict of interests—the President of the Board of Trade. His job is to consider the needs of industry, and not necessarily to put science or engineering first. We need to think again about which Department should deal with science.

When I was Minister of State at the Department of Education and Science, I was unhappy with the way in which that Department treated science. I fought hard for it, but it was treated as an afterthought, and I shed no tears when it was moved elsewhere. The present Department for Education and Employment might be a better home for it—certainly better than the Department of Trade and Industry.

There is no proper investment in engineering, in terms of either resources from industry or research and development funding. The White Paper discussed where the expert teams from the defence industry would go. In fact, they have dispersed and disappeared, rather than being harnessed to the vital tasks involved in civil engineering.

Most hon. Members will have received a copy of a brilliant paper entitled "Policies for the Next Government", issued by the Save British Science Society. Reading it over the weekend, I encountered a chilling phrase. Professor Alec Broers, head of engineering at Cambridge university and vice-chancellor elect, says:

> "The market for the best academics is now international, with competition both from the USA and, increasingly, from technical universities in the Far East. In a couple of recent instances Cambridge has been unable to attract a candidate to a Professorial chair because it has failed to match the salary and research facilities of rival universities".

The man who said that is a fellow of the Royal Society. He has a distinguished record with IBM in America, and was probably foremost in the field before he went to Cambridge. We are not talking about some obscure new "Johnny come lately" university; we are talking about Cambridge, which was once known throughout the world for its science and engineering expertise, but which now cannot attract professors. That is the result of more short-termism—short-term contracts for lecturers, instead of proper contracts. That is where we have ended up, with all research harnessed to narrow instead of blue-sky projects. One of the foremost universities in the world cannot attract a professor.

As the hon. Gentleman said, the median salary in engineering is about £35,000 a year. Engineers receive only £1,000 a year more than us—that is how poor the salary is. What is the median salary of accountants, barristers and brokers in the City? It is considerably more than £35,000 a year, but the engineer is doing more good in relation to this country and to the future of humanity than the lot of them put together.

I agree with all the hon. Gentleman's remarks on education. Fortunately, Sir Ron Dearing is considering this country's higher education. He should take account of this debate and of the needs of the engineering profession.

The Save British Science Society document makes the excellent point that specialisation, involving basically the study of three arts subjects or three science subjects, is too narrow. In the overwhelming majority of cases, those subjects are not mixed—either science or the arts is studied. It was so when I was at school and it has become far worse. The document advocates the study of five subjects, although possibly not at the present high level.

Mr. Sheerman: The baccalaureate.

Mr. Oakes: Yes, the baccalaureate idea.

If a person is entering the science discipline, three of the subjects that he studies should obviously be science subjects, but two should be arts subjects—for instance, history, a language or English. Similarly, a person intending to pursue a course in the arts should take two science subjects because, to be an educated man in the present world, he must have some knowledge of science.

One of the difficulties in the House is that far too few engineers and scientists come here. Considering the candidates, from all political parties, for the next general election, I believe that that will become worse. Many of the people coming in have no knowledge of other subjects. They have arts degrees and have no knowledge of industry or of basic science. That is bad for the country, because we are too arts dominated. It is bad, too, for scientists not to study an arts subject, because they end up being treated just as back-room boffins. They need a wider base than just science, just as the arts graduate must have a knowledge of science.

I passionately agree with the hon. Gentleman's views on mathematics. It is too easy for a youngster at an early age to take the easy option and to opt out of mathematics.

That happens all the time. Such youngsters have no mathematical knowledge. It is not possible to have an innumerate engineer—it is a contradiction in terms. I am talking not just about the people at the top—the professors of engineering—but about site engineers and senior foremen in engineering. They cannot be innumerate and be an engineer. It is a waste of resources, therefore, to allow youngsters at an early age to opt out of mathematics and thereby debar themselves from the engineering profession, which, at a later stage, they might wish to join and make a significant contribution to. They have banned themselves from a whole technology by opting out of mathematics at too early an age.

In the old days, for example, we had to do Latin to enter certain universities. There is much sense in that. Mathematics should take an equal position. Engineers must do mathematics. They may achieve only a low level of mathematics, but at least they will be numerate and have knowledge of mathematics, no matter what university course they take.

The hon. Gentleman hinted at this when talking about the way in which engineers are regarded. In this country, we give too low a profile to engineers—a far lower profile than they are given in France, America or Germany in particular. An engineer can be anything from a distinguished professor to a chap mending a car in a garage—all are given the generic term. We do not give sufficient honours in our honours list to scientists and engineers. They should be at the head of that list because of their contribution to knowledge and to the economy of this country.

Mr. Rathbone: It is kind of the right hon. Gentleman to let me interrupt. A number of engineers are honoured in the honours list, but, unfortunately, when they are listed, they are never identified as "FEng", in the way that someone is identified as "FRS". I hope that that might be changed.

Mr. Oakes: I agree with the hon. Gentleman. He is right.

Having been a Minister with responsibility for education, I know that, only too often, we get crazes in education. During those crazes, we are apt to throw out the baby with the bathwater. Over the past 20 years, there has been a craze against apprenticeships and for people to remain in full-time education until they graduate. With that, we threw out the baby with the bathwater.

Some of our finest engineers, not only those on the ground, but those becoming distinguished heads of engineering, worked in a factory and went to night school to do their degree. They maintained themselves doing a useful job for the community, with money in their pockets while they were working. Before they became a BEng or a BSc, they had work experience and learned that they needed to know, not just about engineering, but about human resources and how to persuade fellow workers to do something in the way in which they wanted them to do it. We must reconsider that route. We threw away the old apprenticeship route, and we should bring it back, probably on a wider basis.

I have spoken for long enough. I address my remarks as much to Labour Front-Bench Members as to the Government, because we are moving closer and closer towards a general election. This subject is not for party political battle, as it involves this country's survival. I hope that, if we are in government, which I hope we shall be—although I shall not be here—we shall have a dramatic policy for science and engineering.

I do not necessarily want to bring back the old Ministry of Technology. Although that was a much-maligned idea, it had brilliant potential. It seized the country's imagination, but it was destroyed by the jealousy of other Departments and, being a new Department, it made many mistakes. We could learn by those mistakes, but one thing is certain: we must have in the Cabinet a Minister who is directly responsible for science, engineering and technology. In that way, we could be great again.

The future of engineering is bright. We must remember that we are still the great nation of George Stevenson, of Brunel and of some of the greatest names in engineering that the world has known. We can be at the forefront of world engineering again if it is properly handled.

11.48 am

Mr. David Ashby (North-West Leicestershire): How much I agree with what has been said by my hon. Friend the Member for Lewes (Mr. Rathbone). I only hope that he is successful in persuading those on the Government Front Bench of the merits of what he has had to say to the House today. So often in some of the best debates, such as this, the press is noticeably absent, which may be one reason why we can be so frank and honest in what we have to say.

We say that this is not and should not be a political issue. But I do not see why we should not have innumerate engineers because, after all, there are many illiterate teachers. There lies the rub. I often ask myself why we do not have cross-party support on our efforts to raise standards in education. We need cross-party support, but virtually everything that the Government have done has been criticised. Real efforts have been made to try to debunk them, to make them look ridiculous and to persuade people not to improve our standards. Britain will never improve until we improve our standards.

I am looking at the time and I realise that there are others who want to speak. They will be able to have a real go at me for bringing politics into this. We have had a high-flown and interesting debate, but I want to talk about the ordinary people, the small jobbing engineers, the majority of engineers up and down the country employing fewer than 100 people.

I must declare an interest. I am chairman of such a company. I want to give the House some of the benefits—if they are benefits—of my experience in that area in the hope that somehow we can obtain some vital improvements in those small companies. We hear about all the big companies, but it is the small jobbing engineers who support them, making small parts so that the big companies can get on with what they are trying to do.

I am the chairman of a family company. I have a small, probably non-declarable—I have never tried to work it out—equity interest in the company. But in all fairness to the House, I should say that close members of my family have larger interests, indeed controlling interests.

Such companies produce goods and services for so many companies and are involved in many manufacturing processes. It was hard for companies such as mine during the recession. We had nil, even negative, growth, and it

[Mr. David Ashby]

was a matter of battening down the hatches as far as we could. Even now, such companies have many difficulties. Profits are extremely tight. We are talking about extremely small margins. Many are producing not long runs, but small runs of high-quality products.

As my hon. Friend the Member for Lewes said, being in engineering is exciting and innovative. It requires a high degree of skill and an even higher degree of perfection. The achievement that is possible in engineering can lead to high self-esteem.

I echo what has been said. How I wish that in our society we praised and lauded the ability of engineers, as happens on the continent. I can think of many times when I have been on the beach in Italy where being a dottore, an avvocato or even an onorevole, an Italian Member of Parliament, is nothing. What Italians want to hear is someone calling himself ingigniere. If we could only give such esteem to engineers, we would have people queuing up to become engineers and to achieve as engineers, as happens in other countries.

As has been said—I look at the time again and I do not want to go on repeating it—training is important to companies such as mine. The problem is not only the training of people, but the keeping of young qualified people. We train people and give them all the opportunities, only to lose them to the larger companies that can afford higher wages. Companies such as mine with small profits cannot afford to pay some of the wages that are paid by the larger companies, even though we recognise that we must provide the training because we need the skills. We want to be able to make larger profits so that we can pass them on to our work force, so keeping them, and thus keep our engineering alive. It follows, therefore, that companies such as mine have real continuing problems. If we are to survive, those are the matters that we must address.

As my hon. Friend said, engineering is time, technology and people. If we are to make bigger profits, we must acquire ever better technology and we must be ahead all the time. Coming out of the recession, if we are to survive so much competition and such tight profit margins, it is essential that we keep ahead in research and development. That is vital. If we are to have any success, we must put our profits back into research and development in order to ensure that we are ahead. That is not sufficiently recognised by those in government, especially the Treasury, which could do so much to help small engineering companies—or any company—to keep ahead of the competition in Europe and in the world in research and development.

In this age, it is also essential that we keep up with the ever-changing and more efficient technology, and that means machines. Machines not only wear out, but they change and become more and more efficient. There are new technologies in machining and tooling that provide that efficiency.

We have a work force whom we need to pay more, we need money for research and development and we need new machinery, if we are to increase our competitiveness and pay for the people whom we so much require. For a small business such as mine, a new machine may represent a year's profits, yet it is essential that we buy it. In such a situation, what will happen to research and development and to our ability to keep our work force in this age of competitive wages? There is nothing left for increased wages; nothing left to ensure that the life-blood is there for the continuity of the company.

Small companies prosper in the present climate, but they could prosper more. We must reduce overheads and costs. Reducing bureaucracy frees up management and reduces overheads. That is an essential point. We need less bureaucracy. Less time should be consumed in filling out forms and other unnecessary things, so that business is free to get going. To employ people on such unnecessary work cuts severely into the resources available for all the other things that are so necessary for small companies.

But most of all, small companies would be helped by an improvement in the taxation climate—by the ability to write off capital machinery costs more quickly. I cannot understand why the Government cannot target businesses such as mine, so that we could write off such costs more quickly. Why cannot we target real producing machinery, which will improve our competitiveness and the way in which we operate, giving us a real chance? Why cannot such capital be targeted, even for one year, at a time when such a boost is needed? It would make an enormous difference to companies such as mine, if they were targeted at the next Budget, for example. I know that my company needs new machinery urgently, but it cannot afford it.

Running a business is a balancing act. If such machinery were an approved tax target, it could be bought in the coming year and set the company up for two, three or four years. I am not talking about fat cats earning profits. I do not make such profits, have dividends or employ any fat cats. I employ people who are doing extremely well and I want to go on providing them with jobs. Such provision is vital to British industry and to the future of Britain.

My plea is that we should look at the tax climate for companies such as mine—most importantly tax write-offs on capital, which have been shown to be vital. I am not talking about extra cars. I do not want tax write-offs for cars for my employees. My salesmen can keep their three-year-old models going. I want help with vital capital machinery. That is the life-blood of the company in which I am involved and of thousands of other companies.

12 noon

Mr. David Chidgey (Eastleigh): I am grateful for the opportunity to contribute to the debate, but frustrated that there is so little time available. I shall try to be brief. I am grateful for two reasons—first, because my constituency owes its very origins to engineering development and prosperity and, secondly, and perhaps more important, because I am a chartered engineer. Indeed, I understand that I am one of only five hon. Members who are fellows of the Institution of Civil Engineers. The hon. Member for Lewes (Mr. Rathbone) said that civil engineering is the largest profession in the country, yet we are clearly sorely under-represented in the place where decisions are made that affect the advancement of my first profession.

In considering the future of engineering, we need to understand how we have developed in the past. It is important to remember that, until 200 years ago, all engineering was military engineering. As we began to think about clean water, transport and public health, a

distinction between civil and military engineering became apparent. Indeed, the very first articles of association of the ICE's charter say that the society was set up to direct the

"great sources of power in nature for the use and convenience of man".

The remit of engineers is much broader than is often interpreted.

Civil engineers and others of their ilk are responsible for many of the essentials of modern life, including the muscles and sinews that hold society together such as bridges, roads and railways; the heart and lungs of our society where natural resources go in and waste comes out to provide clean water, and so on; safe, sustainable and effective transport to enable us to move around; energy to make it work such as gas, oil, hydro-electric, tidal and wind power, and most important, renewable sources of energy. Engineers are also deeply concerned with the environment, reducing pollution, containing coastal erosion, restoring contaminated soil and disposing of hazardous waste. They are trying to create sustainability in our economy and perform most important tasks and bear great responsibilities.

History shows that advancement in engineering and science is exponential. Only 50 years ago, the concept of intercontinental air travel was considered rather like taking an expedition into the unknown, with all the vagaries of a safari in darkest Africa. Rocket science was hit and miss. I remember reading a book when I was a boy entitled "Will Man Ever Reach the Moon?" Computers were virtually unknown, and certainly unimaginable to most people. Yet only 50 years on, we take flights to New York, Moscow and Sydney and are given the same assurances on such trips as our grandparents were when they booked a train journey from London to Birmingham. We plan and execute interplanetary voyages to the further reaches of the universe and they hardly warrant a newspaper headline. Computers are expanding at such a rate that something called Moore's law has been established, which tells us that microchips double in power and halve in price every 18 months. It is therefore clear that opportunities for the advancement of engineering and science are phenomenal.

It is against that background that we need to consider the future of engineering—especially in the United Kingdom—the provision of human resources, the strengthening of our economy through engineering and the importance of engineering to the well-being of our nation. It is appropriate that we are debating the future of engineering in National Engineering, Science and Technology Week. It is also important to note that, in September, the Year of Engineering Success will be launched, to which reference has been made, which will celebrate engineering and show our confidence in the future.

Science is about discovery driven by curiosity. Technology is about how to make things work, and engineering is about creativity driven by a desire to make a better world. Making that happen is a tremendous responsibility for the profession and the Government to bear.

The future of engineering depends on the future of engineers, technicians and crafts people. As a chartered engineer, I am very conscious of the failures of my profession. I understand that the Engineering Council is striving to unite all sorts of engineers under one umbrella, which has been required for some time. We need to maintain high standards in education, training and experience if we want more high-quality engineers. We must allocate adequate resources to premier engineering faculties in Britain's leading universities and to industry. Planning is vital to the future of engineering. How many mechanical, electrical, civil and aero-engineers will we need?

Mr. Sheerman: I know that time is limited; I shall not be making a speech. Do not let us replicate the problem raised by my right hon. Friend the Member for Halton (Mr. Oakes). All our universities have great strengths in engineering. They are diverse and we should not be referring to a premier league. Some of the new universities have streaked up the innovation and enterprise ladder.

Mr. Chidgey: The hon. Gentleman makes a good point that is certainly within my concept of the future of further education and engineering.

Britain's engineering schools are competing with schools in France and Germany to produce international engineers. We must get away from the idea of British engineers training and working only in this country. We must accept that more and more undergraduates are undertaking four-year master of engineering degrees to develop the skills that they need, and are spending a year at universities in other parts of Europe. I note your signal, Mr. Deputy Speaker, and I shall conclude soon.

It is vital that we dedicate resources to the training and education of our engineers and technicians. I say that as a governor of my local further education college in Eastleigh. Unless we provide education and skills by encouraging young people to undertake further education to attain basic skills in mathematics, so that they are able to complete courses successfully and attain further skills to match those held anywhere else in the world, we will have great difficulty in continuing to promote and develop our economy. The future of engineering depends on our ability to attract the brightest young men and women into engineering. To do so we, as a nation, must be prepared to reward them properly.

12.9 pm

Mr. John Battle (Leeds, West): I, too, welcome the debate. We are indebted to the hon. Member for Lewes (Mr. Rathbone) for getting engineering on to the agenda. The fact that not all the hon. Members who wished to speak have been called and that some have had their remarks curtailed proves that the debate could have lasted much longer—perhaps it should be allowed to do so at some other time. We are also indebted to the hon. Member for Lewes for his insistence that we debate this matter.

The debate is more than timely because it coincides with a report published today by the Engineering Employers Federation which presages gloomy prospects for the engineering industry. The Minister might think this is humorous, but the federation's survey, which covered 16,000 firms and monitored trends in late February and early March, spells out that, in business terms, engineering is in a worse state than it has been for years. Growth is slowing and there is a danger of it tilting backwards, and it is proving harder to gain entry to export markets in France and Germany.

[Mr. John Battle]

The best that the survey suggests is that the engineering industry is still under incredible pressure and is not springing back from recession, as some other industries might be. Our manufacturing industries are still in a very difficult position, and engineering is absolutely fundamental to that manufacturing base.

This is Science, Engineering and Technology Week. Some people ask why it should be called SET Week, but it is important that we keep science, engineering and technology linked and never let them be prised apart. The vital role of engineering in our scientific and technological development is sometimes missed entirely.

Many hon. Members have mentioned speaking to young people. It is the young who should be encouraged to understand, embrace and take up engineering. Our society is plagued not only by a lack of understanding of mathematics—I am tempted to say that we are in a culture that is anti-science and anti-technology—but by a fundamental lack of understanding of many of the processes of engineering and technology.

I have with me a piece of exemplary engineering—a titanium hip joint. I remember taking it to a school and asking children to tell me what this wonderful object could be. They could tell me about the high technology involved in hip joints being put into their grandfathers and knew how, after the operation, their grandfathers could walk, at first with a stick, and later run and play football again. When I asked where a titanium hip joint was made, few of them could link the object to a forge. Few could understand the process of modern forging or how such objects were made.

Professor Alec Broers, vice chancellor-elect of Cambridge university and head of its department of engineering, called for the quality of engineering students to be increased and mentioned the need to encourage women to go into engineering. He recently said that too many leaders in all areas of national life were ignorant of technology, and that their ignorance

"distorts judgement and slows the acceptance of advances essential to business, industry, government and services."

My own city of Leeds was built on manufacturing and, in this century, that has meant principally engineering. The clothing and textile industries were the largest employers until the end of the last century. The clothing industry was in decline from the 1870s, and engineering and printing have been the key manufacturing industries of the city in this century.

It is interesting to recall that, in the late 1970s and early 1980s, 17,500 jobs were lost in manufacturing while, at the same time, another 17,500 jobs were developed in the service industries—in the public service, such as in shops and offices, and in financial and retail services. Those of us who were concerned about our declining manufacturing base at the time were met by Lord Young of Graffham, the then Secretary of State for Trade and Industry, who, amazingly, dismissed manufacturing, remarking that Britain would thrive if only more people would eat out. I hope that that radical market view—that we need not worry about manufacturing but should look more to tourism, hairdressing and McDonald's for our economic future—is now being dismissed.

It was not until the publication in 1985 of a House of Lords Select Committee report on British manufacturing, however, that the Government began to acknowledge once again the need for manufacturing—and the underpinning of manufacturing, as the technology foresight reports now acknowledge, by a strong engineering base.

As has been said, Britain has for centuries embodied discovery and application in science, engineering and technology with names such as Newton, Faraday, Watt, Brunel, Bell, Rutherford and Whittle. We are the birthplace of the television, the computer and the jet engine, and we are now at the forefront of the new biotechnology industries. What we take for granted in everyday life is developed from British engineering skills, but we must not allow our very maturity and the richness of our tradition to limit our vision, our capacity to learn or our readiness to respond to new challenges. We need to raise our sights out of the fag end of this century—if I can put it like that—well into the next century. Next year is to be the Year of Engineering Success and could be used as a platform to carry forward a positive vision of the future of engineering.

It is important to dwell for a moment on what the Government have done. They have reduced spending on research and development by a massive 12 per cent. in the past 10 years. In other words, when it comes to budget priorities, it seems that science, engineering and technology are being pushed down the ladder. According to the Government's own figures, spending on science is projected to fall a further 7 per cent. in real terms by 1997. The number of United Kingdom researchers has fallen whereas the number in our competitor countries has risen.

Even our national research laboratories are being fragmented and privatised. Recently, the National Engineering Laboratory was sold at what I understand is now termed a "negative value" of £1.95 million. In other words, people were paid to take it into the private sector, thus reducing our national capacity. It would seem that our research capacities are being internalised as the operations of private companies rather than being used as national back-up.

Figures for 1995 from the Organisation for Economic Co-operation and Development show that the percentage of gross domestic product spent on research and development in the United Kingdom is a mere 2.19 per cent.—less than the United States and Japan. The UK now employs 40,000 people fewer in R and D than in 1981.

Mr. Sheerman: My hon. Friend puts his finger on the problem. There are many issues on which there is all-party agreement, but in terms of budgets and allocations and getting research and development priorities right, we must highlight party political as well as cross-party aspects.

Mr. Battle: I accept what my hon. Friend says. We must know the truth about the figures so that we can agree on them and do something about them. I know that my hon. Friend is most concerned about higher and further education. The fact that there have been cuts of up to £300 million to the Higher Education Funding Council, and that the funding for capital—for the laboratories at universities—has been cut, seems to suggest that the Government could be in danger of devouring the very seedcorn that we need for future development. I hope that all hon. Members agree about that so that we can make representations at Budget time for proper back-up for science, engineering and technology; otherwise, it will be seen that the Government are not enabling science, engineering and technology to flourish.

Engineering could be vital to the future of our country in terms of the new industries—especially the new environmental industries—developments in transportation, energy, alternatives and renewables, telecommunications and even cleaning up the environment. Yorkshire Water has been mentioned. The irony, as my right hon. Friend the Member for Halton (Mr. Oakes) said, is that it was our great engineers who built incredible reservoirs with such vision and capacity in the last century. Why are we not applying our best technology to—dare I say it—look again at the aquifer in Yorkshire and open up the bore holes so that we have local supplies of water again? There are technological options that have not been properly explored.

As the hon. Member for Lewes said, there are developments such as leanburn engines and battery-powered cars and buses that could create wealth, add to the quality of our lives and take us through into the next century. Positive proposals should be built on—even small ones. The Royal Academy of Engineering has pioneered the visiting professor scheme. We could build on the technology transfer models of Cambridge and Imperial college. In my city, the Leeds engineering initiative pulls together the training and enterprise council and private industry to push the profile of engineering to ensure that its 1,800 engineering firms network their activities, win markets and so perform better than the national average.

The models in Leeds could be used nationally. They are practical partnerships that the Labour party not only advocates but practises. There is no room for complacency, but for 15 years at least the Government's fundamental approach has been one of failed laissez-faire, leaving manufacturing and engineering to wither and die. Our approach would develop engineering enterprise through genuine partnership. We have always believed, and continue to believe, in the need for a manufacturing base to underpin our economy and a strong engineering framework to hold it up. The Government could do much more, although I suspect that they are waking up too late.

12.20 pm

The Minister for Small Business, Industry and Energy (Mr. Richard Page): I congratulate my hon. Friend the Member for Lewes (Mr. Rathbone), not on getting this slot—that is like getting a few numbers on the lottery—but on his choice of subject. As has been said, we would need another couple of hours to scratch the surface of this important matter. My hon. Friend and I were members of the all-party engineering development group, which for several years stressed the crucial need for the United Kingdom to strengthen its engineering capacity. It gives an important insight into the requirements of engineering. My hon. Friend served as chairman, while I was a spear-carrier. He gave a masterly round-up, which I endorse.

I shall not discuss small firms even though I am the Minister responsible for them, because that would hijack the debate and its emphasis would be lost. All hon. Members stressed the importance of engineering. We agree on that, although the hon. Member for Leeds, West (Mr. Battle) introduced a discordant note near the end with which I disagree. Time is not on my side to rebut fully everything that he said.

We have continually emphasised the importance of engineering in the 1993 White Paper "Realising our Potential: A Strategy for Science, Engineering and Technology", in the 1994 White Paper "Competitiveness: Helping Business to Win" and in the 1995 White Paper "Competitiveness: Forging Ahead". As night follows day, there will be a follow-up in 1996.

Mr. Sheerman: Will the hon. Gentleman give way?

Mr. Page: I shall not give way because I have only eight minutes and I have much to add. While the hon. Gentleman would like to get his thruppenceworth in, I have a couple of pounds' worth to contribute which is much more important than anything that he could possibly say.

Let me put a handle on how important engineering is to the United Kingdom. In 1994, the latest year for which figures are available, the gross output of UK engineering was £114.6 billion—£38 billion of gross value added, which is 31 per cent. of gross value added by all manufacturing. There were about 1.156 million engineering jobs in November 1995 compared with 1.121 million a year earlier—an increase that is at odds with what the hon. Member for Leeds, West said. In November 1995, engineering employment accounted for 29.8 per cent. of manufacturing employment. In 1994, exports of £71.5 billion—more than half our manufacturing exports—came from engineering. In 1995, our trade deficit was £1.53 billion, a decrease of 64.9 per cent. on the year before. That improvement is again at odds what the hon. Member for Leeds, West said.

An activity is as good as the people involved in it, and engineering is no exception. Let us be blunt: despite our best efforts so far, the UK does not, as yet, compare as we would wish with overseas competitors. My hon. Friend the Member for Lewes mentioned mathematics. I was trained as a mechanical engineer and I can only endorse its importance.

After the publication of the London Mathematical Society report "Tackling the Mathematics Problem", my right hon. Friend the Secretary of State for Education and Employment wrote to the School Curriculum and Assessment Authority, the Office for Standards in Education and the Teacher Training Agency for their advice on current maths issues. Initiatives and changes are coming from that. For example, maths has been identified by the TTA as a priority for in-service training and it has commissioned research into the effective teaching of numeracy. That evidence will be disseminated to teachers.

My hon. Friend talked about calculator-free examinations and classwork. I went round a primary school in my constituency only last week and found eight and nine-year-olds using calculators. It speeds things up, but I wonder whether it is the right way to get into children's minds how sums work before they start to use electronic supports. A calculator-free test for 11-year-olds will be introduced in 1996. The SCAA has been asked to consider a mental arithmetic test for 11 and 14-year-olds for next year.

In the United Kingdom, as hon. Members have said, only 12 per cent. of science and engineering graduates are in engineering. In Germany, the figure is 18 per cent.; in France, it is 21 per cent. Germany produces a third more engineering and technology PhDs per head of population than we do and five times as many of its people are qualified to MSc standard. The in-company training of engineers is an important feature in Japan and

[Mr. Page]

other competitors. I agree that we need to thrust forward to try to improve the concept of and approach to engineering.

We are starting to tackle the problem in a sustained and dynamic fashion. For example, as has been mentioned, this is the third annual Science, Engineering and Technology Week. I disagree with the right hon. Member for Halton (Mr. Oakes), who made some solid points. However, it is a matter not only of throwing money at a problem but of enthusing the hearts and minds of people in the industry so that they take the drive forward and do not sit around waiting for tablets of stone from politicians, some of whom have little industrial or practical experience in the sectors on which they pontificate.

This is the third annual Science, Engineering and Technology Week. Today has been earmarked as Women in Science, Engineering and Technology Day to raise awareness of that. Several thousand events will take place across the UK over the next few days. They range in location from Penzance to the Orkneys and in topics from astrophysics to zoology. It is one of the biggest annual celebrations of science, engineering and technology in the world. Down in the bowels of the Department of Trade and Industry, there is a most impressive exhibition which runs all week. I went yesterday and came away most impressed.

The technology foresight programme was alluded to obliquely by my hon. Friend the Member for North-West Leicestershire (Mr. Ashby). He put his finger on the point and pressed hard the need to keep up with innovation and development. Time is not on my side to go through all the key points that are emerging from the foresight initiative, but they will be an important message to and support for engineering.

I was impressed by the fact that the hon. Member for Leeds, West brought his hip replacement. He is planning for the future. I must chide him slightly on his selective quotations from the Engineering Employers Federation report, because I can selectively quote back by pointing out that

"Forty-one per cent. of the firms say that output is rising whilst only 28 per cent. reported a decrease . . . Larger firms report a downturn in new orders from the UK market but a positive trend in export new markets. Only the smaller firms"—

this will interest my hon. Friend the Member for North-West Leicestershire—

"with fewer than 100 employees indicate a positive trend in UK new orders."

The importance of engineering is recognised fully throughout the House. Those involved in engineering are literally engineers for change and they are crucial in bringing about the sustained development and expansion of our economy that are necessary. I assure the House, as I assure you, Mr. Deputy Speaker, that the Government are fully committed to driving forward the engineering sector to bring the success and the growth that it warmly deserves.

Cuba

12.30 pm

Mr. George Galloway (Glasgow, Hillhead): I hope that today's debate will be unusual in several ways. First, I come not to berate the Government, as I normally do, but to some extent to praise them, certainly in the enlightened form of the Minister of State who is to reply to the debate. Secondly, I have not come to make the kind of speech—which is sometimes made in the House—that generates more heat than light. I genuinely wish to elicit some answers and some direction from the Government of the kind that was apparent in the remarkable debate in the House of Lords on 13 March, which I am sure the Minister has read.

Peers as varied as Viscount Montgomery of Alamein, Lord Rees, Baroness Young, Baroness Hooper, Baroness Miller and Lord Wright of Richmond—I could go on—demonstrated absolutely remarkable unanimity. Towards the end of the debate, Viscount Montgomery of Alamein remarked:

"My Lords, in the light of the unanimity of the remarks made this afternoon from all quarters of the House, will my noble Friend ensure that the UK makes the strongest possible representations on this subject"—

the Government's policy towards Cuba—

"in Washington?"—[*Official Report, House of Lords*, 13 March 1996; Vol. 570, c. 845.]

I hope that today's debate can be something like that.

I praise the current state of relations between Britain and Cuba. There have been two ministerial visits by the lucky Minister for Science and Technology. Baroness Young, an absolutely formidable campaigner for improved British-Cuban relations, has also visited Cuba. There have been trade delegations from this country to Cuba and there have been three inward missions in the past year or so, including a visit just the other week by the Cuban Minister of Justice.

Those visits reflect the reality of Cuba's position as an increasingly popular place for the international community, as a destination for tourists, as a site for investment and as a partner in trade. The Minister will know that tourism is multiplying in Cuba. There were 19,000 British visitors last year and 25,000 visitors are expected this year. There is a weekly flight from Stansted and a second weekly flight is expected from May.

There has been a fantastic upsurge in foreign investment and trading opportunities in Cuba. Some 200 foreign companies now operate in Cuba, ranging from Benetton to the Wellcome Foundation. One can only hope that Cuba is spared Benetton's advertising campaigns. Those companies are increasingly important for Cuba's economy.

Mr. Jacques Arnold (Gravesham): Will the hon. Gentleman give way?

Mr. Galloway: I am not sure that the project of seeking light rather than heat will be served by giving way to the hon. Gentleman. I hope that he will seek to be constructive.

Mr. Arnold: I find the interest that the hon. Gentleman shows in trade and investment in Latin America

fascinating. Will he tell the House what, if any, personal interests he has in Cuba? The House would be interested to know.

Mr. Galloway: If I had a commercial or pecuniary interest in Cuba, you can be sure, Mr. Deputy Speaker, that I would have declared it. As I do not, I did not. It was, as I suspected, a mistake to give way to the hon. Member for Gravesham (Mr. Arnold). Perhaps, one day, I shall learn.

The European Union is an increasingly important economic partner for Cuba. It is the island's main import source, accounting for 37 per cent. of all imports, and its main export market, taking 27 per cent. of all exports. It is the most important aid donor and the most important source of foreign investment. Ninety of the 212 joint ventures in Cuba operate with European capital. That is especially important for us as a country that is part of that development.

It is no surprise that, having gone through some very difficult years recently, the Cuban economy is definitely on the way up and on the move. Gross domestic product grew last year by 2.5 per cent. and that growth rate is expected to be bettered this year. In most sectors, from nickel to the lovely Havana tobacco, the economy is on the up. Cuba has an extremely well educated, healthy population. It has important raw materials, relatively developed industry, a relatively large population and, therefore, a relatively large market, and its people have shown great creativity, productivity and ingenuity in coping with recent difficulties. Cuba is also a country—I commend it to the Minister—of great physical beauty. Indeed, I invite him to walk with me along the Malacon, where he will see exactly what I mean.

Lest the idyllic picture that I paint mislead, I must say that there is a storm brewing, and that is what I shall concentrate on. That storm is the Helms-Burton Act, which is the child of the Toricelli Act, against which the Government have set their face for many years. The Act is a series of measures taken in 1992, in the heat of the presidential election campaign and under pressure from the well-organised Cuban American lobby, in the hope of swinging the crucial New Jersey electorate and the even more crucial Florida electorate the way of the winning candidate. Helms-Burton is now law, we are again in a presidential election year, and the Cuban American lobby is determined to use to maximum advantage the remaining months of the pre-election period.

The Helms-Burton Act is an especially pernicious piece of legislation. Those are not only my words, but the words of virtually every Government in the world. The Act makes it possible for the former owners of property in Cuba to sue companies, through the US courts, for damages if those companies use what is claimed to be the former owners' assets in Cuba. It denies US visas to the directors of those companies and their families and limits US aid to countries that trade with Cuba. That is especially important for the countries of the former Soviet Union. The Act is also designed to stop organisations, such as the World Bank and the International Monetary Fund, lending money to countries that trade with Cuba. Again, that provision is particularly aimed at Cuba's former Soviet trading partners.

This draconian set of measures has led to the production by the Cuban American National Foundation of "Cuba's Hall of Shame", which is a black list of companies, many of them British, many of them household names and many of them important. The Cuban American National Foundation very definitely intends to have those companies in the United States courts before long.

It is a sign of the times that some of those companies have lobbied me and that all of them have asked me not to mention their names in this debate. That is the fear that the measures, which are extraordinary in their extra-territorial nature, have placed in the heart of even the boldest British corporations. I know, and the Minister knows, that there are British companies that have invested millions of pounds in both Cuba and the United States. They stand to lose millions of pounds if the legal cases planned by Cuban emigré organisations go ahead.

This week, I was visited by directors of an up-and-coming British company that is achieving significant economic results in Cuba and the United States. The directors are in a state of fear and alarm as a result of what is likely to happen. Ten European companies, including three in the United Kingdom, are likely to be among the first legal victims.

The Helms-Burton Act has aroused opposition throughout the world. Baroness Young wrote to the President of the Board of Trade:

"we are concerned that beyond"

the measures already taken by the Government

"there will also be the need for the British Government to protect further the interests of its nationals and its commercial interests if they are to be subject to vexatious litigation or arbitrary denial of visas."

Those are not the words of a member of the Cuban solidarity campaign, or of a left-wing socialist like me; they are the words of Baroness Young, who has Britain's economic interests, as well as Cuba's, at heart.

In that light, I shall run through several of the aspects that I hope the Minister will mention. I apologise to him that not every one of them has been communicated to his office; if he finds it impossible to answer directly today, I shall be more than happy to receive a letter from him, laying out the Government's position.

The questions are as follows. What further and continuing action will the British Government take to protect companies and individuals who are the subject of litigation in US courts? What representations have the Government made to the US Administration to encourage the President to use his right to waive prosecutions in the national interest? Will the Government be prepared to join any British company operating in Cuba and in the US, and thus subject to US law, to defend any action that might be brought, as the Canadian Government have declared themselves willing and ready to do?

Are the Government prepared, separately or with other nations, to challenge in the US courts the constitutionality of the Helms-Burton Act? What is the position in respect of the European Union? Is a World Trade Organisation action likely to succeed, given that the US may invoke its national interest in defending itself against any complaint?

What discussions have taken place with the Canadians and Mexicans? What is Her Majesty's Government's view about a possible action against the US by the two other North American Free Trade Agreement partners, which is under active discussion and consideration by them?

Have the Government had any discussion with Governments in the Caribbean region about their concerns about the Act? Are there any existing or new legal powers

[Mr. Galloway]

that might be invoked to protect British interests in that regard? Did the Prime Minister raise the issue when he met President Clinton in Egypt?

I shall conclude by mentioning some issues that I have raised with the Minister before. It is time for the Foreign Office to follow the Department of Trade and Industry in making an official visit to Cuba. I assure the Minister that he would receive a warm welcome. His colleague, the Minister for Science and Technology, spent a fascinating time with President Fidel Castro, and I know that a man of the Minister's generation—if not of the same political stripe as Castro—would find such a visit fascinating. That would do a great deal to show the United States that we, as a country, will stand up for our own interests and for constructive dialogue and reform.

I know that the Minister is worried about the United States' response. The United States, especially in an election year, is not shy about interfering in British domestic affairs. The President is not shy about interfering in the north of Ireland. He is not shy about making electioneering barnstorming visits to Britain and interposing his personal views about the future of Ireland. I happen largely to share those views, but if the Americans are not shy about interfering in British affairs, why should we be so terrified?

We welcome the fact that Her Majesty's ambassador in Cuba has a £150,000 fund for projects that help economic reform in Cuba. That was an innovation. Will it be continued and can it be increased? Welcome though it is, it is a small figure.

The Minister will not be surprised that I close on this subject because he and I have argued about it many times. When the issue of the embargo quarantine against Cuba comes up in the United Nations this year, why cannot we join the great majority of countries in the world, including the great majority of our European partners, and vote against that foolish, short-sighted policy? We are left in increasingly difficult company by not making our views against the embargo clear. Instead of abstaining when that matter returns to the United Nations, will the Government give active consideration to casting their vote for better relations between Britain—and, indeed, the world—and Cuba?

12.44 pm

Mr. Tim Rathbone (Lewes): I thoroughly endorse everything that the hon. Member for Glasgow, Hillhead (Mr. Galloway) said, and I add a brief rider. The hon. Gentleman urged the Minister to go to Cuba and have a talk with Fidel Castro. I add emphasis to that urging, for the following reason.

As a Government and as a country, we should make it clear to Fidel Castro that he should not undertake the deplorable actions that he took in shooting down the aeroplanes. There was no excuse for it, even if it took place in Cuban air space—and there are questions about that. It seems to me to have been the action of a man who has been backed into a corner and is trying to continue to resist all efforts to develop his country, in which, as the hon. Member for Hillhead said, Britain has been in the forefront.

I hope that, while taking the American Government to task for their deplorable act, which is unforgivable from every standpoint, my hon. Friend the Minister will take advantage of a meeting with President Castro to express that point of view.

12.46 pm

The Minister of State, Foreign and Commonwealth Office (Mr. David Davis): I am grateful to the hon. Member for Glasgow, Hillhead (Mr. Galloway) for initiating the debate. He knows my interest in Cuba. I thank him for his comments, although I suspect that his commendation of me may be fatal to my career. He knows that we take our relationship with Cuba very seriously. I shall try, in what remains of the debate, to answer as many of his questions as I can, but I have no doubt that my hon. Friend the Minister of State with responsibility for Cuba and Latin America, the hon. Member for Upminster (Sir N. Bonsor), who is unfortunately out of the country, will respond by letter to the items that I do not deal with.

We have maintained continuous diplomatic relations with Cuba, and a British embassy in Havana, since the end of the second world war. Nothing has changed in that time. I think that hon. Members will agree that Cuba has the potential to be a significant market for exporters and investors alike. Her Majesty's Government therefore actively encourage trade between our two countries, as the hon. Member for Hillhead and my hon. Friend the Member for Lewes (Mr. Rathbone) said.

It is also important to note that many of our closest partners have wide-ranging and important interests in Cuba—notably our European Union partners, which the hon. Member for Hillhead mentioned, Canada and, in different ways, the United States—and that we consult all of them on developments.

There is recent evidence that improvements in the political and economic position in Cuba are still far from complete, but I believe that the situation is gradually—I emphasise gradually—changing for the better. We believe that Cuba's potential role in the Caribbean is as yet a largely unanswered question, but it is one of undeniable significance.

Drugs and drug-related crime pose the biggest threat to the security and stability of the Caribbean islands. Cuba, by virtue of her geographical position astride the air and sea routes from South America to the United States and Europe, is an especially attractive target for drug traffickers. The Cuban Government recognise that threat and the importance of close international co-operation in the fight against drugs.

The United Kingdom's counter-narcotics co-operation with Cuba is increasing. As recently as last week, the Cuban Justice Minister, who heads the Drugs Commission, visited the United Kingdom to help strengthen that mutually beneficial relationship.

In the past two years, Her Majesty's Government have provided bilateral assistance in the form of equipment for Cuban customs and police. We have also provided funding for the training component of the United Nations drug control programme project to bolster the enforcement capabilities of Cuban anti-drugs agencies. During the practical part of one such course, run by Her Majesty's Customs and Excise, there was a significant cocaine seizure at Havana airport—a more rapid return on

a training course than is usually expected—and, only last month, United Kingdom-Cuban customs co-operation led to the seizure of 165 kg of cocaine.

We are also working closely with the European Commission and our European Union partners to produce a report on the drugs problem in the Caribbean which will identify weaknesses and recommend ways in which the EU might assist. As part of that initiative, representatives of an EU study group recently visited Cuba, where they were offered every support by the Cuban Government. Anti-drugs co-operation is an area in which I suspect that co-operation will intensify in the future, and upon which there are many compliments to be paid.

Cuba's potential regional role is not limited to the fight against drugs: imagine a market-oriented Cuba, reintegrated into the economy of Caribbean, and consider its impact on other countries in the region—particularly in areas such as tourism and agriculture. Signs of economic progress exist, which make such visions more than mere idle supposition. We can anticipate the trade-creating effect that a reintegrated Cuba would have on its neighbours in the Caribbean and its surrounding countries.

However, the reform process is faltering and Cuba is not getting any closer to democracy, which may hamper the development of her economic links in the region and further afield. Of course, we hope that economic reform in Cuba will continue. We also hope that our political relations will progress in tandem with our improving trade and investment links. However, difficulties remain: human rights and lack of fundamental freedoms remain areas of particular concern.

As hon. Members well know, Cuba is one of the few remaining communist countries in the world and she has not yet made significant political reforms leading to political pluralism. We favour dialogue and co-operation to encourage such progress, and to support a process of peaceful reform, a respect for human rights and fundamental freedoms, and broadening the scope of private initiative.

We have called for an ending of arbitrary detention and the release of political prisoners; fair trials with independent courts; freedom of expression; free media; the right of citizens to seek political or public office individually or as members of parties or organisations; publication of legislation; lifting of restrictions on non-governmental organisations; Cuba's accession to the international covenants on civil and political rights and economic, social and cultural rights; and co-operation with the United Nations Special Rapporteur on Human Rights—an issue that goes back to the time when I was in charge of the portfolio.

We fully endorse the United Nations Special Rapporteur's most recent report, dated 7 February 1996, in which he records that serious violations of civil and political rights continue to occur in Cuba. He goes on to state that political pluralism and freedom of expression still have not been officially recognised, and that those who defy these prohibitions are subject to persecution, discrimination and imprisonment.

If there has been any improvement in Cuba, it has been in the new climate of discussion that has emerged in intellectual sectors which called into question aspects of the system. I regret to inform hon. Members that the human rights situation appears to have deteriorated since the report, with the arrests and apparent detention without trial of members of the dissident group Concilio Cubano. My hon. Friend the Minister of State has made clear to the Cubans our regret at this act.

I have identified areas where we would expect to see tangible progress to accompany our constructive involvement. Part of this involvement is—as the hon. Member for Hillhead was generous enough to recognise—in the form of financial funding. Hon. Members will be aware that, since the collapse of the socialist bloc, Cuba and her people have fallen on hard times due to a severe shrinkage of the economy. Although there is no bilateral aid programme, the United Kingdom contributes significantly to EU aid, which is approximately £18 million a year, and covers humanitarian assistance, support via non-governmental organisations and economic reform.

As part of our efforts to encourage economic reform in Cuba, Her Majesty's Government established a British partnership scheme in 1995 through which £150,000 is available for suitable projects. Three projects, totalling approximately £96,000, have been agreed so far. The first project is for the supply of office equipment to Cuba's new tax office. Taxes were reintroduced in 1995 as part of Cuba's economic reforms, so not everything about reform is good. The second project, designed to offer enlightenment about the workings of free markets, is for the supply of computer equipment, teaching materials and economics books to the Ministry of Economy and Planning's training school. The third project is for the training of Ministry of Foreign Commerce officials in macro-economics.

There has been an extensive exchange of business delegations, Ministers and officials responsible for trade, investment, health, justice and other areas. However, in line with Her Majesty's Government's policy, there are currently no plans for a Foreign and Commonwealth Office Minister to visit Cuba.

Mr. Galloway *rose—*

Mr. Davis: I shall not give way to the hon. Gentleman, as I have quite a lot to say—he will understand.

Because the United Kingdom enjoys normal trading relations with Cuba, Her Majesty's Government will continue to support the efforts of United Kingdom firms to take advantage of the growing civil market opportunities, especially investment and joint ventures, that will arise as Cuba continues with the reform of its economy along market-oriented lines.

To that end, the Foreign and Commonwealth Office is in the process of reinforcing its commercial staff at the British embassy in Havana. At £19.2 million, the level of British exports to Cuba remains small because of continuing Cuban indebtedness. Nevertheless, the United Kingdom ran a surplus of £11 million on its bilateral trade account with Cuba in 1995.

The Export Credits Guarantee Department is currently able to consider providing cover for projects and capital goods on cash or short terms of credit of up to two years, subject to suitable security. In addition, under the overseas investment insurance scheme, the ECGD can provide cover for investments against the risk of loss through war or expropriation, although I regret—as my hon. Friend the Minister of State informed the hon.

[Mr. Davis]

Gentleman by letter in November last year—that medium-term and long-term export credit cover is not available at present. There is a serious reason for that, on which I shall elaborate.

Cuba owes significant amounts of money to the ECGD as a result of claims paid to United Kingdom exporters several years ago. Before the ECGD can review its position, Cuba will have to normalise its position with the ECGD and, preferably, with other official creditors. This point is important, and I wanted to get it on the record. Once this has been done, the ECGD will undertake an objective review of Cuba's economic and political prospects to assess whether it is able and willing to service new debts on commercial terms in a proper manner.

In support of our trade promotion campaign, a bilateral investment promotion and protection agreement entered into force on 11 May 1995, as hon. Members will remember. Such agreements are designed to encourage investor confidence and investor flows by setting high standards of investment protection that are binding in international law.

My hon. Friend the Minister for Science and Technology has visited Cuba twice, most recently in September 1995. On that occasion, he signed an operating agreement on behalf of the Commonwealth Development Corporation that we hope will pave the way for further British investment in support of economic reform.

In the light of the efforts by Her Majesty's Government and the private sector alike, I shall now say a few words about the United States embargo against Cuba. Hon. Members will not be disappointed to learn that we cannot condone any activities that serve to hamper free trade. We have always held that the United States embargo is primarily a bilateral matter for the two Governments concerned. We do not consider the United Nations General Assembly the correct forum in which to discuss the matter, hence our traditional abstention on the vote on the annual Cuban resolution against the embargo.

Mr. Tony Lloyd (Stretford): What about the Helms-Burton Act?

Mr. Davis: I was about to refer to that. We are deeply concerned by the measures in the Helms-Burton Act—which passed into United States law earlier this month—that serve further to tighten and internationalise the embargo. We have lobbied the United States Administration and Congress hard against extra-territorial and other provisions in the Act. Our lawyers are urgently studying the final details of the Act to assess its impact on British interests. We are considering what further action to take in conjunction with the EU and other key partners.

I am grateful to the hon. Gentleman for highlighting the fact that the Helms-Burton Act contains several objectionable provisions, in particular the attempt to extend the powers of United States courts over legitimate business activities of British companies who are active—or who would like to become active—in Cuba and to deny United States visas to British citizens who are trading legitimately with Cuba under British law.

We shall press the United States Administration to use the greatest possible discretion in implementing those provisions. We are deeply concerned about the potential damage that the Act could cause to our legitimate trading interests and are urgently considering the appropriate British response to it.

At this juncture, I reassure the hon. Gentleman that the Government will do whatever they can to protect legitimate British business interests. As my hon. Friend the Member for Lewes pointed out, the British Government deplore the recent shooting of two civil aircraft by the Cuban air force. Clearly, that has set back United States relations with Cuba. It could not be expected to do otherwise.

As we do not believe in isolating Cuba, we cannot share the sentiments that lie behind the Helms-Burton Act. Rather, with our EU partners, we feel that the best way to encourage economic and political reform in Cuba is to maintain a constructive dialogue as a means of encouraging reform and democracy there.

Construction Industry Training Board

1 pm

Mr. Henry Bellingham (North-West Norfolk): I am grateful to Madam Speaker for allowing me to raise this matter today. Exactly two weeks ago, the Construction Industry Training Board announced that it planned to relocate its headquarters from Bircham Newton in my constituency to Peterborough. It also announced a comprehensive restructuring, but I shall concentrate on the relocation.

The CITB is answerable to Parliament under the Industrial Training Act 1982. The Secretary of State appoints the chairman and deputy chairman and is responsible for a number of other key matters. The CITB is one of the biggest employers in my constituency. I have always had an excellent relationship with the chairman of the board, Sir Clifford Chetwood, and the chief executive, General Ted Willmott. I have always been involved in debates in the House on the levy orders and I have been very much involved in the two reviews that have been carried out in recent years. I always felt that they trusted me. I trusted them and we worked well together.

I received no prior warning whatsoever of the announcement two weeks ago. I was not consulted and nor were the other local Members, one of whom is my right hon. Friend the Secretary of State for Education and Employment, who is responsible for the CITB. I find it extraordinary that about a month before the announcement, I had a meeting with the chief executive, who told me that, in his opinion, there was no need to worry about relocation. I entirely accept that he is not a board member, but if that is not a duff steer, I do not know what is. I have been treated with complete contempt and a fair degree of arrogance. I am very angry indeed, as are my constituents. The chief executive, General Ted Willmott, has apologised to me for the inadequacy of communications and I accepted that, but there has been no apology or anything else from the chairman, Sir Clifford Chetwood.

The CITB is important to North-West Norfolk. It has 400 employees in my constituency. Roughly 291 jobs in west Norfolk will be threatened by the relocation. That will have a large impact on a rural economy. We are not talking about King's Lynn, Fakenham or Norwich, but a remote, rural part of west Norfolk. The relocation will leave a considerable social and economic gap.

The work force is utterly appalled, as are many other organisations. In the past week, King's Lynn and West Norfolk borough council expressed its grave concern. The local chamber of commerce and Norfolk county council are in outright opposition to the relocation. At present, it remains a local issue, but I have no doubt that it will become a national issue in due course. I am pleased to see my hon. Friend the Member for Teignbridge (Mr. Nicholls) in his place. He was the Minister responsible for the CITB a few years ago. I am also pleased to see in their places some of my friends among the Opposition who feel equally strongly about the matter.

When the CITB took over the disused RAF base at Bircham Newton in 1964, it established a training operation there, but in 1985 the headquarters was moved from London at a cost of £4 million and a further £5 million was spent to turn the buildings into first-class offices. I understand from Leslie Kemp, who is one of my constituents and a former chairman of the CITB, that roughly £1 million has been spent on windows alone in the past five years.

What reasons have been given for the relocation? The reasons for such a momentous decision must presumably be fairly compelling. I examined the reasons that the CITB gave board members at its recent board meeting.

First, the CITB wants better access to industry and other organisations. It wants to be in a communications hub. That might have been an applicable 10 years ago, but in the past 10 years there have been numerous improvements to the transport infrastructure in west Norfolk. We now have an excellent electrified railway. We have had many road improvements. Next Monday, my hon. Friend the Minister for Railways and Roads will open a £24 million seven-mile dual carriageway scheme on the A47 west of King's Lynn, improving our links to the motorway network.

Secondly, the CITB cited the need for better operational efficiency and effectiveness, claiming that bringing operations together in a single modern building will allow for a reduction in management layers. There is also a need for greater integration of executive and operational staff. That may well have been the case 10 years ago, but modern office technology, faxes and e-mail greatly reduce the disadvantages of a split site.

The CITB is concerned about the availability of skilled staff and argues that a larger employment marketplace would make it easier to recruit better-quality staff, especially in accounts and information technology. That is manifestly not the case. Firms in King's Lynn such as Campbell's, Dows, Master Foods, Bespak and Porvair are all expanding and recruiting new middle managers, IT programmers and other personnel into west Norfolk. In Norwich, which is just down the road, the Norwich Union is one of the biggest employers in the country and has no problems recruiting people from local universities and colleges and bringing in people from elsewhere.

The CITB also argues the need for a change in culture. That underpinned all the arguments and the debate at the board meeting two weeks ago. It feels that only by relocating out of Norfolk will it secure that culture change. The papers provided at that meeting suggest that

"relocation will provide an opportunity to update the skill base by replacing staff who performed adequately in the past, but who cannot perform at the level now required to meet the CITB's operational requirements."

That is an insult to my constituents and a slur on hard-working loyal people who have given their lives to the organisation.

My constituents want fewer lectures and more leadership from the chairman and chief executive, particularly when the outgoing chairman has not shown sufficient leadership. The London headquarters costs £400,000 a year and the staff who occupy it do not visit Bircham Newton anything like enough to provide the leadership that my constituents expect.

When I visited the CITB last Monday, I spoke to many constituents and staff. I saw the IT department, which has been the subject of much discussion, where I found people who were committed, motivated and hard-working. They appeared to be completely on top of their jobs. The only difficulty is that they have been unable to recruit a new systems analyst. Apparently, the post has been vacant for

[Mr. Henry Bellingham]

the past six months or so. No doubt that is a problem, but I cannot accept it as the reason for spending £6 million on moving to Peterborough.

Let me examine the alleged unsuitability of existing buildings. I mentioned that a great deal of money has been spent on them. It cost £4 million to relocate from London and more than £6 million has been spent on the offices. That is a lot of money. The buildings are spread out, but, as the CITB made clear, under the restructuring there will be 90 fewer jobs at the headquarters. The staff occupy a number of buildings at the moment, but with the restructuring they can readapt and adjust. They will have a smaller headquarters staff and, with a little imagination and common sense, a huge amount could be done to the existing buildings without having to build a new office block at Bircham.

The work environment at Bircham is preferable to that at Peterborough. If I were an ambitious, bright graduate in IT or accounts or an up-and-coming middle manager, I would rather be at Bircham Newton in a lovely part of the country and a fantastic environment, driving some five miles into work, than in some large, impersonal, plate glass tower block in Peterborough where I would have to fight my way across a dual carriageway to the sandwich bar. The CITB has overlooked the work environment and the culture at Bircham. The organisation is about providing training to the young people of this country, and Bircham is a training centre: it has the plant and equipment and it is a hive of activity. If the CITB relocates to Peterborough, it will become just another amorphous financial services organisation and corporate headquarters.

Who has conducted the review? I asked the CITB whether the buildings at Bircham had been evaluated fully. The reply was that there had been an assessment, but no proper evaluation. That says a great deal. Mr. Richard McLoughlin and Mr. Mike O'Reilly were two of the consultants who carried out the review—both of whom are former directors of Wimpey, Sir Clifford Chetwood's ex-company. It seems to be a case of jobs for the boys.

What will the move cost? According to the CITB's figures, relocation to Peterborough will cost £6 million. That compares with the £3.5 million cost of building new premises at Bircham. But I am not suggesting that the CITB should construct a new building at Bircham, because I can advance a very strong case for ensuring that the existing buildings are adapted and adjusted to provide an excellent headquarters for the operation. According to its own figures, a move to Peterborough will mean an extra annual cost of £300,000, largely in rent charges.

We must have a comprehensive evaluation of the buildings at Bircham. It is an obvious point that has not yet been considered properly. The relocation argument collapses completely when one considers the economic factors. If one examines also the qualitative or judgmental factors, one comes to the conclusion that the CITB chairman and the chief executive have had a secret agenda for a long time: to move from Bircham to another site that is more convenient for them but not necessarily for Bircham employees, few of whom travel to and from other areas.

The staff at Bircham will not trust management and the CITB. They are very concerned about the future of Bircham Newton training centre. The future of training within the CITB is presently under review and the number of staff at Bircham training centre is to decrease from 96 to 76. After all the assurances and the promises that they have been given, how can staff trust a single word that the chairman and the chief executive say? The simple fact is that they cannot.

I turn now to the conduct of the chairman and the other directors at the board meeting on 6 March. It is extraordinary that the outgoing chairman, who will stand down at the end of the month, is prepared to put to the board a momentous scheme that he will not implement. I have seen the board papers and they do not go into detail or examine fully all the options—particularly the obvious option of remaining at Bircham, which will save much money at a time when the industry is in some difficulty.

The vote at the board meeting was nine to six in favour of relocation. I am concerned that two proxy votes were disallowed. I understand that the holders of those proxy votes—to whom I have spoken at great length—were under the impression that their proxies would be valid. The CITB told them that the proxies, although usually valid only for votes on levy matters, could be used at the meeting. The two board members concerned had to attend other very important meetings and they decided not to go to the CITB meeting on 6 March because they were given absolute assurances that the proxies would be used to vote against any relocation. However, the proxies were disallowed and I want to know why.

The CITB chairman met the federations the night before the meeting and I understand that he told them that he had the full support of the Government and of the Opposition in deciding the CITB's future. It is extraordinary that the chairman did not do his homework. My hon. Friend the Minister wrote a letter to Ron Davies, the Director General of the National Specialist Contractors Council, in which he said:

> "I can, however, give you a categorical assurance that no decision has been taken by Government about the continuation of CITB as a statutory Board after its current term ends on 31 March 1998".

The chairman misled the federations.

Mr. Patrick Nicholls (Teignbridge): My hon. Friend will recall that I am the parliamentary adviser to the National Specialist Contractors Council. Therefore, will he accept my assurance that the CITB reorganisation and the relocation does not have the support of the specialist sector? He can also take it from me that that sector does not believe that it has been consulted adequately about the proposals.

Mr. Bellingham: I am very interested in my hon. Friend's comments, because the Federation of Master Builders feels the same way. When the chairman, Sir Clifford Chetwood, assured the board that the relocation enjoyed the unanimous support of the federations, at best, it was a gross misrepresentation of the truth and, at worst, it was a downright lie.

To cap it all off, I gather that the board hurried to its conclusion in order to take Sir Clifford to a celebratory lunch, having effectively axed 291 jobs in my constituency. The conduct of the board meeting was absolutely shameful and Sir Clifford Chetwood—a captain and a knight of industry who has many admirers in this place and throughout the country—should be ashamed of himself. It reinforced my view, and that of

many of my hon. Friends, that Sir Clifford was determined to bulldoze the decision through the board at all costs before he stood down as chairman.

I support the CITB and I shall continue to do so in future as I believe that we must have a statutory training board with a levy to provide training for our youngsters and to maintain high safety standards. I am obviously pleased that it intends to invest in new training facilities in my constituency and I have no doubt that it could have a bright future. I believe also that the changes that the CITB is making to the field service and the streamlining of the headquarters—which will be painful in any event—can be justified and sustained.

However, I cannot under any circumstances support the relocation of the headquarters away from Bircham. I visited there on Monday and I found that the decision has completely shattered morale. There is a strong chance of industrial action at Bircham. When Sir Clifford Chetwood assumed responsibility for the CITB, it was rich in reserves, had very high staff morale and was building on the excellent work of Dennis Maiden, Derek Gaulter and Leslie Kemp: it knew where it was going. Sir Clifford is now handing over an organisation where morale is at rock bottom and everything is in a complete shambles because of the uncertainty and staff bewilderment. After all, the greatest asset of any organisation—particularly a training board—is its staff.

I believe that the new chairman, Hugh Try, has his work cut out: as things stand, he must push forward the very important reforms restructuring the field service and streamlining the headquarters, while simultaneously taking on the relocation, when the federations have not been consulted properly and in the run-up to the new levy. My hon. Friend, as the Minister who will take the levy through Parliament, will be aware that it normally goes through on the basis of consensus. If he is to bring the levy to Parliament without industry consensus—there is grave danger that, if the Federation of Master Builders and the National Federation of Specialist Contractors withdraw their support, it will not have the necessary percentage—there could be a crisis of confidence.

I am deeply pessimistic about the CITB's future if the board does not reverse its relocation decision. The new chairman must tell the board that the CITB has a lot to do, that it faces big challenges and that it could have a bright future. However, he must also emphasise that, in order to secure that future, he needs the support of Ministers, all hon. Members—including Opposition Members—and employees. As things stand currently, he will not have that support and the CITB's future looks very bleak. However, he has another option: I implore Hugh Try to seize the opportunity and recommend that the board reverses that part of its decision on 6 March relating to relocation.

1.19 pm

Mr. Robert Ainsworth (Coventry, North-East) *rose—*

Mr. Deputy Speaker (Mr. Michael Morris): Order. Does the hon. Gentleman have permission from both the hon. Member for North-West Norfolk (Mr. Bellingham) and the Under-Secretary?

Mr. Bellingham *indicated assent.*

The Parliamentary Under-Secretary of State for Education and Employment (Mr. James Paice) *indicated assent.*

Mr. Ainsworth: I congratulate the hon. Member for North-West Norfolk (Mr. Bellingham) on obtaining the debate and on the tremendous resistance that he is putting up to the proposals on behalf of his constituents. He is not alone and I know that there is a groundswell of resistance to the proposals in his locality, which includes not only the trade unions represented at the Construction Industry Training Board—I declare at the start of my remarks that my constituency has a sponsorship arrangement with the Manufacturing Science Finance union, which is one of the trade unions represented at the CITB—but the county council, Mr. Clive Needle, the local Member of the European Parliament, and the prospective parliamentary candidate for Norwich, North—Dr. Ian Gibson. So there is a groundswell of support for the hon. Member's campaign of resistance to the proposals.

I am sure that the hon. Member for North-West Norfolk wishes to represent the people in his locality in his campaign, especially in the light of some of the very insulting and disparaging remarks that have been made about understandably sensitive matters. But resistance is growing wider, not only in the trade unions but in the federations.

The hon. Member for Teignbridge (Mr. Nicholls) mentioned the National Specialist Contractors Association, and I wish to make a point about the process that was used to bulldoze through the proposals. I understand that a dinner meeting was called the day before the board meeting, and the board was told that the affiliated organisations, including the National Specialist Contractors Association, were all unanimously in favour of the proposals. That simply is not so. The director general, Ronald Davies, has spoken about his total opposition to the proposals. At a meeting in the House the other night, Denis Maiden, the director of the Federation of Master Builders, left us in no doubt about his absolute opposition.

Given the clear evidence of a lack of objectivity in the way in which the decision was taken to move the CITB, we need, at least, a reconsideration of that decision. We are looking to the Under-Secretary to apply the maximum pressure to get that reconsideration. There are very clear indications that the process was not correct and that the board was deceived about the level of support for the proposals. It was told that the levy payers and the trade were unanimous in support, but some of the levy payers are vociferously opposed. The work force is also opposed and there is a clear case for reconsideration.

I offer my support to the hon. Member for North-West Norfolk, as will many of my hon. Friends, the trade union movement and sections of the trade, in his efforts to resist the disgraceful way in which the transfer has been proposed. The trade unions at the CITB are not opposed to changes in the structure and the costs of running the operation, but the board was given only two options—to stay exactly as it is or move the entire operation elsewhere. That is not a true reflection of the options open to the CITB and there is a clear case for reconsideration.

1.23 pm

The Parliamentary Under-Secretary of State for Education and Employment (Mr. James Paice): I am sure that the House will agree that any hon. Member would feel as my hon. Friend the Member for North-West Norfolk (Mr. Bellingham) does about something that so seriously affects his constituency. He will know of my concern for rural areas, as I represent a constituency not very far from his, and therefore of my personal empathy with the situation in which he finds himself.

The Construction Industry Training Board, as the House will know, is one of the two remaining statutory training boards, and its existence owes much to the work of my hon. Friend at the time of the review of training boards some years ago, and to the unique employment pattern of the construction industry and the support of the employers in the industry for the statutory status. The CITB is a very large business whose sole function is to promote and provide training within the construction industry. It is funded partly by a statutory levy which is approved annually by the House, and partly from income generated through training contracts. The Industrial Training Act 1982 requires that not only is the levy approved by the House, but that the annual grant scheme proposals are approved by Ministers and the annual report and accounts are laid before the House. Although the rate of the levy is normally the result of consultation and usually has the support of at least 50 per cent. of the industry, that does not have to be the case before it is put before the House. However, it would be clear to the House that if that level of support were not forthcoming from the industry I would need good reasons to proceed.

Despite the requirements of the 1982 Act, it is the responsibility of the board of the CITB to manage its affairs and control its operations. Neither I nor my right hon. Friend the Secretary of State for Education and Employment can interfere with such decisions—much as I understand the wishes of my hon. Friend and the hon. Member for Coventry, North-East (Mr. Ainsworth) that it were otherwise.

Since 1982, the CITB has been the subject of periodic reviews concerning its status. The last review was in 1993 and, due to widespread support from the industry's employer organisations for its retention, it was reconstituted for the period until March 1998. The next review will therefore commence next year, and any decisions made by the board must be in the knowledge that there can be no guarantee of the outcome of that review and therefore the future of the board's status. My hon. Friend referred to a letter I sent two or three days ago to the secretary general of the National Specialist Contractors Association on that specific subject.

My hon. Friend also referred to the handling of the decision by the board and to its announcement. My right hon. Friend the Secretary of State and I share his concerns. It is apparent that many of the federations received little notice of the proposals, and some I know are aggrieved that they did not have more time to consider the implications of the proposals. It is especially bad that no arrangements were made to communicate the decision to the staff until the following day, by which time the whole issue was in the media. That is not the standard of management that one would expect from a training organisation, which should be at the forefront of modern staff management techniques.

The House knows that the construction industry has gone through a long and painful period with a considerable amount of restructuring and reduction of overheads. It is no surprise that the CITB should do likewise, and in as much as the principle of the reorganisation is to refocus the board's work on its customers and maximise resources for training, the reorganisation is to be welcomed. I am conscious, as I go round the country, that there are many levy payers who resent the board's role, and who are unaware or unconvinced of the board's value. Any effort to concentrate on levy payers' needs will receive my wholehearted support. Equally, all levy payers—large or small—will expect the CITB to be run efficiently and effectively, and they will expect a reduction in the cost base and a concentration on front-line services. That will be the priority of the federations which comprise the bulk of the levy payers and put forward the nominations for the board. They will be primarily concerned that the levy is used to provide the best services for the needs of their members.

It is clear from my hon. Friend's speech that the relocation of the headquarters away from Bircham Newton vexes him most. It is, in my view, a separate matter to the reorganisation of the board, which I welcome, but it is for the board to decide. It must—as it did—examine the costs of relocation and any perceived benefits. Having done so and having reached a decision, it is the board's responsibility to explain it to its members and staff and convince them that it is right for the industry. The board will need to consider many issues, including the costs and benefits; the frequency with which people visit the headquarters and, therefore, the importance of the travel links, to which my hon. Friend referred; and whether better management and training could overcome the alleged cultural difficulties, to which my hon. Friend also referred.

My hon. Friend and the hon. Member for Coventry, North-East put their cases powerfully. My hon. Friend has done so not just today, but when he sought a special debate two weeks ago after the announcement. I know that my hon. Friend had meetings with the outgoing chairman and with the chairman elect, Mr. Hugh Try, in whom I have total confidence and who takes over on 1 April. If the new chairman can be persuaded by my hon. Friend to re-examine the matter and to consider my hon. Friend's representations, that is for the new chairman to decide. Whatever happens over the next few months, it is clear that there are many bridges to be mended and that there needs to be a considerable improvement in the handling of what is obviously a sensitive and important issue.

Fishing Communities (Northumberland)

1.29 pm

Mr. A. J. Beith (Berwick-upon-Tweed): Fishing communities have an important place in the life of Northumberland. They are tightly knit communities with strong family ties, and many fisherman can trace their fishing ancestry through many generations. Traditionally, vessels have passed from father to son. Around 230 vessels are registered with the Ministry of Agriculture, Fisheries and Food at ports from North Shields to Berwick. Most are small, multi-purpose inshore vessels and traditional beach-launched Northumberland cobles. Most of the vessels are skipper or family owned.

With the exception of Blyth and Amble, fishing activity at Northumberland ports has declined steadily since the early 1980s. There has been a change in the structure of the local fleet, with a growing number of smaller vessels. Those changes do not relate wholly or perhaps even mainly to the effects of the common fisheries policy, which is receiving widespread attention, although some of them are consequential. Our part of the world does not face the acute problems that confront our colleagues in the south-west, with flagged Spanish vessels and competition from neighbouring countries, but we face all the problems of quotas and the stringent enforcement of inspection in this country. I hope that the Minister will bear in mind today's *Daily Mail* headline:

"We obey the rules and they cheat".

The European Commission report published yesterday emphasises that whereas enforcement in Britain is rigorous, it does not appear to be so in many other countries. We cannot allow that disparity to continue, because our fishermen suffer greatly by it. There is an argument for a stronger European institution, to ensure the same standard of inspection throughout the European Union.

The decommissioning scheme introduced in 1993 has also contributed to the reduction in fleet size, and it may have an increasing effect. The root is the decline in fishing opportunities, arising partly from natural change, past over-fishing and Government decisions. There have been marked changes in fishing patterns. Traditionally, cod, haddock, nephrops and whiting were the area's main catches, although there was once a significant herring fishery. That is no longer a major part of the area's activities because herring declined so severely.

Between 1984 and 1994, the volume of cod landed fell by 61 per cent., haddock by 74 per cent. and whiting by 69 per cent. Inshore shellfish fisheries for lobster and crab are also suffering decline. Landing figures have fallen markedly since the early 1960s, and it is clear that the area's fishery industry is in decline. The lack of any limit on the landing of berried female lobsters is a regular complaint of the fishing community, which hopes for action after years in which a proper conservation policy has not been followed.

The industry's decline has been exacerbated by the Government-imposed decision to phase out the licensed salmon fishery, without any scientific justification but as a result of pressure from landowners in Scotland and angling interests. I take a dim view of the Minister's attempts to heavy the National Rivers Authority into giving him different advice. He put the NRA under considerable pressure to recommend a later start to the season, with no fishing before 1 May. The effect will be to allow the same fish to be caught by Scottish nets, fixed engines and rods. As it is, the large majority of early fish are already caught by Scottish nets and rods.

The decline in other sections of the fishery has been partly offset by increased landings of nephrops, but the total value has fallen in real terms. The nephrops fishery is left as a crucial element in the survival of the area's fishing fleet. However, some fishermen in small communities are no longer able to fish for cod, whiting or herring and will soon be unable to fish for salmon because of the Government's decision. They are left without the ability to benefit from the prawn fishery because their boats are not of a suitable size, so they are dependent on the limited lobster and crab fishery.

The industry's importance becomes clear when it is set against the problems of the whole area. The north-east has the highest unemployment in mainland Britain. The area covering Amble and Seahouses had average unemployment of 12.3 per cent. in 1995, with a rate of 16.7 per cent. for males. The industry is significant not only for the fishermen but for people who work in the supporting industries. Fishing-related jobs account for about 2.6 per cent. of the Alnwick work force. The North East Fishing Forum reported that from the Tyne to the Tweed around 1,350 people were employed in jobs directly relating to fishing and that a further 2,000 jobs were supported by the industry. Those jobs are vital to an area whose economy is fragile.

There has been a decline in the number of full-time fishermen in many of Northumberland's ports. Seahouses lost 38 full-time fishermen between 1984 and 1994, which is more than half the previous total. Seahouses has only five keel boats now instead of 25 two decades ago. Berwick lost most of its fishermen, and Beadnell and Boulmer lost nearly half their fishermen. Holy Island is declining as a fishing port, and Craster has also declined to a low level. There have been increases in Amble and Blyth because of the nephrops fishery, but there has been a decrease at almost every other port.

In November 1995, Nautilus Consultants reported to the European Commission that many fishermen would find it hard to obtain work outside the industry, largely because many of them—although experienced—do not have formal training skills beyond basic safety requirements. Qualified skippers found it relatively easy to obtain other work, but crews found it much harder. When fishermen do find other jobs, they have strong qualities that make them attractive to employers. They are prepared to work long and unsociable hours, have a knowledge of the sea, navigation and mechanics, and are familiar with team work—all of which make them good employees. More than 70 per cent. of fishermen in the study who obtained jobs remained in them and worked happily to the satisfaction of their employers.

Past policy has been aimed at reducing the size of fleets throughout the European Union without paying enough regard to socio-economic circumstances and the ability of fishermen to find alternative employment, which depends on factors such as job availability and pay. Decommissioning alone does not take those factors into account. There are European programmes to deal with such changes, and the purpose of this debate is to press the Government to make maximum use of them in areas where the decline of the fishing industry has a particularly harsh effect on small communities.

[Mr. A. J. Beith]

The PESCA scheme aims at dealing specifically with redeployment, but there are two fundamental conditions. Any project must comply with EU guidelines on state aids for the fishery sector, and it must not lead to an increase in fishing effort. Eligible projects include support for the creation or development of local economic promotion, support for local and community initiatives that generate enterprise, support for small and medium-sized businesses, information and advice on business performance and access to markets, support for employment and training projects, and schemes to innovate and restructure industry.

PESCA funding can be used to improve the skills of fishermen and to enhance their employability, although many fishermen want to stay in the industry—70 per cent. of those in the Nautilus survey would return to it if they had the opportunity. PESCA takes money from the European regional development fund, the European social fund and FIFG—the financial instrument for fisheries guidance. The ERDF deals with the promotion of alternative economic activities for business, particularly small and medium-sizes enterprises, including the promotion of tourism. That is highly relevant to Northumberland, which is a most attractive area. The European social fund covers vocational training, guidance, counselling projects and employment support.

There are funds available to safeguard and enhance fisheries. The FIFG includes support for the development of marine agriculture, such as feasibility studies, market research and improved marketing, promotion and quality of fish products, and research and technical assistance to improve the industry's environmental and economic sustainability.

Notably, other regions have been successful in obtaining funding for fishing communities. The Republic of Ireland has already spent £35 million out of the PESCA scheme, some of it on lobster stock enhancement, which is one of the things that we want in Northumberland. Scotland also has a scheme, although I understand that it is directed at those leaving the industry. Why has England apparently not got its act together? What is MAFF doing? One of the anxieties is that, because of the British rebate, Government Departments are not particularly zealous in pressing for money under these funds, because it is assumed that if we do not get money from these funds it will come back to us anyway in the rebate. That wholly defeats the purpose of such measures, which is to direct funds towards areas where the impact of European policies, or just general structural change, is such that an adjustment is needed. We need help. The Ministry is responsible for the promotion of the fisheries industry and the areas dependent on it, so it should ensure that we do not have to wait for some rebate cheque that goes into the general coffers of the Government but that we can use the funds for the purposes for which they are intended: to help hard-hit fishing communities.

The Nautilus study identified particular problems in Northumberland which make the area an ideal priority for funding. The lack of any dominant alternative industries means that it is important to have priority project areas. There have been discussions with fishermen, development trusts and local authorities, and they have extended to measures to enable fishermen to move into activities directly related to fishing, such as lobster stock enhancement, and measures to enable fishermen to get into leisure activities which can provide employment—the Farne islands and other offshore attractions, for example, for which opportunities could be further developed. We have discussed measures to improve the training of fishermen in other seagoing activities and to help them to go into small business. Can we count on the Minister to back such initiatives? We shall need as much help from central Government as we can get.

One project designed to help rejuvenate the lobster fishery has already had a small offer of funds from MAFF. I think that it is only £5,000, but at least it is helpful. We have received European funding for a winch and slipway on Holy Island, but there is so much more to be done and there are many difficulties for local people to overcome. One development trust pointed out how difficult it is to get private finance for initiatives in largely rural areas. Private finance opportunities seem to be greater in large conurbations, where the institutions are located and where the projects are of a scale to lend themselves to private finance involvement. The rural areas rely heavily on pump-priming money from the public sector. There are sometimes difficulties with getting the money through, whether it is the European contribution or the British Government element.

Problems of infrastructure also need attention: harbour walls, facilities for the covered landing of fish, and storage facilities. Both Seahouses and Amble have such problems, which could be attended to.

I ask the Minister to recognise all the changes that I have described. Not just those that arise from the European common fisheries policy or from the rigorous enforcement of the quota policy, which I regard as an extremely unsatisfactory conservation policy—throwing dead fish back into the sea does not seem to me to be a sensible way of conserving it for the future—but other changes, too: the decline of some of our key fisheries and the artificial closure of the salmon fishery. All those leave him with a huge responsibility to try to assist Northumberland fishing communities to consolidate and use their fishing opportunity for the future, and to replace lost opportunities with new forms of employment to keep these families whose activities are so much part of the fabric of life in our area.

Every fisherman to whom I have spoken is worried about the future of his sons and daughters. The tradition was once that the son would go into the fishing industry. So few now feel able to assume that that will happen or, indeed, to encourage the next generation to go into the industry, that they must be given some other opportunity. Where resources are available, as in the European funds, we want to know that the Government are making every possible effort to draw those funds into measures to help an area that is quite hard hit.

We need the Ministry to help to cut through the bureaucracy, not add to it, as Government Departments sometimes do. I ask the Minister to give us all the help that he can. These communities have been extremely valuable and stalwart parts of the life of Northumberland, and they must remain so.

1.44 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Tony Baldry): It is the custom on these occasions for the Minister to congratulate the

hon. Member concerned on obtaining the debate, and I do so today. I am particularly grateful to the right hon. Member for Berwick-upon-Tweed (Mr. Beith) for giving me the opportunity to respond to his concerns and to explain the support that the Government are giving to the fishing industry by way of grant aid.

As fisheries Minister, I have made it clear on numerous occasions that I have only one purpose and aim: to represent and promote the best interests of the United Kingdom fishing industry and its fishermen. That, of course, includes the fishing communities of Northumberland, who make an important contribution to the local economy through the direct employment of fishermen and through jobs onshore in the marketing, processing and service trades.

I was pleased to have the opportunity to meet fishermen from Northumberland recently when I visited ports throughout the country. I know at first hand, therefore, that the fishing industry between the Tyne and the Tweed is based on a diverse range of activities which exploit a number of different stocks. An example of that is to be found in the right hon. Gentleman's constituency, which has a significant shellfish processing industry. Like North Shields and Amble, it is developing prawn processing facilities based on a growing nephrops fishery. That has undoubtedly helped to mitigate some of the more acute problems which result from the more general over-fishing that affects so many coastal communities today, not just in Europe but throughout much of the world.

As the right hon. Gentleman said, traditionally the Northumberland industry has relied largely on landings of cod, haddock and whiting. More recently, it has developed its catch of nephrops. Like other parts of the UK industry, it has been affected by the pressure on North sea stocks and the need to manage fishing efforts if stocks are to be conserved for the future. In managing fish stocks, a difficult balance must be struck between the fishermen's desire to catch as many fish as possible and the need to avoid stocks being reduced to the extent that they risk collapse. That sometimes means that significant cuts have to be made in quotas. My aim, however, is to ensure that any cuts are kept to the minimum necessary to protect stocks and to allow severely depleted stocks to recover. I am glad, therefore, that in the Fisheries Council last December we were able to agree that only a 3 per cent. cut was needed for North sea whiting, that no cut at all was needed for North sea haddock and nephrops, and that we could have an 8 per cent. increase for North sea cod.

A more local example of the concerns about stocks is provided by the report on salmon net fisheries, which the Government presented to Parliament in 1991. It concluded that the north-east coast salmon driftnet fishery should be phased out to make it easier to manage individual stocks. It recommended, however, that that be done gradually, as existing netsmen left the fishery, so as to avoid any undue hardship. That is what is being done, and we have no intention at present to introduce measures which go beyond the report's recommendations. I do not think that I have been "heavying up" anyone, and I certainly have not been heavying up the National Rivers Authority.

One of the report's recommendations was that the opening date for the driftnet season should be postponed until 1 May to protect spring-run salmon. In the event, no change was made. We recently asked the NRA to look again at that recommendation as part of a wider review of controls on the exploitation of spring-run salmon in the fisheries for which it is responsible. My right hon. Friend the Secretary of State for Scotland made a similar request to the Scottish district salmon fisheries boards in respect of the fisheries for which they are responsible. Those requests were made in the light of the salmon advisory committee's report on the run timing of salmon, which recommended, among other things, that consideration be given to additional controls in commercial and recreational fisheries.

Mr. Beith: I have to tell the Minister that he is wrong. The report did not recommend the phasing out of the north-east driftnet fishery at all. The report described the circumstances, and Ministries decided in the light of that to phase out the fishery. The Minister is quite wrong to attribute that recommendation. I ask him to make it clear that on no account will he seek to enforce a partial change in the season time in the north-east driftnet fishery if no change is made in Scottish net and rod times.

Mr. Baldry: I think that we must agree to differ on the right hon. Gentleman's first point. As for the second, as he knows, any change in the opening date of the season will have to be effected through a byelaw. It will have to be advertised in the normal way, and time must be allowed for objections to be submitted to Ministers. We shall take full account of any objections received in deciding whether to approve such a byelaw. That is not unusual: I spend a good deal of my time trying to reconcile the interests of different users of marine resources. Of course, everyone must be given the opportunity to be heard before any change is made.

I am also aware that shell fishermen in Northumberland have been having a difficult time in recent years. Expert advice about their problems is being made available by the Directorate of Fisheries Research. There have been requests for us to introduce legislation to ban the landing of berried hen lobsters to protect the breeding stock. That is one of the many aspects of shellfish conservation currently being addressed by the Fisheries Conservation Group; in the meantime, this local problem might be better dealt with locally. It is open to the Sea Fisheries Committee to consider whether it would be proper for it to make a byelaw to prohibit such landings, but there are more effective means of protecting the breeding stock, of which the simplest is to increase the minimum landing size for lobsters. I hope that those in Northumberland who are concerned about the matter will lend their weight to any proposals that emerge from the conservation group; I understand that the community involved is reluctant to take that simple step.

While it is vital to operate effective conservation and control policies, which are vital to the long-term future of the industry, it is clear that more immediate help is needed with both structure and infrastructure. That is why, on 14 February, I announced the launch of four EC grant schemes under the financial instrument for fisheries guidance, which will provide the industry with substantial support. They will help to make the industry safer and to make its processors more competitive, and will help fishery-dependent areas to meet the challenges that they undoubtedly face. Up to £9.6 million will be available under the vessel safety, processing and marketing, port facilities and freshwater aquaculture promotion schemes over the next three years.

[Mr. Baldry]

The EC vessel safety scheme provides grants for vessels to obtain essential safety equipment that is required under the terms of the Department of Transport's fishing vessel safety certificate. It supplements the existing national scheme, which will provide grant for projects that cost less than £3,000 or are not selected for EC aid. The processing and marketing scheme will provide valuable assistance for those who process fisheries and aquaculture products to enable them to upgrade their premises, increase capacity where that is required and produce added-value products. Projects aided by previous EC schemes include nephrops processing facilities, refrigeration and cold storage facilities, the upgrading of salmon and mackerel smoking facilities and even, I am told, the installation of herring sexing machines. The EC ports scheme will enable ports to improve their facilities for the fishing industry by providing services such as ice plants, or upgrading quays and moorings for fishing vessels.

Up to £6.1 million will be available over the next three years under the marketing and processing and port facility schemes. Awards under those schemes will be made in twice-yearly tranches. The final date for the submission of applications for consideration in the first tranche is 15 April. The freshwater aquaculture promotion scheme gives EC produce promotion grants to the freshwater aquaculture industry, mirroring the Sea Fish Authority's work on sea fish products.

I announced on 19 December that the national harbour grant scheme, which provided more than £2.2 million in aid for English ports in the three years up to 1994, would continue. Under that scheme, some £750,000 has been paid for improvements to the fishing harbours and facilities at Amble, Blyth, Holy Island and Seahouses since 1987. Up to a further £18 million will be available under the EC PESCA Community initiative for diversification of industry in English fishery-dependent areas up to the end of 1999.

All the grants that I have mentioned, apart from the PESCA grant, are available to the fishing industry throughout the United Kingdom, and operate on "challenge funding" lines: projects compete for available resources without prior allocation to particular geographical areas. PESCA's aim, on the other hand, is to assist the restructuring of the fisheries sector and help it to deal with problems of over-capacity and market weakness. It therefore targets a limited number of areas that have been designated as fishery-dependent. In Northumberland, those areas are the ports of Amble and Blyth and their respective travel-to-work areas, which include the smaller ports of Alnmouth, Boulmer, Craster, Newton-by-the-Sea, Beadnell and North Sunderland, Newbiggin, North Seaton and Seaton Sluice.

PESCA will provide aid under the European regional development fund—local and community initiatives that generate enterprise and lead to the development of small and medium enterprises; assistance to firms so that they can improve their business and access to markets; employment training under the European social fund; and specific fisheries measures under the financial instrument for fisheries guidance to help the fisheries industry to restructure.

All those measures should help Northumberland significantly, provided that the necessary projects are forthcoming from local interests. I certainly want to ensure that Northumberland receives its fair share of PESCA funds. My officials are ready to provide help and guidance for potential applicants, who can contact the ministry directly or through local port offices. The schemes are not, however, designed to provide funds to compensate for the loss of fishing opportunities, or to subsidise operations that are not inherently viable.

PESCA will be implemented locally, so that it can directly target the needs of particular areas. To that end, the Government Office of the North East and MAFF are convening a meeting next week with representatives of the North East Fishing Forum, the Northumberland Sea Fisheries Committee, local authorities and training and enterprise councils to discuss how PESCA funds will be used in the north-east. That will ensure that the needs identified by the North East Fishing Forum and in the Nautilus report on reconversion of fishermen can be addressed. I hope that by this time next week some of the right hon. Gentleman's concerns about PESCA funds will have been dealt with.

As hon. Members know, the problems of overfishing that affect North sea stocks are not unique to that sea. For many years the European Community has operated a policy that fleets should not increase in size to conserve fish stocks; over the years, that has changed to a policy of actively seeking reductions in fleet capacity. The current multi-annual guidance programme divides the UK fleet into a number of segments, for each of which capacity targets are set. Segmentation is an important concept, which has had consequences for the Northumberland fleet.

One of the means that we have chosen to meet our targets for fleet reduction is voluntary decommissioning. Last year, we increased the funds available to £53 million over the period from 1993 to 1997. So far we have operated three schemes, which have successfully decommissioned 14,200 tonnes, or 6.6 per cent. of the fleet. Fourteen Northumbrian vessels have been decommissioned: that is equivalent to 64 per cent. of the eligible vessels from the county that have applied during the three years in which the programme has been running. Decommissioning is making a substantial contribution to our MAGP targets, and to our policy of streamlining the fleet into smaller, more efficient units.

Last year, because our figures showed that the target for the nephrops segment had been met, I decided that we should exclude that segment from the 1995 scheme. I am aware that that caused concern in Northumberland and other areas where the fleet is heavily dependent on catching nephrops, but it enabled the available funds to be directed at segments that were short of their target, and I believe that that was right. It is also right that we do not direct taxpayers' money at decommissioning vessels in the non-quota segment, including those primarily targeting salmon, where the MAGP target has been greatly exceeded.

A number of representations have, however, suggested that had I allowed the decommissioning of nephrops vessels that would have encouraged older demersal vessels to transfer to the nephrops segment. I accordingly sought views on that as well in a consultation paper. I urge anyone with an interest in the future of our industry to consider the suggestions carefully on the next round of decommissioning, and to give their views in writing. I will

take all those views into account in drawing up this year's decommissioning arrangements, which I hope to put to the House after Easter. A further £12 million is available this year, and an equal amount next year. We have been generous in the provision of taxpayers' funds for the restructuring of the fishing industry; I am confident that this year's and next year's decommissioning schemes will contribute greatly to that end.

Enforcement is another important way of protecting resources. In 1992, the Northumberland Sea Fisheries Committee received 50 per cent. Community financial assistance, amounting to nearly £300,000, towards the cost of a new fisheries patrol vessel to assist in its fisheries enforcement activities. Those funds were provided under a scheme that allows Community financial assistance to be paid towards eligible spending incurred by public-sector bodies in member states on enforcement of the common fisheries policy.

I, too, saw the press reports to which the right hon. Gentleman referred, although, strangely, we had not formally received the document at that time. It is commendable that the United Kingdom has been recognised as properly enforcing Community law: that must be in the interests of our fishermen and everyone else. If there are slippages in enforcement in other member states, that clearly needs to be remedied. There is already a European Union inspectorate of fisheries, but I shall study the report closely. I do not want our fishermen to be disadvantaged in comparison with those of other member states.

All the major fishing communities in Northumberland are designated under objective 2 or 5b of the European structural funds. In other words, they are urban or rural areas that will benefit from economic development. Under those provisions of the structural funds, such areas can receive aid—

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

EDUCATION AND EMPLOYMENT

Rural Employment (Young People)

1. **Mr. Llwyd:** To ask the Secretary of State for Education and Employment what initiatives are being pursued to assist in providing employment opportunities for young people residing in rural areas; and if she will make a statement. [20122]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. James Paice): The Department's full range of employment and training opportunities is available to young unemployed people in rural areas.

Mr. Llwyd: I am afraid that that reply does not cut any ice in Wales or anywhere else in the United Kingdom. The Minister will be aware of the recently published White Papers. I have copies of all three of them here. There are 334 pages about assisting people in rural areas.

Mr. Jacques Arnold: Have you read every page?

Mr. Llwyd: Yes, I have. I am most dismayed to find that there is nothing in those White Papers about the creation of employment for young people in rural areas. When will the Government take that subject seriously?

Mr. Paice: The hon. Gentleman may have considered those White Papers, but he clearly has not read them carefully. The White Papers do lay out proposals. The English one, for example, clearly states that the Government are considering ways of stimulating new businesses in rural areas. The Government believe that jobs are created by successful businesses. The Government cannot create jobs on their own—that requires successful, profitable business. The Government's job is to create the environment in which businesses can start and flourish. If the hon. Gentleman considers those documents carefully, he will find that there are clear statements of the Government's desire to encourage businesses to do just that.

Mr. Hendry: Is my hon. Friend aware that, in a rural constituency such as mine, many young people earn their living in tourism, retail, the hotel industry, farming and small manufacturing industries? Are those not exactly the sort of businesses that would be decimated by the minimum wage and by the adoption of the social chapter? Is not resisting those measures—as the Government have done so far—the best thing that the Government can do to keep young people in employment?

Mr. Paice: My hon. Friend knows that my constituency is similar to his: it is also a large rural area. It is extremely important that we do not destroy jobs by implementing the policies that he describes. The minimum wage is recognised by every external commentator as a destroyer of jobs, yet it is still espoused by the Labour party, as is the social chapter, which the Government have clearly stated that they will never accept. The real hypocrisy, however, occurred when the Leader of the Opposition gave the Confederation of British Industry the impression that he could pick and choose in the social chapter. The social chapter is dealt with by majority voting. Britain could be outvoted and have such a job-destroying measure imposed against its will.

School Accommodation

2. **Mr. O'Hara:** To ask the Secretary of State for Education and Employment what estimate she has made of the cost of school accommodation to cater for the increase in pupil numbers in 1996-97. [20124]

The Parliamentary Under-Secretary of State for Education and Employment (Mrs. Cheryl Gillan): The duty to ensure that there are sufficient school places rests with local education authorities and the Funding Agency for Schools. It is for them to decide their priorities for capital spending.

Mr. O'Hara: That answer really will not do. The nation's parents and governors are well aware that there is a backlog of minimum health and safety requirements in schools for which capital funds are needed, amounting now to billions of pounds, and Government capital spending has been halved in the past 20 years. Is not the Minister well aware that the chief inspector of schools has said that one in seven primary schools and one in five secondary schools are already suffering from cramped and otherwise inadequate accommodation? Are not the regulations that went through the House this week a pure blind to remove the Government's embarrassment at not finding the funding to meet schools' minimum requirements?

Mrs. Gillan: I detect a spending pledge there. In fact, Government capital support for schools for 1996-97 will be almost £700 million—a 6.7 per cent. increase on 1995-96. What the nation is waiting for, and what should cause the Labour party embarrassment, is Labour's education record. Perhaps it will be explaining to the teachers in Sheffield schools how it managed to make a blunder costing £1 million which resulted in the teachers saying that they lacked confidence in every stage of the education process in Sheffield. I shall not take any lectures from the Labour party, which cannot put its own house in order.

Sir Irvine Patnick: There is more. I have recently received a letter from Sheffield city council, with a copy of a—

Mr. John Marshall: Was it a council tax demand?

Sir Irvine Patnick: No, it was not a council tax demand. It was a resolution condemning the hypocrisy of leading Labour politicians—I have it here and anyone can see it—in seeking privileges for their own children which they deny to other people. Does that not show that, for once, Sheffield has got it right?

Mrs. Gillan: It does not surprise me. Labour's education policies are in a shambles. Labour Members say one thing and do another. I agree with the teachers in Sheffield who say that they lack confidence in every stage

of the process—the leadership, the planning and the allocation and delivery of funding to Sheffield's education system. That is the true picture of Labour, and the true picture of what Labour would be like in power.

Mr. Spearing: Will there not be some need for new educational construction in the coming years, particularly in secondary education, due to the proper requirements of the new national curriculum? As the Government are publishing new guidelines in the summer, would it not be appropriate for them to work out the minimum cost per place which would be appropriate following the guidelines? If they do not do that, will not some other official agency do it and show up the Government's irresponsibility in the matter?

Mrs. Gillan: The hon. Gentleman has participated in many debates on the subject, and he should be aware of the cost multipliers that are used, which are in excess of those areas that are laid out in the draft guidance. The cost multipliers are based on the real cost of providing new places and they are derived from an analysis of real projects. They represent a level being achieved by about a third of authorities and there is no reason why the rest cannot do the same.

Nursery Voucher Scheme

3. **Mr. Harry Greenway:** To ask the Secretary of State for Education and Employment what assessment she has made of the number of new places to be provided and at what cost under the nursery education voucher scheme; and if she will make a statement. [20125]

The Secretary of State for Education and Employment (Mrs. Gillian Shephard): The Government's nursery voucher scheme will mean that, over time, there is a nursery education place for every four-year-old. The Government are injecting £390 million of new money into nursery education for four-year-olds over the next three years.

Mr. Greenway: Will my right hon. Friend confirm that 70 per cent. of eligible parents have already applied for nursery vouchers in the four trial areas, thus proving the effectiveness of the scheme? Is she aware that, in my constituency, Labour-controlled Ealing council is withholding nursery provision money for 40 children whose parents want to send them to Wood End infant school because that school is grant-maintained? Will my right hon. Friend assure the House that the Nursery Education and Grant-Maintained Schools Bill, currently before the House, is excellent because it will take away that miserable power from local authorities, which they are abusing so much in Ealing and elsewhere?

Mrs. Shephard: I can confirm that 70 per cent. of parents have completed their forms—four out of five in Norfolk. I can also confirm that, by this time next year, there will be no room for councils such as Ealing to withhold nursery education from children whose parents want it.

Mr. Kilfoyle: Although we accept that the Secretary of State will extol the virtues of market forces in supplying nursery places—despite her better instincts and because she is being driven by the No. 10 policy unit—what will she do about provision in areas, say a rural village, where the market does not provide places but where parents have vouchers to use?

Mrs. Shephard: Welcome to the self-described working-class hero. Given the hon. Gentleman's rapid conversion last night from working-class hero to—I think—Mohammed Ali, it can be only a matter of time before he is converted to market forces too. We know that Labour Members oppose choice in education and prize the interests of institutions above those of parents. The point of the nursery voucher scheme is that it will encourage many providers to register for it, as has already happened. Six hundred providers have registered to join the scheme from the private and voluntary sectors—40 of them are new providers. We certainly expect those providers, combined of course with local education authority provision and partnerships between the various sectors, to provide for the needs of our four-year-olds through the nursery voucher scheme.

Mr. Riddick: Does my right hon. Friend agree that Labour local education authorities that have refused to take part in this year's pilot scheme are denying places to a number of four-year-olds for purely ideological reasons? Is that not an absolute disgrace? Is the scheme not extending parental choice in a real and radical way? Once parents have experienced it, they will never want to go back to the old way of doing things.

Mrs. Shephard: Yes, it is indeed perverse in the extreme that such local education authorities should oppose a scheme that is investing a total of £750 million in good-quality education that is inspected, with proper educational outcomes, for four-year-olds. As I have already been quoted as saying, such opposition is indeed pathetic.

4. **Mrs. Bridget Prentice:** To ask the Secretary of State for Education and Employment what plans she has to top up the value of a nursery voucher for children with special educational needs. [20126]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Robin Squire): My right hon. Friend has no plans to introduce a differential nursery voucher value for children with special educational needs.

Mrs. Prentice: Is the Minister aware that parents of children with special educational needs will be more than disappointed by that answer and the answer that he gave in last night's debate on the subject? It is miserable and miserly. Does he agree with the right hon. Member for Mole Valley (Mr. Baker) that nursery education for such children will require extra funding? What is the Minister prepared to do about providers who will be unwilling to take on those children for £1,100 worth of nursery vouchers?

Mr. Squire: If the hon. Lady takes the trouble to read our proceedings in Committee, she will realise that not only the Government but the Opposition spokesman and virtually all outside groups that specialise in special educational needs recognise that the way ahead is not

through a differential voucher. One of the many benefits of the voucher system is that it should enable earlier diagnosis of special needs—which I am sure she and the parents to whom she has referred will welcome. That does not change the underlying funding of LEAs. What the House approved last night was the granting of powers to LEAs that will be reflected in the same way as other LEA powers in the annual standard spending assessment. That will particularly assist children who are short of full statementing but who have special educational needs.

Ms Estelle Morris: It is becoming increasingly clear that nursery special needs provision is the most flawed aspect of a very flawed scheme; there are no more resources and inadequate inspection. Will the Minister reassure the House today that there will be no watering down of the special needs code of practice as it will be applied to nursery schools? In particular, will he confirm that that very important early assessment under the code will continue to be done by fully qualified teachers?

Mr. Squire: To repeat in part what I said to the House yesterday, the commitment to the code of practice, or something similar that better reflects the different nature of voluntary providers, is there and up-front. It is understood by the groups that I have met on behalf of children with special needs—*[Interruption.]* It is not a laughing point. Labour Front Benchers are smiling, but I promise them that this is a serious point. There may yet be aspects of the code of practice that do not exactly transfer into the different settings, but I have made a pledge to the House—I repeat it now—that, in those circumstances, an equivalent code will be produced, and it will certainly apply to the other providers.

Five-year-olds (Baseline Assessment)

5. **Ms Hodge:** To ask the Secretary of State for Education and Employment what plans she has to introduce baseline assessment for five-year-olds. [20127]

Mrs. Gillan: The School Curriculum and Assessment Authority is undertaking a survey of current practice and views on baseline assessment, as the precursor to a full consultation exercise in the autumn.

Ms Hodge: Last year's standard assessment task results for 11-year-olds, in which more than half the children failed to reach the expected attainment level in mathematics and English, are a national scandal. Does the Minister agree that monitoring a child's progress throughout primary school is essential to raising standards and that a baseline assessment is essential to that monitoring? Will she join me in applauding the work that has been done by Birmingham city council in experimenting with baseline assessments? Will she tell the House what the Government's current plans are to extend the use of baseline assessments?

Mrs. Gillan: I certainly join the hon. Lady in applauding the many schools and local education authorities that already carry out some form of baseline assessment. I also admit that Birmingham's work is particularly well known, but there are some questions about how its approach guarantees consistency and parental involvement. I invite her to join me in welcoming the sensible approach that the Government have taken. We are consulting fully on this matter, and we have asked the SCAA to undertake a survey of current practice and draw up proposals. I am sure that she will welcome that; it is the sensible approach.

Mr. Hawkins: Does my hon. Friend agree that, in addition to problems with Birmingham's baseline assessment scheme, to which the Labour party is committed, there are considerable concerns about the Labour party's attitude to testing? Does my hon. Friend agree that it is rather surprising to hear questions on education coming from the hon. Member for Barking (Ms Hodge), who was responsible for a system in Islington that was so inadequate that even the Leader of the Opposition had no confidence in it for his child?

Mrs. Gillan: My hon. Friend makes a valid point. The situation he mentions just goes to prove that the Labour party is in a complete muddle and mess on its education policy. There is no doubt that baseline assessment is a good thing. The information that is gained enables teachers to develop detailed knowledge of children in the class so that they can match work to children's needs and abilities. We shall introduce proposals after examining good practice throughout the country, which is the sensible approach. I wish that Opposition parties would listen more carefully—they could then, perhaps, sort out the mess that their education policies are in.

Unemployment

6. **Mr. Booth:** To ask the Secretary of State for Education and Employment what studies she has made of the United Kingdom's record on reducing unemployment in relation to that of other major EU countries. [20128]

The Minister of State, Department for Education and Employment (Mr. Eric Forth): Studies show that the United Kingdom's unemployment rate is lower than that of most other European Union countries. We have a lower proportion of people unemployed than France, Italy or Spain and we are well below the European Union average.

Mr. Booth: As my hon. Friend well knows, having been conversant with the figures for some time, Britain has performed much better than the rest of Europe—indeed, 68 per cent. of our work force is in employment. Is not it curious, therefore, that, were we to believe Opposition Members, we are in a state of complete economic collapse? To what, then, does my hon. Friend ascribe our extraordinary success in Europe?

Mr. Forth: My hon. Friend is correct. It is extraordinary that Opposition Members continue to espouse tired, clapped-out old policies such as the social chapter and the minimum wage, which we know do not work. Anyone who doubts that need only look to the continental mainland and the recent experience of economies there which, having saddled themselves with the social chapter and a national minimum wage, find their unemployment rates higher than ours and rising whereas our economy, freed from such shackles under the Government's successful economic policies, has found unemployment falling and continuing to fall.

Mr. Sheerman: Does the Minister realise that competitiveness and job creation are important in the long haul? This is Science, Education and Technology Week, and the lesson to be learned is from the way in which our competitors—countries such as Germany, France and others—have made a long-term investment in education. It is the long haul that counts, not the cheap attacks on not only our main competitors but our customers across Europe. Our competitors invest for the long term; is not is about time that we invested in higher and further education?

Mr. Forth: I do not understand the hon. Gentleman's comparison. If he were to examine, as he clearly has not, student-staff ratios and class sizes, the length of courses and quality of output on the continent—

Mr. Sheerman: Germany.

Mr. Forth: The hon. Gentleman keeps shouting, "Germany" in a pathetically repetitive way. He may have forgotten that there are countries other than Germany on the continent and in the European Union. He should recall that we bear comparison with any country on the continental mainland in terms of the quality of educational output, especially in higher education.

Mr. Sykes: I am disappointed that the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) has left the Chamber. I am sure that my hon. Friend the Minister will have heard him rubbish the Government's policies for Wales. Would it be a good idea for my hon. Friend to remind the House and the country at large that the Koreans are thinking of investing £2 billion in this country and that Wales is at the top of their list? Does that not say a great deal for the Welsh? What does it tell us about the minimum wage and the social chapter in Europe?

Mr. Forth: My hon. Friend is right to point out that when hard-headed business men from around the world are looking to invest, they come to this country, having made their comparisons. We attract one third of the total inward investment from businesses in Korea, Japan and the United States. Such businesses have made comparisons and concluded that this country is the long-term best bet for their economic well-being. That must tell its own story. *[Interruption.]* Opposition Members do not have to believe me; they need only examine the evidence of where the investment is going. That proves conclusively that the economic circumstances that we are creating are far superior to those of our competitors.

Mr. Skinner: Why does the Minister not admit the truth? The Government have fiddled the unemployment figures about 30 times since they came to power. Under the old figures, 4 million people would be out of work. Of those who have employment, some are on zero-hour contracts and many work part time. Is it any wonder that the Chancellor of the Exchequer realises that he is going to be £9 billion short in his tax revenues for this financial year? Why? Because many people in so-called employment are employed only part time and are therefore not paying the income tax that he expected. I managed all that without mentioning the social chapter and the minimum wage.

Mr. Forth: I did it for the hon. Gentleman. I got it in twice before he got it in at all. He is unusually off the mark because he ignores the fact that the bulk of people in part-time work choose to do it and that many people, mainly women, freely choose it because it suits their domestic and personal circumstances. We respect that, even if he does not. The truth about his tired, old accusation about fiddled unemployment figures is that the method of counting the unemployed favoured by many Opposition Members, and even by so illustrious a body as the International Labour Organisation, results in a figure close to our claimant count. There is no fundamental disagreement about the number of people out of work in Britain.

Job Creation

7. **Mr. John Marshall:** To ask the Secretary of State for Education and Employment when she last met EU Employment Ministers to discuss job creation. [20129]

Mr. Forth: Employment issues are now frequently discussed at meetings of the European Union Social Affairs Council, which are attended by EU Employment Ministers. At these meetings, I and other UK Ministers argue consistently that the way to create jobs is through fostering an economic environment in which business can prosper and through the development of competitive, flexible and efficient labour markets.

Mr. Marshall: I thank my hon. Friend for that answer. When he next goes to Brussels, will he point out that Britain has become the enterprise centre of Europe because we have enjoyed a revolution in industrial relations and low corporate taxes and because of our opt-out from the anti-social chapter?

Mr. Forth: My hon. Friend is correct. We cannot point out often enough that the route taken by our partners on the continental mainland has demonstrated that the social chapter is a way to discourage enterprise and business and to lose jobs. The deregulatory route that we have chosen has demonstrated beyond all doubt and argument that we attract inward investment and provide jobs for the future, that our unemployment rate is falling and that our long-term and youth unemployment rates are lower than those of most of our competitors and partners in the European Union. Those facts speak for themselves.

Mr. Janner: Did the Minister discuss with colleagues in the European Union a problem that the Government have created—that even on the figures that they have built up over the years, with all the exclusions, there are vastly more people unemployed now than there were when they came into office?

Mr. Forth: That is of course true. Unemployment in Britain is higher than it was in the late 1970s, but the hon. and learned Gentleman seems to have forgotten the background. Perhaps he did not read his brief. Unemployment throughout Europe was lower in the late 1970s than it is now. A detailed comparison shows that we have been more successful since the late 1970s than, regrettably, has the rest of Europe. His selective use of figures is no use at all.

Mr. Elletson: Has my hon. Friend discussed job creation in Blackpool with other European Employment Ministers? Is he aware of the good news that Mecca is to expand its facilities on Talbot road, creating 80 new jobs, and that Whitbread is to set up a brand-new complex, creating 50 jobs, which will include a Travel Inn and a Charlie Chalk fun factory? Does not that confirm Blackpool's position as Europe's leading entertainment and leisure centre?

Mr. Forth: I must confess to my hon. Friend that Blackpool's role as a Mecca has not been recently discussed in Brussels but I undertake to ensure when I next go there that I weave into my remarks in the Council of Ministers some of the typically positive points that he has made. Time and again, we hear doom, gloom and negativism from the Opposition, even about their own constituencies, whereas Conservative Members recognise what is going on up and down the country, not least in Blackpool, where businesses are creating new jobs.

Mr. Meacher: It is not a selective use of figures to point out that there are today fewer people in employment than there were in 1979. If deregulated labour markets are working, why are there now, even after the most recent fall in unemployment, more than 1 million fewer people in jobs than on the day the Prime Minister took office? The Minister seems to think that flexible markets and casualisation are desirable. Is he aware that the rise in part-time jobs since 1979 has compensated for less than a quarter of the full-time jobs lost? Even that has been bought at the price of a massive rise in job insecurity. Does the Minister not have a little humility? Is he not ashamed of an employment record that has doubled unemployment and hugely boosted insecurity? We now have the Deputy Prime Minister hell-bent on removing all the employment rights from half the work force.

Mr. Forth: That was convoluted even by the hon. Gentleman's extraordinary standards. He obviously thinks that if he repeats the word "insecurity" often enough, he will scare people, presumably in the hope that that will gain votes for his party. His analysis is extraordinary.

The reality is that what causes insecurity is unemployment. Our job as a Government is to create an environment in which unemployment falls. When the hon. Gentleman makes comparisons, he completely neglects to point out that the countries that are his model—the countries that are running social democratic policies, which are a characteristic of Labour Members—have higher rates of unemployment than we have. Labour Members seem incapable of understanding the connection between their regulatory, interventionist policies and high unemployment. They seem incapable of understanding our deregulatory policies which have helped to create low and falling unemployment. I will repeat that point as often as I have to in the hope that, eventually, Labour Members will understand.

Schools (Discipline)

8. **Mr. Duncan Smith:** To ask the Secretary of State for Education and Employment what new measures she is taking to help schools to enforce firm discipline. [20130]

Mr. Robin Squire: We have recently announced funding for a programme of more than 60 projects to identify and promote effective ways in which to tackle pupil behaviour and discipline problems in schools. The projects are expected to run for three years at an overall cost of around £18 million.

Mr. Duncan Smith: Notwithstanding what my hon. Friend has just said, does he agree that teachers, if they are to improve standards, need to have orderly and well-behaved classes? Is not one of the real problems, and a matter of major concern for all of us, that many teachers find it difficult because parents do not agree to allow them to exercise the amount of discipline that is necessary? Is it not time that we got parents to sign up to some form of agreement under which they will allow teachers to exercise the age-old tradition of in loco parentis?

Mr. Squire: I agree powerfully with the thrust of my hon. Friend's comments. There is no doubt that a small minority of parents neither instil sufficient discipline in the home nor support teachers in their difficult job of ensuring that schools are properly disciplined places. That is why, over and above the measures that I announced in my first answer, we are actively investigating ways in which better to give teachers greater disciplinary powers within the classroom.

Employment Opportunities (Women)

9. **Mrs. Gorman:** To ask the Secretary of State for Education and Employment what measures she has put in place since September 1995 to improve employment opportunities for women. [20131]

Mrs. Gillian Shephard: Since September last year, we have built on our range of measures to benefit women by, among other things, extending the successful out-of-school child care initiative.

Mrs. Gorman: I congratulate my right hon. Friend on her progress in making jobs more available and more flexible for women who especially value part-time work, which the Government do all that they can to encourage. Does she share my worry, however, that job opportunities for younger women could be scuppered if the European directive on parental leave is introduced through the back door, as the European Court of Justice is doing with the working hours directive? Does she agree that the directive would particularly hit younger women because it would affect women with children under the age of eight? It would be impossible for small employers to grant the designated time off, which would naturally make young women less attractive to employers.

Mrs. Shephard: This is properly a matter for the Department of Trade and Industry, but I can reassure my hon. Friend that the directive is covered by the United Kingdom social chapter opt-out. It therefore, in terms of the difficulties she underlines, emphasises the importance of that opt-out, negotiated by the Government.

Mr. Flynn: Why are three quarters of a million people, mostly women, counted twice in the Government's employment figures?

Mrs. Shephard: I think that the hon. Gentleman is most certainly mistaken, but he would undoubtedly wish to know that we have a far better record on employment for women than anywhere else in Europe. He might like to reflect on the fact that the policies that his party seeks to espouse—the national minimum wage and the social chapter—would increase unemployment for women, which I am sure he would wish to avoid.

School Funding

10. **Mr. Mackinlay:** To ask the Secretary of State for Education and Employment if she will make it her policy to consult parents about the level of school funding. [20132]

Mr. Robin Squire: The Government take parents' views into account when deciding the annual revenue support grant. It is then for local education authorities to determine the level of funding for their own schools in the light of local needs and priorities.

Mr. Mackinlay: Does the Minister realise that parents will consider that the Government are not listening? Whether their children go to local education authority schools or to grant-maintained schools, the common experience of parents is that schools are underfunded. They believe that it is time the Government shifted major resources in favour of education and in terms of training, so that we can build up the enterprise of our country and the satisfaction of our pupils. Is it not a fact that the Government have undersold our education provision and that parents demand an improvement? Will the Minister point to a Conservative Member who can put his hand on his heart and say that the parents he represents are satisfied with the funding of their schools?

Mr. Squire: Fortunately, it is not one of my responsibilities to point to my hon. Friends. It is, however, my responsibility to trumpet abroad our success in getting such a good education funding settlement for the coming year—an average settlement of about 4.5 per cent., and rather higher in Essex, the county that the hon. Gentleman represents. Because a very large proportion of parents in that county have had the foresight to vote for GM schools, all the GM secondary schools there have had a settlement of 5 per cent., and that is very good when compared with the inflation rate or average salary increases.

Mr. Jacques Arnold: When parents consider school funding, would it not be interesting for them to note the amount of school funding that gets through to schools, as far too many local education authorities hold back considerable sums to be disbursed by bureaucrats at county hall? Is not Kent county council, controlled by the Labour and Liberal parties, about the worst at holding money back from schools?

Mr. Squire: My hon. Friend makes a telling point. Even with the minimum requirement to delegate 85 per cent. of the relevant budgets, it is clear, looking at the spread of the percentage budget delegated, what a wide difference there is and how often it is Labour-Liberal Democrat councils that insist on spending more money at the centre and less at the chalkface.

Mr. Don Foster: Although I entirely agree with the hon. Member for Thurrock (Mr. Mackinlay), may I, through the Minister, congratulate the Secretary of State in at least one respect? Following the appalling murder of the head teacher Philip Lawrence, she immediately brought together representatives of teacher unions to discuss ways of improving safety in school. That work has gone ahead even more urgently following the tragedy in Dunblane. Does the Minister nevertheless think that it would be appropriate to widen that inquiry to involve parents' views, and will the Minister assure those parents that, if effective ways of improving school safety are agreed, resources to fund them will be found without recourse to the current resources used in the classroom?

Mr. Squire: I am grateful for the hon. Gentleman's first point, which I believe will receive broad agreement across the Chamber.

We do take school security very seriously. The hon. Gentleman mentioned the working group, which has already contributed to legislation in the form of increased police powers to search for offensive weapons on school premises. I await the group's final report. I believe that all hon. Members are currently receiving correspondence in this regard, following the tragedy to which the hon. Gentleman referred. I have no doubt that that, as always, will feed into our deliberations. Security is very high on our list.

Mr. Dover: Is it not true that the gap in the area cost adjustment—the difference in spending allowed between those in the south-east and those in the north-west, such as Lancashire—has been halved this year? Will the Minister try to ensure that the level of school funding is reflected in that, rather than the counties holding back the money and stopping that benefit accruing to Lancashire schoolchildren?

Mr. Squire: I can certainly confirm that, comparing the forthcoming year with the past year, some £90 million has been moved out of areas receiving the area cost adjustment and into the rest of the country. My hon. Friend will know, because he has studied these matters, that my right hon. and hon. Friends in the Department of the Environment have set up an independent inquiry into the operation of the area cost adjustment. I hesitate to forecast the result of that inquiry in advance of the outcome of its deliberations.

Nursery Voucher Scheme

11. **Mr. Pike:** To ask the Secretary of State for Education and Employment if she will ensure that a place is available locally for all parents in receipt of a nursery voucher for their four-year-olds. [20133]

Mr. Robin Squire: I am confident that existing and new providers in the maintained, voluntary and private sectors will bring forward over time the places that parents want in exchange for nursery education vouchers.

Mr. Pike: The Minister will recognise that Burnley currently has one of the highest existing levels of nursery provision. He used the phrase "over time" in his answer—a phrase that was also used by the Secretary of State earlier this afternoon. What is the Minister going to say

to the parents of children in Burnley and throughout the country who have a voucher and a four-year-old, but do not have a nursery place to which to send their child? Will not that piece of paper be totally worthless, like so many other Tory policies?

Mr. Squire: The hon. Gentleman has asked his question with no regard to the background against which we are planning this considerable expansion of places. He knows full well that, depending entirely on where one lives in the country, one may have no nursery place at all or have little or no choice. We already know that, as a result of the introduction of the voucher in phase 1, more places will be available in those four local education authorities—and what we have seen in those four local education authorities, we shall see across the country from April 1997.

Grant-maintained Schools

12. **Dr. Spink:** To ask the Secretary of State for Education and Employment what plans she has to visit Castle Point to discuss the annual maintenance grant for the grant-maintained secondary schools. [20134]

Mr. Paice: My right hon. Friend has no such plans.

Dr. Spink: Does my hon. Friend accept that grant-maintained schools in Castle Point welcome the proposal in the measure that the House passed last night—that they should be able to borrow money? Does he deplore the Labour party's attitude and view that grant-maintained school governors cannot be trusted to manage their school funds? Does he believe, like me, that the real agenda of the Labour party is to destroy grant-maintained schools and to destroy grammar schools?

Mr. Paice: My hon. Friend has obviously studied, or perhaps he was present for, last night's debate. It was abundantly clear to anyone who paid attention that the Labour party believes that governors cannot make decisions about what level of borrowing is prudent for grant-maintained schools. The Government are providing governors with that opportunity, within the framework of the Funding Agency for Schools, and they will have to decide what level of borrowing is prudent for their funds and how they can support that borrowing.

The Government believe that governors have that power of responsibility and have the common sense to use it in the interests of their people. As my hon. Friend said, it is abundantly clear that the Labour party believes that only it and bureaucrats have the wisdom to manage other people's money. Wherever the Labour party is in power, in local authorities up and down the country, it is abundantly clear that it has failed miserably to do so.

Selective Education

13. **Mr. Dunn:** To ask the Secretary of State for Education and Employment how many selective schools there are in England. [20135]

Mrs. Gillian Shephard: In the 1995 secondary school performance tables, 163 maintained schools classified themselves as wholly or mainly selective.

Mr. Dunn: Given that these schools exist because of the election of the Conservative Government in 1979 and given that we are the only party committed to supporting selective schools and the extension of the selective principle, will my right hon. Friend tell the House how she believes that selective schools could continue to exist if they could not select pupils either by interview or by examination, as is the policy of the socialists opposite?

Mrs. Shephard: Selective schools are popular with parents, as the recent Association of Teachers and Lecturers survey found. That is why we will continue to examine ways of meeting parental preference for selective education and other choices, in stark contrast to the Opposition, who believe that such choice is only for the few. It is difficult to see how they could possibly say that they would meet parental preference for selection, as their policies are being formed by the hon. Member for Sheffield, Brightside (Mr. Blunkett), who said, "Watch my lips—no selection." He could hardly be more unequivocal than that. He clearly meant that there will be no selection.

Mr. Alan Howarth: Has the right hon. Lady pointed out to the Prime Minister that he cannot extend selective education and continue to pretend that today's Conservative party stands for one nation?

Mrs. Shephard: I am sorry that the hon. Gentleman does not recognise the benefits of choice and diversity in education. By our policies, we are encouraging the development of choice and diversity across the spectrum of school provision. That is why we have grant-maintained schools, local education authority schools, city technology colleges, technology colleges, and so on, all of which we had when the hon. Gentleman supported our policies. Such a choice and such a spectrum benefit all parents, not just one or two on the Labour Front Bench.

Mr. Jenkin: Is my right hon. Friend aware that Colchester Royal grammar school and Colchester high school for girls are two of the finest grammar schools in the country? The socialists currently in control of Essex county council want to do away with grammar schools. If we allowed local education authorities to take back control of schools in Colchester, that would be the end of Colchester's grammar schools.

Mrs. Shephard: It would indeed. That would be a death blow for choice and diversity in Colchester.

Mr. Blunkett: Perhaps the Secretary of State will pass on to the Prime Minister the point that if the Government are attempting to build their education policy on the basis of trying to embarrass the Labour party on the issue of selection, they should think again. Will the Secretary of State confirm that excluding a child from a school because of an 11-plus examination denies opportunity and removes choice? Will she confirm that that is why she is against extending the 11-plus and returning to a bygone agenda—a past and dead agenda that was swept aside not only by parents and local councils but by her predecessors? Will she tell the House this afternoon whether she, as Secretary of State, or Norman Blackwell at the policy unit at No. 10 is in charge of Tory party policy?

Mrs. Shephard: The hon. Gentleman needs no help from me in embarrassing himself and his party. What is more, he seems to be obsessed with splits. Our policies promote diversity, choice and opportunity. Diversity is a word only recently learnt by the hon. Gentleman. He has learnt the word, but he has not transmitted the skill into the creation of policies. We are, as my right hon. Friend the Prime Minister is saying elsewhere today, currently considering how to increase the rich variety in the schools system that we have created with more selective schools. The Opposition support choice, diversity and selection for a few on their Front Bench. They would deny it to all other parents by their policies. I call that a split.

14. **Mr. Pawsey:** To ask the Secretary of State for Education and Employment how many young people are now educated in grant-maintained schools and grammar schools; and what plans she has to promote selective education. [20136]

Mrs. Gillian Shephard: Almost 700,000 pupils are now being educated in grant-maintained schools of all types, and about 125,000 in grammar schools across the maintained sector as a whole. We have just completed consultation on extending selection, without the need to publish statutory proposals, from 10 to 15 per cent.

Mr. Pawsey: I am grateful to my right hon. Friend for that very comprehensive reply. Will she confirm that the survey conducted by the Association of Teachers and Lecturers revealed that the majority of parents wish to see selective education? As Labour Members take advantage of selective education—I refer to both the hon. Member for Peckham (Ms Harman) and the right hon. Member for Sedgefield (Mr. Blair)—does my right hon. Friend agree that that suggests a growing consensus between the Opposition and the Government in that area? Therefore, will she build on that consensus and increase the amount of selective education—particularly in grant-maintained schools—from 15 to 20 per cent?

Mrs. Shephard: As I have said, we have just completed a consultation exercise about extending selection, without the need to publish statutory proposals, from 10 to 15 per cent. Applications from schools and from local education authorities to become selective are always considered seriously within the Department. I agree with my hon. Friend that there seems to be an increasing consensus among some Labour Front Benchers in favour of choice and diversity across the spectrum. It is unfortunate for the hon. Member for Sheffield, Brightside (Mr. Blunkett) that, when he said, "Watch my lips—no selection," his hon. Friend the Member for Peckham was not looking.

Mr. Byers: Does the Secretary of State agree that all parents should be able to choose good schools for their children? If so, will she inform the House how a return to selection would assist in achieving that objective when selection, by its very nature, denies parental choice by putting the power in the hands of individual schools which select a few and condemn the majority to be deemed failures? Will the Secretary of State confirm that last week she told head teachers that she was personally opposed to a return to the waste of selection at 11? How does she reconcile that position with the Prime Minister's enthusiasm for a rapid expansion of selective education?

Mrs. Shephard: I can reassure the hon. Gentleman straight away that my right hon. Friend and I are absolutely at one in our desire to see a diversity of provision within our school sector, because we both believe that it drives up standards.

Nursery Education (East Sussex)

15. **Mr. Waterson:** To ask the Secretary of State for Education and Employment what representations she has received about nursery education in East Sussex. [20137]

Mr. Robin Squire: East Sussex county council responded to the Department's two recent consultation documents on the nursery education voucher scheme, but ultimately decided not to take part in phase 1.

Mr. Waterson: Is my hon. Friend aware that, immediately after our right hon. Friend's announcement, I wrote to her asking whether East Sussex could be considered for participation in the pilot scheme? However, as we have heard, the Liberal Democrat chair of education in East Sussex dismissed participation out of hand for purely political reasons. Is my hon. Friend aware that I have received representations from hundreds of parents in my constituency who are angry and disappointed that a whole raft of children will be denied the opportunity to benefit from the vouchers?

Mr. Squire: I fully share my hon. Friend's disappointment at the local education authority's response: it is a great opportunity lost to parents and to children. If East Sussex had taken part, like Norfolk, it might this week be publishing proposals to provide for 25 new classes covering 300 children.

Schools (Repairs)

16. **Mrs. Jane Kennedy:** To ask the Secretary of State for Education and Employment what proposals she has to reduce the backlog of repairs in schools. [20139]

Mrs. Gillan: Repair and maintenance of school buildings are the responsibility of local education authorities and individual governing bodies. Planned central Government support for capital work in maintained schools in 1996-97 is nearly £700 million—an increase of 6.7 per cent. on 1995-96.

Mrs. Kennedy: Notwithstanding that increase, does the Minister recognise that capital spending on schools has been halved in real terms in the past 20 years? Is that not an indictment of the Government's policy on school repairs? What hope can the Minister offer to the governors, local education authority officers and the teachers at Ashfield special school in my constituency who are waiting for repairs to take place at the two sites at which they work while trying to deliver education to children who are already disadvantaged? Would they not

be better off applying to the national lottery rather than waiting for the Government to take their problems seriously?

Mrs. Gillan: I cannot agree with the hon. Lady. She has taken a convenient bite out of time. A more recent bite out of time shows that, since 1990, more than £5 billion has been spent on county, voluntary-aided and grant-maintained school buildings. I am surprised that the hon. Lady did not take the opportunity to congratulate the Government on their record for Liverpool LEA, which has just had a very good capital round, with five major projects put on the starts list for 1996-97 and two further projects put on the design list. That will deliver more than £4.5 million over three years from the Government to Liverpool. I would have thought that she would welcome that.

Training and Enterprise Councils

17. **Mr. Hinchliffe:** To ask the Secretary of State for Education and Employment what steps she takes to monitor the performance of individual training and enterprise councils. [20140]

Mr. Paice: The performance of individual training and enterprise councils is monitored regularly by Government regional offices.

Mr. Hinchliffe: I know that the Minister has been to Wakefield on at least one occasion recently. Is he aware of the considerable dissatisfaction with the performance of Wakefield training and enterprise council, which has no relationship with the local authority, hardly any relationship with local schools and no relationship with the district college? How can we ensure that TECs, such as the one in Wakefield, become accountable to the local public? At the present time, they seem to be a law unto themselves.

Mr. Paice: As the hon. Gentleman said, I went to Wakefield in the autumn specifically to address the clear breakdown in the relationship between the TEC and local organisations. As the hon. Gentleman will be aware, I have no direct powers to intervene, but I was anxious to smooth out the problem in whatever way I could. I understand that the relationship between the TEC and the college is now considerably improved, but I do not necessarily claim credit for that. Much work has been done by our regional staff to try to improve the situation. The latest information I have is that it is much better.

I do not know why Wakefield is almost alone among TECs in having a bad relationship with the local community, because across the country matters have worked well after a rocky start. I will keep a close eye on the situation in Wakefield and I hope that it will continue to improve.

Mr. Ian McCartney: On 29 December last year, I wrote to the Secretary of State about the fact that TECs had sent trainees into circumstances that led to 1,750 of them being injured. On one occasion, a death took place. The Secretary of State was kind enough to reply and she gave me an assurance, with the Health and Safety Executive, that improvements would be made to ensure that there was a reduction in accidents involving trainees. Today, a letter has been produced by the Health and Safety Executive which suggests that the Department of the Environment and the Department for Education and Employment are involved in cutting that body's resources to the extent that it cannot fulfil its commitments. The reply given to me by the Secretary of State has been thrown away by the Department's plan, in secret with the Department of the Environment, to cut grants to the Health and Safety Executive. That will lead to death and injuries in the workplace. Does the Secretary of State intend to make a statement about the involvement of her Department in managing reductions in the budget of the Health and Safety Executive?

Mr. Paice: The hon. Member is shroud waving and making damaging statements about health and safety on Government training programmes.

On the subject of the resources of the Health and Safety Executive, the hon. Gentleman should address his question to my right hon. Friend the Secretary of State for the Environment, who is responsible for that matter.

On Government training programmes, TECs are responsible for ensuring that every single placement of a Government-sponsored trainee, be it on a youth training scheme or in training for work, is backed up by a positive health and safety policy. The categorical assurances that my right hon. Friend gave to the hon. Gentleman in the letter remain in place. We will not have trainees put knowingly into any position of danger.

Labour Statistics

18. **Mr. Jenkin:** To ask the Secretary of State for Education and Employment what is the proportion of the working age population employed in the United Kingdom; and what are the figures in other EU countries. [20141]

Mr. Forth: In the UK, 68 per cent. of the working age population are in employment. That is the highest percentage of the major European countries and well above the European Union average.

Mr. Jenkin: Is my hon. Friend aware that UK jobs are more secure than the average in the European Union? The number of temporary jobs as a proportion of all employees is 6.5 per cent. in the UK but 10 per cent. in Germany, 11 per cent. in France and a staggering 33.5 per cent. in formerly socialist Spain. If people want job security, should not they vote for our labour market policies instead of for the social chapter?

Mr. Forth: I am grateful to my hon. Friend for a telling point that completely gives the lie to the Opposition's argument, spurious as ever, when they harp on about job security. As my hon. Friend said, the number of temporary jobs in this country is small compared with the number that most of our continental partners experience. That tells its own tale and powerfully reinforces the point that job security is much greater in the UK than it is among our partners and competitors on the European mainland.

Mr. Eastham: What value can be put on the Government's employment figures, when we know that they have been massaged 32 times? Government employment figures include as part-time workers even people who work only one hour per week.

Mr. Forth: I am puzzled by the Opposition's obsession with unemployment figures. I assume that most Labour Members support the International Labour Organisation and that they are prepared to consider the labour force survey on unemployment figures which is produced from time to time. Opposition Members should acknowledge that figures in the labour force survey sponsored by the ILO are close and similar to our own claimant count, which suggests that the claims made by Opposition Members cannot be supported in any way—least of all by the ILO.

BSE (Health)

3.31 pm

The Secretary of State for Health (Mr. Stephen Dorrell): With permission, Madam Speaker, I should like to make a statement about the latest advice that the Government have received from the Spongiform Encephalopathy Advisory Committee. The House will be aware that the committee, which is chaired by Professor John Pattison, was established in 1990 to bring together leading experts in neurology, epidemiology and microbiology, to provide scientifically based advice on the implications for animal and human health of different forms of spongiform encephalopathy.

The committee provides independent advice to Government. Its members are not Government scientists, but leading practitioners in their field. The purpose of the committee is to provide advice not simply to Government but to the whole community on the scientific questions that arise in its field. The Government have always made it clear that it is our policy to base our decisions on the scientific advice provided by the advisory committee. The committee has today agreed new advice about the implications for animal and human health of the latest scientific evidence. Copies of the committee's advice, together with a statement from the chief medical officer that is based on that advice, have been placed in the Vote Office.

The committee has considered the work being done by the Government surveillance unit in Edinburgh, which specialises in Creutzfeldt-Jakob disease. That work, which relates to the 10 cases of CJD that have been identified in people aged under 42, has led the committee to conclude that the unit has identified a previously unrecognised and consistent disease pattern. A review of patients' medical histories, genetic analysis and consideration of other possible causes have failed to explain those cases adequately.

There remains no scientific proof that bovine spongiform encephalopathy can be transmitted to man by beef, but the committee has concluded that the most likely explanation at present is that those cases are linked to exposure to BSE before the introduction of the specified bovine offal ban in 1989. Against the background of that new finding, the committee has today agreed a series of recommendations, which the Government are making public this afternoon.

The committee's recommendations are in two parts. First, it recommends a series of measures to reduce further the risk to human and animal health associated with BSE. My right hon. and learned Friend the Minister of Agriculture, Fisheries and Food will make a statement about those measures that fall within his Department's responsibilities immediately after questions on this statement have been concluded.

In addition, the committee recommended that there should be urgent consideration of what further research is needed in this area, and that the Health and Safety Executive and the Advisory Committee on Dangerous Pathogens should urgently review their advice. The Government intend to accept all the recommendations of the advisory committee in full; they will be put into effect as soon as possible.

The second group of recommendations from the committee offers advice about food safety, on the assumption that the further measures recommended by the committee are implemented. On that basis, the committee concluded that the risk from eating beef is now likely to be extremely small and that there is no need for it to revise its advice on the safety of milk.

The chief medical officer will write today to all doctors, to ensure that the latest scientific evidence is drawn to their attention. In the statement by the chief medical officer that I have placed in the Vote Office, Sir Kenneth Calman poses to himself the question whether he will continue to eat beef. I quote his answer:

> "I will do so as part of a varied and balanced diet. The new measures and effective enforcement of existing measures will continue to ensure that the likely risk of developing CJD is extremely small."

A further question has arisen about the possibility that children are more at risk of contracting CJD. There is at present no evidence for age sensitivity, and the scientific evidence for the risks of developing CJD in those who eat meat in childhood has not changed as a result of the new findings. However, parents will be concerned about the implications for their children, and I have asked the advisory committee to provide specific advice on that issue following its next meeting this weekend.

Any further measures that the committee recommends will be given the most urgent consideration by the Government. As the Government have repeatedly made clear, new scientific evidence will be communicated to the public as soon as it becomes available.

Ms Harriet Harman (Peckham): I thank the committee for its work. I welcome the two principal new measures that it has proposed, on which the Secretary of State is acting. I also welcome the fact that he has made available to me the advice of the chief medical officer on this important and difficult issue. I appreciate that.

Does the Secretary of State acknowledge that public confidence on this issue is hanging by a thread? Public confidence must be restored, but the public have to be given the full facts and honest advice on which to base their decisions. That relies on two things. It relies, does it not, on the Secretary of State giving full disclosure of the scientific evidence? I hope that he will publish all that information and give clear advice and guidance.

Is it not the case that the time has passed for false reassurance? There must be no more photo-calls of Ministers feeding beefburgers to their children. The question whether there is a link between BSE and CJD is an issue, is it not, of immense importance to consumers, and particularly for parents of young children. Does the Secretary of State acknowledge, as I do, that it is also of immense importance for hundreds of thousands of people who work in farming and the meat industry? Does he acknowledge that the situation remains uncertain and that it is now apparent that there has been too much reassurance and too little action?

We must all be concerned, must we not, that 10 cases of a new strain of CJD have appeared? Will the Secretary of State confirm that what is worrying about this new cluster is that it has occurred in people under the age of 42, and that all the cases have occurred in the past two years and only in the United Kingdom? The conclusion that stares the British public in the face is that there may well be a link between BSE and CJD.

The public have a right to know that there has been a comprehensive consideration of all the options. Will the Secretary of State tell the House the most radical option

that SEAC considered? In addition to knowing what the Secretary of State was advised had been considered and acted on, the House needs to know what the committee considered and what it ruled out, to be reassured that all the options were considered.

Will the Secretary of State confirm that he is not saying that there is no risk? Will he confirm that we are dealing not with absolute risks but with relative risks, and that the aim is to achieve the difficult feat of balancing the interests of the economy and the meat industry with those of health?

Is it not the case that, unfortunately and, I am sure, inadvertently, the House has been given yet more false reassurance? The Secretary of State said that Sir Kenneth Calman, the chief medical officer, would continue to eat beef as part of his balanced diet; but he should tell the House whether Sir Kenneth would be prepared to feed beef to his young grandchildren. It is not just a question of the safety of beef for adults; it is a question of the safety of beef for children. Will the Secretary of State confirm that SEAC members who are parents or grandparents are not giving beef to their children or grandchildren?

The right hon. Gentleman must take the public into his confidence. He must recognise that he must lead public opinion, so the public must not be left in the dark. Public concern is so great that Ministers have a duty to be entirely open about the considerations that are involved. If the facts are not fully disclosed, the public response will be fear, which will then be stoked up by ignorance and innuendo. *[Interruption.]* I appreciate that the position is difficult and the information uncertain, but it is clear that the Secretary of State has lost the confidence of the British people. While he was advising people that it was okay to eat beef, local education authorities throughout the country were withdrawing it from school meals. We need to restore public confidence in the advice of the Department of Health. If we are to do that, people must know that the Government are doing all that they can, that they will publish all SEAC's deliberations and that enough resources will be devoted to future research.

Mr. Dorrell: I thank the hon. Lady for pointing out that I had made the chief medical officer's advice available to her. I also thank her for welcoming the action that the Government are taking today, which corresponds precisely with the advice given by the scientific committee.

The hon. Lady said that it was important for Government actions and public information on these sensitive issues to be based four square on the facts, not on the reassurances of those without the scientific qualifications on which to base such reassurances. I entirely agree with that. It is essential that we rest our case firmly on the considered advice of the specialists in the advisory committee, who understand scientific connections which are often discussed but which very few of us are qualified to understand.

I believe that the hon. Lady's description of the cases that have led to the advisory committee's further revision of its advice is broadly correct. She asked whether the committee was free to consider all options in making recommendations to the Government. It was indeed free to consider any recommendations that it chose, and it considered a wide range of recommendations. The key point for the House and the public to note is that the committee's recommendations are the result of considered deliberation by experts, and have been accepted by the Government.

In that connection, I shall deal directly with the question that the hon. Lady asked about children. The committee has not given us a specific recommendation about children. That is why I have asked it to do so at its next meeting. The evidence has become available only in the past few weeks, and it is important that there is proper consideration of all the different elements of that evidence. The specific question of children will be considered by the committee this weekend, and a specific conclusion will be reached and published.

The final question that the hon. Lady asked was whether the facts on which the committee based its deliberations would be made public. The answer is yes, as soon as proper arrangements can be made for their publication in scientific journals.

Mr. Paul Marland (West Gloucestershire): Is my right hon. Friend aware that many Conservative Members are deeply shocked by the tone and implication of what the Labour spokeswoman said? I urge him to continue not to overreact over this whole business and to base his decisions, as he said, on the latest scientific information. We have often discovered in the House that the rumour is different from the reality. Such health scares and food scares have occurred before. Will he bear it in mind that there is a big industry out there—the British beef industry—which will be listening extremely carefully to what he says?

Mr. Dorrell: My hon. Friend makes his own point about other comments in his own way. This afternoon, it is not appropriate for me to comment on that.

This key issue involves safety of food and legitimate economic interests. I agree with my hon. Friend that it is just as important for us not to overreact as it is for us not to underreact. The actions that we take must be based four square on an honest assessment of the latest science. That is the Government's position and will continue to be so.

Mr. Simon Hughes (Southwark and Bermondsey): I share the Secretary of State's view that the worst thing that we could do would be to overreact. Therefore, I ask him about two specific things. First, the reports make it clear—I have had the advantage, for which I am grateful, of reading the other two reports—that six other pieces of work are needed and are in hand. Two will be undertaken by the advisory committee, to assess what further research is needed. The Secretary of State referred to another, where he has asked the committee to give specific advice in relation to children. Further advice is also sought from the Health and Safety Executive and the other advisory committee.

Will all that advice be given with the greatest urgency, because the greatest concern for people out there is what to do between today's announcement, which I accept had to be made quickly, and the remaining announcements, which will, as it were, see through this afternoon's announcement? Has there been independent advice from the Medical Research Council? If so, will the Secretary of State publish it?

Secondly, and perhaps most practically, will the right hon. Gentleman tell us what the public authorities and, especially, hospitals and local education authorities

[Mr. Simon Hughes]

should do, because, otherwise, they will have to use their discretion? Such advice would be helpful. Schools and hospitals need to know whether, pending further advice, they should continue to have beef and beef products on their menus for people who would eat them.

Mr. Dorrell: The hon. Gentleman referred to one or two further actions that the committee recommended and that I have assured hon. Members will be taken. He referred first to research. I have authorised an additional £4.5 million of expenditure out of the national health service research budget for this sector. The Medical Research Council budget is also available. Both the council and the NHS research and development division will urgently consider the next steps that are necessary following the committee's recommendations.

My statement makes it clear that the same is true of the Advisory Committee on Dangerous Pathogens and the Health and Safety Executive. All those involved have issues to consider in their fields of expertise. Following the committee's recommendations, all are asked to do so urgently and they all will.

As regards the action that people should take as a consequence of the recommendations, the right thing for any decision maker to do in the light of the findings is to act on the recommendations of the committee and of the chief medical officer. I have made it clear that neither of them is recommending a change of action from current practice in terms of food safety as a result of the findings. I have already answered directly the question on children by saying that specific advice on that subject is being sought from SEAC this weekend.

Sir John Cope (Northavon): Is my right hon. Friend aware that he is quite right to publish the scientific advice that he has received and to act exactly on that advice, as the Government have always done? But can he also confirm, as I think he said in his statement, that the 10 new cases that have caused the immediate concern are all thought to have been infected before the 1989 precautions involving offal, and so on, were taken? That should be a considerable reassurance to the public, in avoiding the sort of overreaction about which we are concerned.

Mr. Dorrell: Yes, my right hon. Friend is right. I am grateful to him for his support on our approach. In terms of the likely pathological background to the 10 cases that are the basis of the revised advice, it would be a mistake for me to paraphrase the experts' advice. It is, as I quoted it in my statement, that the most likely explanation is that the cases may be linked to exposure before the specified bovine offal ban in 1989. But the statement and the chief medical officer make it clear that there is no scientific proof of that connection.

Mr. Barry Jones (Alyn and Deeside): In welcoming the Secretary of State's presence in the House and that of the Minister of Agriculture, Fisheries and Food, and in welcoming the measures that he has announced, may I tell him of the distressing case of Victoria Rimmer, now aged 18, who has lain seriously ill in Deeside community hospital for some three years? May I also tell him of the superb nursing skills practised in that hospital and the splendid work of the team led by Mrs. Megan Jolly? The right hon. Gentleman will be pleased to know that Victoria's former schoolfriends continue to come to the hospital, as do members of staff.

In an answer on this matter dated 3 February 1994, the former Secretary of State for Wales, the right hon. Member for Wokingham (Mr. Redwood), said:

"Beef can be safely eaten by anyone, both adults and children, including patients in hospital."—[*Official Report*, 3 February 1994; Vol. 236, c. 867.]

Does that advice still stand?

Mr. Dorrell: I, and I am sure the whole House, join the hon. Gentleman in expressing sympathy to Victoria in her condition and in expressing our admiration both for the care that she has received from NHS staff and for the support that she will have received from the people in her own community. There is no doubt that the condition that we are talking about is extremely distressing and it is therefore essential that proper steps are taken to ensure that the risk of it being incurred is minimised.

In terms of advice as to how people should act, I give the hon. Gentleman the answer that I gave to the hon. Member for Southwark and Bermondsey (Mr. Hughes)—the science does not justify a change in current practice. That is the advice that I have been given. I am not a scientist. It would be a great mistake for me or any other non-scientist to seek to second-guess the scientific advice that has been given to the Government and—this is the important point—through the Government to the nation.

Mr. Christopher Gill (Ludlow): I congratulate my right hon. Friend on having the political courage to come to the House and make this statement this afternoon as soon as the new evidence was available. I also applaud him on behalf of all on the Conservative Benches for having the moral courage to stick to his last in saying that the Government will always support the latest scientific evidence available. Will my right hon. Friend take this opportunity to remind the House that the risks of contracting CJD from whatever source are infinitesimal?

Mr. Dorrell: I am grateful to my hon. Friend for his support. He is of course right to say that the risks associated with this condition are extremely low, which is made clear in the scientific advice that I have received and have made available this afternoon.

Ms Glenda Jackson (Hampstead and Highgate): Was not the previous scientific advice categorical that there was no possibility of BSE entering the human food chain? In the light of the possibility that the disease takes 10 years to incubate, should not stronger advice be given—certainly to schools and parents—on the possible effects and dangers of feeding beef to small children?

Mr. Dorrell: The hon. Lady raises two questions. The answer to her first question, on whether the previous advice was specific that it was inconceivable that there would be a link between BSE and the condition being transmissible to humans, is no. The advice that we have received all the way through has been that there is no proof, no evidence, of a link. But it was precisely to safeguard against the possibility that there might be a link that the various controls were introduced, the most recent

tightening of which was announced by my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food in the autumn.

It has always been recognised that there was a possibility of a link and, in the past few weeks, the committee has been considering new evidence around the existence of that possibility. It has considered that evidence and, on the basis of scientific expertise, has drawn conclusions on the controls that are necessary to provide proper safeguards for both animal and human health.

It is precisely because I understand the sensitivity of the advice that SEAC gives specifically on children, and by extension to schools—I am a parent of two young children—that I have sought specific advice. It will be available this weekend.

Mr. Barry Field (Isle of Wight): Will my right hon. Friend tell me why the impression is continually given that the problem seems to affect only British beef? In many conversations that I have had with people in the agricultural industry, I have been told that they regularly see symptoms of the disease in herds in France and other countries. Why does Britain always play by the rules? Just what are other EC countries doing to take products off the market if there is a problem? Such action certainly does not seem to be taking place in other meat industries throughout the EC to the extent that it is in Britain.

Mr. Dorrell: I agree with my hon. Friend that we must ensure that we recognise the condition in its wider international context. We must take proper account of the incidence of various different diseases and their possible interrelationships in other countries. One of the benefits of publishing the advice, as I have done this afternoon, is that it will invite evidence from overseas and allow a better understanding of the scientific evidence with which we are dealing. I believe that this is a British House of Commons and that it is responsible to the British electorate for the safety of what goes on in Britain. I do not therefore think that it is sensible for us to try to look for elaborate linkages. We have received urgent advice and we are acting urgently in what we believe to be the British national interest.

Mr. Dafydd Wigley (Caernarfon): The Secretary of State will be aware of the sad case of my constituent, the late Mr. Neville Price, who died a few months ago of CJD. He was a farmer, but I understand that there was no proven link to BSE. Against that background, will the right hon. Gentleman give an assurance that all the scientific research being undertaken has been taken into account in the report that he published today, particularly that conducted on trans-species barriers in mice, which was being investigated and appeared to be showing a way forward? Will he also give an assurance that if the research undertaken requires much greater resources to bring it to a satisfactory conclusion, the Government will make them immediately available?

Mr. Dorrell: The answer to the second question is yes. It is an urgent issue. I have already given the House the information on the further resources available in my departmental budget. We are acting urgently to ensure that the other agencies that are responsible for developing research act promptly. I can tell the House that a meeting has been fixed for April, to consider proposals on how that research programme will be taken forward. It is important that that recommendation by SEAC is acted on, and acted on promptly.

I can confirm that SEAC reached its recommendations by analysing the science from all the different spheres, and that that science will be brought together in a published paper, to allow others from the scientific community to see the evidence on which SEAC reached its conclusions and to form their own judgments about SEAC's conclusions.

Dame Elaine Kellett-Bowman (Lancaster): May I thank my right hon. Friend for the measured way in which he delivered his statement and for having immediately brought this urgent advice to the House's attention? The advice is manifestly of importance to every family in the land, so I welcome the further action on children. It is also of crucial importance to the entire agricultural industry. Beef is a very important industry in every village and rural area in the land, and it is most important that no one should stir up unnecessary panic where panic is not required.

Mr. Dorrell: I am grateful to my hon. Friend for her support. I cannot stress too strongly to the House my view that the right way in which to deal with the issue is to ask where the scientific evidence lies and then to act on that evidence. My hon. Friend is, of course, quite right to say that there are major and legitimate economic interests—which, if I may de-jargonise it, means jobs—associated with those industries. It is obviously essential that those interests are taken into account in our consideration of the issues. Having said that, I believe that the pre-eminent consideration must be our responsibility for human health, and that order of priorities has been reflected in the advisory committee and in the Government's position.

Mr. David Hinchliffe (Wakefield): Given the Government's gradual realisation that we could be facing a potentially horrific health problem in future years, will they now abandon their policy on this issue of shooting the messenger, and take much more seriously the warnings that we have had for a long time from certain British scientists? Is it true that the Government knew three years ago of the strong possibility of a link with human health? It is absolutely essential that we send a message to the public and assure them that the Government take the issue seriously. People believe that the Government have disregarded the issue simply because they are more concerned with the interests of farmers and the meat trade than with the health of the nation.

Mr. Dorrell: I have just answered that question, in the sense that I made it clear that there is a legitimate interest on the part of those who work in those industries, but that the pre-eminent consideration, of course, must be human health and the health of those who consume British-produced food. There is no argument about that. I do not believe that the characterisation of the Government's record in this sphere as shooting the messenger is in any sense true.

We have set up a committee of leading experts. As I stressed, its members are not Government scientists and they are not placemen—they are distinguished practitioners in their fields. They have given us the benefit of their advice, and, right the way through, we have acted

[Mr. Dorrell]

on it. It is not entirely surprising that advice about a condition that is new has changed as understanding of the condition has developed. That is why I ended my statement by saying that if further advice and recommendations came from those scientifically qualified people, the Government would react to that and ensure that it was brought immediately to public attention.

Mr. Neil Hamilton (Tatton): Does my right hon. Friend agree that we must keep these matters in perspective? Will he confirm that the hon. Member for Peckham (Ms Harman) has even less chance of contracting CJD from eating beef than she has of being re-elected to the shadow Cabinet in the next election? Will he also confirm that we have not forgotten the lesson of the salmonella in eggs fiasco some years ago, when an incautious word from a Minister devastated an industry for no proven benefit to the health of the nation—a lesson that has obviously been lost on Labour Front Benchers? Although the Leader of the Opposition yesterday posed as the friend of small businesses, the hundreds of thousands of small businesses that depend on the sale of beef cattle will have been undermined by the hon. Lady's words today. Therefore, the true friend of farmers and small business men is the Conservative party.

Mr. Dorrell: I have already said that, although it is tempting to speculate about the shadow Cabinet election chances of the hon. Member for Peckham (Ms Harman), this is not the time or place for it. I agree about the importance of neither underreacting nor overreacting to the issue. We must listen calmly to the advice that we have been given and reach measured judgments on the basis of that advice. That is what the Government have done.

Rev. Martin Smyth (Belfast, South): I welcome the Secretary of State's statement. If he had not come forward now, he would have been charged with covering up. As a grandparent, and with one daughter who is a doctor and another who is a science teacher, I know that we need a balanced diet. The CMO's advice is accurate in that context. However, I want to press the Secretary of State. In Northern Ireland, we have had several incidents of CJD, but there has been no evidence of the beef trade being affected, although there has been an impact in other areas. Does the available scientific evidence relate only to beef cattle, or is wider experimentation being undertaken to discover whether there are other sources of infection?

Mr. Dorrell: I am not aware of further experimentation. The evidence is being assessed, especially in respect of the 10 cases to which I referred. I agree very much about the need to ensure that we maintain a measured response. It is clearly essential to good health to maintain a balanced diet. There are few human activities that are entirely free of risk. It is incumbent on policy makers to ensure that the risk associated with a wide range of activities, including eating, is kept to a reasonable minimum.

Mr. Tim Devlin (Stockton, South): Is not it the case that most consumers will regard this not as a party political but as a scientific issue? Can my right hon. Friend confirm that the Government have at all times acted with the best available scientific advice? The worrying thing is that consumers will not understand the scientific issues. They will simply vote with their purses and move away from beef products altogether. That will have a devastating impact on the beef industry, whatever assurances my right hon. Friend seeks to give. What steps will be taken to help the beef industry to move into a situation where it can give a cast-iron assurance to the British public that no British beef has BSE?

Mr. Dorrell: I have already told the House that my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food will make a statement in a few minutes that will deal with the specific measures that affect agriculture. I agree wholeheartedly that this is not a time for a lay Minister to offer an opinion. I offer no opinion about the science. *[Interruption.]* With great respect to the hon. Member for Bolsover (Mr. Skinner), I do not believe that his constituents or mine are interested in his or my views about the science. We are interested in what scientific risk is associated with the products. We have sought expert advice on that and acted upon it.

Mr. Dennis Skinner (Bolsover): Does the Minister realise that he is a member of the Government? He is supposed to make a judgment. They all make judgments about something or other. The present Secretary of State for the Environment made a judgment a few years ago. I did not agree with him when he was stuffing hamburgers down that little kid's throat, but that was a judgment. The chief medical officer has made a judgment. He has said that he is prepared to die for his Government—the first civil servant ever to say that. What is the Secretary of State prepared to do? If they are prepared to make judgments, surely the Government should tell the British public the facts.

Mr. Dorrell: I will tell the House the judgment that I make in this case. When I am asked whether a product is safe, I think that the answer to that question is scientific, not political. That is well beyond the scope of politics and I hope that the great majority of hon. Members, if not the hon. Gentleman, agree with that.

Mr. Michael Fabricant (Mid-Staffordshire): In order that people should have confidence in the future, will my right hon. Friend tell us whether anyone at any time has seriously put into doubt the competence or expertise of SEAC? Has the Department of Health at any time received recommendations from SEAC that it has not acted upon? How quickly has the Department of Health acted on the recommendations that it has received from SEAC?

Mr. Dorrell: I am grateful to my hon. Friend for those three questions. First, I am not aware of anyone having impugned the competence of the members of SEAC. Whenever I have been asked questions about SEAC, I have always said that if people have scientific evidence which they do not believe that SEAC has considered or to which they do not believe SEAC has attributed proper weight, they should take the matter up with SEAC. The chairman of SEAC has made it abundantly clear that he regards that as an important part of the functions of his job.

Secondly, my hon. Friend asks whether there are any recommendations, based on science, that SEAC has offered the Government, on which they have not acted. The answer to that question is no. Thirdly, my hon. Friend asks how quickly the Government have acted on SEAC's recommendations. I cannot offer an answer that covers every case, but I can tell the House that the most recent series of recommendations received from SEAC arrived at a meeting of the Cabinet at 10.30 this morning. I do not see how we could have acted any more quickly.

Mr. Kevin Hughes (Doncaster, North): Will the Secretary of State now tell us what was the most radical option to deal with the problem that SEAC considered?

Mr. Dorrell: I have already told the House that SEAC had available to it any option that it chose to recommend—any option. It went through a series of options and it made recommendations. The recommendations are as I set out in my statement. SEAC has given its scientific opinion that, provided that the recommendations are carried through—the Government have undertaken that they will be—there is minimal risk associated with the continued consumption of beef products. That is the key recommendation for those who are interested in future food safety in Britain and in the future economic interests of the food industry in Britain.

Mr. Harry Greenway (Ealing, North): Is my right hon. Friend aware that everyone will welcome the research that he has announced into the impact of the BSE problem on children? Has he any plans, however, to ask for research into the possible impact on older people?

Mr. Dorrell: I have not asked for specific advice on older people because, it is fair to say, more interest has been concentrated on whether there is age sensitivity in the transmissibility of the condition. That is why I have asked the specific question related to children. The generality of advice is as set out in the statement received from the advisory committee.

Mr. George Mudie (Leeds, East): The Secretary of State has sensibly asked the committee to look again at the implications for children. Genuine doubts prompted him to ask the committee that question. Would it not be wiser to err on the side of safety in respect of advice to parents on their children's diet until the committee has specifically answered his question?

Mr. Dorrell: On that question, as on all others, we do better to rest on the advice of those who understand the science better than I do and, I venture to suggest, better than almost all hon. Members do. The advice of the chief medical officer, based as it is on the advice of the advisory committee on this specific subject, is set out in the statement that I have put in the Vote Office. I shall read it to the House:

> "There is at present no evidence for age sensitivity and the scientific evidence for the risks of developing CJD in those eating meat in childhood has not changed as a result of these new findings. However, parents will be concerned about implications for their children. SEAC has been asked to provide specific advice on this issue."

In addition, as I have told the House, SEAC is meeting specifically to discuss the question this weekend.

Mr. Harold Elletson (Blackpool, North): Will my right hon. Friend make it clear that children need a healthy and balanced diet, which includes meat? Will he take this opportunity, once again, to reassure parents about British meat? Will he also condemn the extreme vegetarian, anti-farming activists, such as the hon. Member for Peckham (Ms Harman), who are now campaigning to stop children eating meat?

Mr. Dorrell: My hon. Friend is absolutely right to say that children, like all adults, benefit from a balanced diet, and for the great majority of us that includes meat eating. There are those who choose not to eat meat. I would not seek, as a Health Minister, to give them advice on that issue. If people want to know how to eat healthily, I would simply emphasise the importance of a balanced and varied diet.

Mr. Harry Barnes (North-East Derbyshire): Is not it unfortunate that the Department of Health has a rather poor record on supplying information about CJD? This country's record regarding the problems that resulted from hormone provision in connection with growth and fertility treatment is abysmal compared with that of Australia. There is now an opportunity to improve the record and ensure that full information is made available. To start with, one of the options is to publish all the options that were considered by SEAC.

Mr. Dorrell: I have already undertaken to the House that all the scientific evidence on which SEAC reached its conclusions will be made available in published papers through scientific journals. That is the key obligation, which rests on proper and mature consideration of those issues.

SEAC has no confines in the options that it is allowed to consider. It did indeed consider the full range of options that might have been applied, and it reached a decision about the recommendations that it should make. It has offered those recommendations to the House and, more important, to the country.

Mr. Brian Wilson (Cunninghame, North): Will the Minister join me and many others in expressing gratitude to the scientists and food journalists, such as Derek Cooper of "The Food Programme", who have been warning of the possible—always the possible—transmission into the human food chain since 1985? Is he not rewriting history just a little bit when he claims that the Government's message has always been that there might be a connection? What was the purpose of those idiotic photo-opportunities if not to say that there was not a connection? It certainly was not to say that there might be a connection.

Mr. Dorrell: With great respect to the hon. Gentleman, the Government have introduced a series of controls, which would not have been necessary if the Government had believed that there was no possible connection. It was always acknowledged that a connection could exist, although there was no scientific basis for believing that it did exist. As there was a possibility that it could exist, controls were introduced, which ensured that those parts of the carcase that contained the infective agents did not get into the human food chain. That is the purpose of the controls that were introduced.

BSE (Agriculture)

4.17 pm

The Minister of Agriculture, Fisheries and Food (Mr. Douglas Hogg): With permission, Madam Speaker, I too would like to make a statement about BSE. In view of the statement that my right hon. Friend the Secretary of State for Health just made, the House will wish to know the action that I propose to take to ensure that the risk to the public is minimised.

The additional recommendations just made by the Spongiform Encephalopathy Advisory Committee that most immediately affect agriculture departments are that carcases from cattle aged over 30 months must be deboned in specially licensed plants supervised by the Meat Hygiene Service and that trimmings be kept out of any food chain; and that the use of mammalian meat and bonemeal in feed for all farm animals be banned.

The committee goes on to state that if these and its other recommendations are carried out, the risk from eating beef is now likely to be extremely small.

The Government have accepted these recommendations, and I will put them into effect as soon as possible. Any further measures that SEAC may recommend will be given the most urgent consideration. Also, and with immediate effect, I have instructed that existing controls in slaughterhouses and other meat plants and in feed mills should be even more vigorously enforced.

I do not believe that this information should damage consumer confidence and thus the beef market. But I should say that support mechanisms exist in the common agricultural policy and the Government will monitor the position closely. I will naturally report developments to the House.

I recognise that there will be public concern, but the Government's chief medical officer advises us that there is no scientific evidence that BSE can be transmitted to man by beef. In fact, he has stated that he will continue to eat beef as part of a varied and balanced diet—a as, indeed, shall I. In view of what I have announced, the Government believe that British beef can be eaten with confidence.

Dr. Gavin Strang (Edinburgh, East): Will the Minister make all the new information, including all the scientific evidence, available to the House of Commons? We must have complete openness on this issue. Today, we have to learn the important lesson that we must not allow the BSE agent to get into our food. Clearly, it is crucial that animals that display the symptoms of BSE are not slaughtered for food. Is the Minister satisfied with the controls in that regard?

Some animals do not display any symptoms, but they carry the BSE agent. With respect to those animals, what progress is being made on the development of a live test? Can we have an assurance that adequate resources are being made available for this research and all other aspects of research in relation to the food and agricultural implications of BSE and CJD?

The Minister announced a number of measures this afternoon, including deboning the carcases of all beef animals over the age of 30 months. As younger animals have BSE, why has the Minister chosen to debone only the carcases of cattle over the age of 30 months? Last summer, the Minister had to acknowledge that the controls that were in place in our slaughterhouses were not being adequately enforced. What confidence does he have that the new measures and the existing measures will be effectively enforced? Can we be assured that he will assist the Meat Hygiene Service and the State Veterinary Service in the implementation of these vital objectives?

The Minister's announcements have important implications for the agricultural and meat industries. What measures is he considering to cushion the blow to these industries? Finally, I listened carefully to the statement made by the Secretary of State for Health and to the last part of the Minister's statement. As the Minister responsible for our food, what advice is he giving to people about whether they, their children and their grandchildren should be eating beef and beef products?

Mr. Hogg: Of course, we must be open—and that is why my right hon. Friend the Secretary of State for Health and I have come promptly to the House. We learnt of the considered conclusions over the weekend, the recommendations were made earlier this morning and we came here very swiftly. In relation to publication, my right hon. Friend has made it clear that we will be publishing the material in the scientific journals.

With respect to BSE agents getting into the food chain, that is precisely why I put the additional controls in place and why that has been done in the past. There will not be a live test in the foreseeable future—I wish that there were. On the question of adequate research as funded by my Department, I have discussed this with Professor Pattison—the chairman of SEAC—and he is satisfied with the level of MAFF support for research.

On the question of the 30-month cut-off point, that is indeed the recommendation of SEAC. We stand by that recommendation and SEAC had good reasons for making it. On the question of market confidence, in view of what SEAC and the chief medical officer said, I do not believe that there should be a loss of confidence in beef and, as a consequence, no damage to the market.

Sir Archibald Hamilton (Epsom and Ewell): May I congratulate my right hon. and learned Friend and the Government on the speed with which the two statements have been made following the SEAC recommendation? Does he agree that the comments from the Labour party, both new and old, demonstrate that Labour is certainly not the farmer's friend? Does he accept that the deboning of carcases over 30 months old will hit the dairy industry in particular, as it is normally dairy cows that are slaughtered beyond the 30-month period? Has he considered the impact of that on the price that will be paid for those redundant cows and what help can he offer the dairy industry in particular on the impact of that?

Mr. Hogg: On the first part of my right hon. Friend's question, I shall practise the same self-denying ordinance as my right hon. Friend. On the question of dairy cows, my right hon. Friend is correct in saying that frequently dairy cows over the age of 30 months are processed for beef. However, he will also have noticed that we are not prohibiting the use of dairy cows over the age

of 30 months for beef, but merely stipulating that they must be sold in a deboned state—the deboning taking place in plants licensed by the Ministry.

Mr. Paul Tyler (North Cornwall): May I remind the Minister that in a debate in the House on 13 July last year I specifically asked his colleague, the Minister for Food, whether she was satisfied with the integrity of the scientific advice on which the Government were operating? Will he be more specific this afternoon than the hon. Lady was then in answer to two specific questions? First, I noticed that his statement refers to the risk from eating beef as being extremely small. By contrast, the chief medical officer refers to bovine products. Can the Minister distinguish between the two and what advice is given in each case? Secondly, I noticed his reference to support mechanisms. Is he prepared to assure the House, the country and the industry that he and his Ministry take full responsibility for the consequences of their previous advice, including the financial implications?

Mr. Hogg: I have great confidence in the integrity of the scientific advice that we have received. I have confidence in it now and I have always had confidence in it. It merits our confidence. As for what the chief medical officer said with regard to beef products, I adopt and repeat it.

Mr. John Greenway (Ryedale): Is not the gist of what we have been told this afternoon that there is no less reason to have confidence in British beef today or tomorrow than there was yesterday? I regret, however, that that is not how the great British press will see it. There is likely to be a calamitous effect on British beef farmers, many of whom have never had a single BSE-affected cow in their herds. Will my right hon. and learned Friend, therefore, reassure the House this afternoon so that we can reassure our farmers tomorrow and this weekend that he will not hesitate to move swiftly to support the market?

Mr. Hogg: The market will fall only if there is a serious lack of confidence in beef. That depends upon the judgment that the public make about the quality and safety of British beef and beef products. That is why my right hon. Friend and I have come promptly to the House to make the two statements that we have made and to tell the House that the best opinion that we have is that beef and beef products can be eaten with confidence. If the public accept that advice, there will be no damage to the market, but, as I made plain in my statement, there are mechanisms within the common agricultural policy that can be brought into play if there is damage.

Mr. D. N. Campbell-Savours (Workington): Has the Minister seen a transcript of an interview that the chief veterinary officer, Mr. Keith Meldrum, gave on the "World in Action" programme last November in which he stated that it is possible that as many as 500 animals with BSE may be entering the food chain every week, albeit subject to the removal of specified offal? He said also that tissue other than the specified offal may contain "a low level"—that is a direct quote; I checked the tapes today—of BSE.

We know from interviews conducted during the "World in Action" piece and from footage filmed by secret cameras that animals that were cleared by inspectors at auction markets in Mold and at Beeston in Cheshire were purchased by Granada Television—at its expense—tested by official veterinary officers, and found to contain BSE. We know, on the basis of what we saw and according to the interview transcripts, that the system is not working. How can we sure that the current arrangements will be tightened to work effectively when we have been told repeatedly over the years that the present system is policed properly?

Mr. Hogg: The hon. Gentleman is not fixing on the critical point. I do not dispute the fact that a number of cattle with sub-clinical BSE conditions have got into the slaughterhouse—that is precisely why the SBO controls are in place. If those controls are carried out thoroughly, they will remove the organs that contain the infected material. For that and other reasons, I believe that the British people can consume beef with confidence.

Mr. Bill Walker (North Tayside): Does my right hon. and learned Friend accept that human beings indulge in very few risk-free activities and that that is true of what we eat? It is in the interests of our very good agricultural industry that we disseminate the message that the measures that are being put in place have the same effect as control measures in other areas. For example, buses, trains and aircraft crash, but we have introduced measures to control the transport industry in order to promote public confidence. That is what the Government are doing today.

Mr. Hogg: I am grateful for the support that my hon. Friend has given to the Government's proposals, which are based on the recommendations of the Spongiform Encephalopathy Advisory Committee and the chief medical officer. It is true that few activities are wholly safe. However, according to the advice that we have received and in light of today's announcement, British beef may be eaten with confidence.

Mr. William Ross (East Londonderry): Does the Minister recall that, in answering a question from me in November, he said that although 160,000 cattle were found to be infected with BSE only 23 could be broadly classed as beef animals? Does that mean that BSE is largely a disease of the milk herd? If that is so, will the Minister follow up the question that my hon. Friend the Member for Belfast, South (Rev. Martin Smyth) asked in a previous exchange and consider the possibility of a test? Will he examine also the effects of scrapie on the disease, as I believe that there has been one trans-species jump already?

When considering the question of beef imports into the United Kingdom, will the Minister examine closely the cross-border trade between Northern Ireland and the Irish Republic? Beef comes both from Northern Ireland through the Republic and from the Republic through Northern Ireland and into the United Kingdom market. If the situation worsens, what steps will the Government take to eliminate the disease once and for all—bearing in mind the fact that that cannot be done cheaply?

Mr. Hogg: The hon. Gentleman is right to talk of 160,000 or so confirmed cases and he is also right to say that the great majority of cases are found in the dairy industry, not in beef herds, although there are some cases in beef herds. The hon. Gentleman asked whether there is any probability of a live test becoming available. I regret that there is not in the near future. I wish that there was, but there is not and I must not hold out any prospect of one.

The hon. Gentleman asked about the relationship of scrapie to the condition of BSE. One of the explanations advanced as to the cause of BSE is scrapie, which is a condition in sheep, being fed into the cattle population in the feed rations. The hon. Gentleman asked an important question about the elimination of BSE from the herd. That is precisely why SEAC has recommended that we should no longer feed, to any farm animals, rations with any mammalian content against the possibility that there is cross-contamination, for example, between pigs and poultry and cattle, either on the farm or in the feed mills.

Sir Hector Monro (Dumfries): Does my right hon. and learned Friend agree that, since 1989 when the offal controls were introduced—I welcome the strengthening of those controls today—the risk to the general public has been virtually nil? Does he further agree that MAFF, the Scottish Office and the Welsh Office have acted extremely quickly whenever the scientific advice has required them to do so? Will my right hon. and learned Friend watch the market price very closely, because I fear that there will be a substantial drop in the immediate future?

Mr. Hogg: I am grateful to my right hon. Friend. He has a great knowledge of these matters from his time in Government and otherwise. He is correct that the risk is extremely small and that has now been stated on several occasions. We have always followed the scientific advice and we shall continue to do so. We will indeed watch the market price with care, as I said in my statement.

Mr. Hugh Bayley (York): My constituent, Mr. Leonard Franklin, who was an abattoir worker, died from Creutzfeldt-Jakob disease three weeks ago. His bereaved partner believes that his work at the abattoir contributed to that. He used to come home with blood on his clothes and cuts on his body, and she feels that there may have been a link. She specifically asked me to ensure that an independent pathologist was present at the post-mortem, because she did not trust that the Government-appointed pathologist would be independent. Does the Minister accept that that shows the degree of scepticism in the public about the Government's action in response to BSE?

Given that yet more butchery operations will be required in abattoirs to remove the risk of infected material entering the food chain, will the Minister say whether additional protection will be provided for abattoir workers, who work with the riskiest parts of carcases?

On a separate point, will the Minister clarify what he said a moment ago? I believed that in his statement he said that livestock feeds made from mammals would be entirely banned. He said later that livestock feeds made from poultry would also be banned. Was that his intention because poultry, obviously, are not mammals?

Mr. Hogg: The case of Mr. Franklin must have caused great distress to the hon. Gentleman and to Mr. Franklin's family. My right hon. Friend the Secretary of State for Health has already dealt with the point about working practices and the Health and Safety Executive will consider whether any changes in working practices need to be made.

I hope that the public will not be in any way sceptical. The Government have always come to the House with information, in one way or another, as promptly as needs be. SEAC is a wholly independent, free-standing and respected body. It deserves the confidence of the country, which I hope that it will receive.

I am sorry if I have confused the hon. Gentleman. Let me restate the position on feeds. Cattle rations should not contain any material from ruminant animals. That is not true in respect of pig and poultry rations, which could contain mammalian elements. To avoid the danger of cross-contamination in feed mills or on the farm, in implementing the SEAC recommendations I am proposing to prohibit the presence of mammalian elements in food rations for all farm animals.

Sir Donald Thompson (Calder Valley): I thank my right hon. and learned Friend for coming again promptly to the Dispatch Box in acting on scientific advice, although it is unfortunate that he has had to do so. Can he assure the House that scientific advice, once presented, has never been altered or amended by the Government? Have we ever asked the scientists to alter or amend their advice, once it has been presented? Have recommendations always been acted upon and published?

Mr. Hogg: I particularly value my hon. Friend's support, partly because of his professional experience outside the House and because he was a Minister in my Department. He knows a great deal about the subject. My hon. Friend is entirely right—we have always acted on the advisory committee's advice, and we have never tried to shape that advice. The committee is a freestanding and authoritative body and we listen to what it says. We have always carried out its recommendations.

Mr. Andrew Welsh (Angus, East): As to support mechanisms, what proposals does the Minister have for the quality end of the beef market, which is BSE-free, if it is faced with general market instability? The Government's handling of the situation has led to the worst of all possible worlds for farmers and consumers. Only the utmost accountability and openness will allow the public to get to the truth of the matter. As the Member of Parliament who represents the Angus part of Aberdeen Angus, I ask the Minister to ensure that consumers know that Scottish quality beef is something in which everybody can have confidence.

Mr. Hogg: I have a feeling that I was eating Angus beef last night, in the House of Commons restaurant. It was extremely good, and I ate it with total confidence. We have to make a judgment, and I hope that the public will accept the judgments of SEAC and the chief medical officer that British beef can be eaten with confidence.

If the public do so, there will be no disquiet in the markets and they will not be damaged. I hope that the public will take the view that my right hon. Friend and I are offering the House.

Mr. Mark Robinson (Somerton and Frome): Does my right hon. and learned Friend agree that British beef producers are a highly responsible body? Will he consider taking measures through certification or labelling to demonstrate in shops that beef has been properly treated, on the principles that he outlined today?

Mr. Hogg: I entirely agree with my hon. Friend about the responsibility shown by beef producers. Certification is an important point, but I am not entirely certain at the moment whether it is one for the Government or the industry. That matter should certainly be considered by MAFF or the industry, or by those who act on its behalf.

Mrs. Ray Michie (Argyll and Bute): I welcome the Secretary of State and the Minister coming to the House today to make their statements. It is right and proper that they did so promptly. We hope that not just cattle herds but breeds such as highland cattle and the famous Luing cattle are free from BSE. There is no record of BSE in the highlands and islands among those particular breeds over the past five years, which is a great endorsement of beef cattle in the area. The latest scientific advice is bound to have a knock-on effect on breeders, particularly in severely disadvantaged and less-favoured areas. I ask the Minister to consider how he can help those breeders. Will he restore hill livestock compensatory allowances to their 1992 levels?

Mr. Hogg: I am grateful for the hon. Lady's kind words. What she said about the breeds from the highlands and islands is very important, and I broadly endorse it. It gives breeders a great marketing advantage, because they are able to sell their beef as having come from herds that have not suffered a case of BSE. I should have thought that that would put them in a premium position.

Mr. Douglas French (Gloucester): Does my right hon. and learned Friend accept that the slaughterhouse rules were originally put in place precisely because he and his predecessors accepted that there might conceivably be a link, however remote, between BSE and CJD? The slaughterhouse rules were strengthened once, and he strengthened them again this afternoon, but will he recognise that it is one thing to put in place a set of rules and another to achieve a high degree of enforcement? The House will be grateful this afternoon that he has emphasised that he will introduce measures to ensure a high degree of enforcement, but will he reassure the House by spelling out in greater detail what those measures will be?

Mr. Hogg: I am grateful to my hon. Friend. The controls have indeed been strengthened on a substantial number of occasions, and much, of course, depends on their implementation. We will do our outmost to ensure that they are fully implemented, which is why, on more than one occasion at the end of last year, I called in the slaughterhouse operators. It was also one of the reasons why SEAC suggested that cattle over the age of 30 months should be sold only in a deboned state, the deboning taking place in premises that are licensed and approved. That is intended to provide additional reassurance against the risk of the other SBO controls not being fully implemented.

Mr. Harry Cohen (Leyton): Is it true that SEAC considered but ruled out the destruction of the national herd? If it even considered that option, does not that show what a mess the Minister's predecessors made of dealing with this problem?

Mr. Hogg: My right hon. Friend the Secretary of State for Health has already dealt with that question. SEAC had a whole range of possibilities open to it. It could have made any recommendation that it thought fit and right.

Mr. Nicholas Winterton (Macclesfield): As I represent Macclesfield in Cheshire, where dairying and beef are of great importance to the rural economy, I congratulate the Government on coming to the House with such responsible expedition this afternoon and on the very constructive decisions that my right hon. Friend has taken.

I eat beef, as does my wife, my two sons, my daughter and our six grandsons. We enjoy it and will continue to do so. Has my right hon. and learned Friend any idea of the additional cost of the proposals and announcements that he has made this afternoon, particularly with reference to the slaughterhouse and abattoir operators? I have a very efficient and modern abattoir in my constituency. It is important that the additional costs are known to the House. Can he give us any information?

Mr. Hogg: I am grateful to my hon. Friend for his support. Representing the seat that he does, he knows a great deal about both the dairy industry and the beef industry, and therefore his support is particularly welcome. He is, of course, right to say that there will be an additional cost to the abattoirs and, indeed, elsewhere, largely because of the requirement that cattle over 30 months must be deboned before they can be sold, and that it must take place in licensed and approved premises. There clearly is an additional on-cost there, but I cannot quantify it today, not least because, as my hon. Friend knows, we received the recommendation only earlier this morning and I have not yet had a chance to look at the quantifications.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): On that last point, will the Minister undertake to quantify the additional costs that might be imposed, and in particular their effect on small and medium-sized abattoirs, which are currently under considerable pressure as a result of the requirement for pre-mortem inspections to be carried out by vets, and other costs that impose a severe strain on that sector and, of course, the additional costs of the Meat Hygiene Service? Will the Government also take steps to minimise the effect on that sector, and to ensure that small and medium-sized abattoirs are not closed?

Mr. Hogg: I understand the importance of what the hon. Gentleman has said. Whenever we consider the impact of regulation we must make an assessment of the compliance cost to the industry, weighed against the benefit to the public, and we shall take that necessary

[Mr. Hogg]

action in this instance. I shall try to reach a view, but I think that the House would want the Government to implement SEAC's recommendations in full, including the recommendation that has the effect to which the hon. Gentleman referred.

Mr. David Harris (St. Ives): I commend both my right hon. Friend the Secretary of State for Health and my right hon. and learned Friend the Minister on their responsible approach.

I hope that this will not happen, but if there is a drastic fall in the sale and consumption of beef—at least in the short term—will it not result from the media's sensational treatment of the issue, rather than from a careful reading of the scientific statements issued by the advisory committee and the chief medical officer?

May I urge my right hon. and learned Friend to consider the likely impact of the steps that are now being taken on small abattoirs and processing plants? I fear that those steps may lead to further closures, which would not be in the interests of the rural economy or, indeed, those of animal welfare.

Mr. Hogg: My hon. Friend has made an important point about the rural economy and small abattoirs, and I shall certainly take account of the interests of that sector. As for his first point, I agree with him. I believe that careful consideration of the evidence from SEAC and the chief medical officer that has been placed before the House will reassure the public, and if that is so the market will not be damaged.

Mr. Robert Key (Salisbury): Is my right hon. and learned Friend aware not only that he and I are at one in believing that the safety of food products is paramount, but that that is also the view of the producers—whatever their size—the veterinary scientists, the workers in the slaughterhouses, the retailers and the distributors? Will he undertake to talk to our right hon. Friend the Chief Secretary to the Treasury not just about the state of the market, but about immediate mechanisms to support it? It is the small markets across rural England, and the small butchers, who are likely to feel the draught. It takes only a small shift in demand from one product to another in a rural butchery for all the products to be unavailable, not just the beef.

Mr. Hogg: It is to my advantage that my right hon. Friend the Chief Secretary was my predecessor in my current office, and is therefore well acquainted with the problems that my hon. Friend has described.

My hon. Friend referred to the paramount importance of food safety. I am grateful to him for giving me an opportunity to say this. People sometimes suggest that the interests of agriculture and farmers are MAFF's overriding concern, and obviously they are of great concern to us; but our paramount duty is to public safety—the safety of the food chain and of British food. That is the paramount duty owed by my Department, and myself as Minister, to the House and the country.

BILL PRESENTED

PROTECTION OF PRIVACY (No. 2)

Sir Patrick Cormack, supported by Mr. Alex Carlile, Sir Archibald Hamilton, Sir Jim Lester, Mr. Julian Brazier, Mr. Nigel Forman, Mr. David Hunt, Mr. Giles Radice, Mr. Quentin Davies and Mr. Ray Powell, presented a Bill to make it an offence to sell or to buy tapes or transcripts of private conversations otherwise than with the consent of both parties: And the same was read the First time; and ordered to be read a Second time upon Friday 26 April and to be printed. [Bill 87.]

Road Traffic (Reduction)

4.54 pm

Mr. Cynog Dafis (Ceredigion and Pembroke, North): I beg to move,

That leave be given to bring in a Bill to establish targets for a reduction in road traffic levels in the United Kingdom; to require local authorities to draw up local road traffic reduction plans; to require the Secretary of State to draw up a national road traffic reduction plan to ensure that the targets are met; and for related purposes.

The Bill was given a Second Reading after I introduced it under the ten-minute rule in April 1995. I also spoke on its themes during the summer Adjournment debate in July 1994. Over that period, my conviction that the Bill dealt with a topic whose time had come has become stronger and stronger.

Recently, a number of events have served to underline the pressing environmental, social and economic reasons why the present seemingly inexorable increase in road traffic must be halted and reversed. In December, the scientific working party of the Intergovernmental Panel on Climate Change, chaired by Sir John Houghton, also chairman of the royal commission on environmental pollution, announced its conclusion, following exhaustive research, that climate change was occurring as a result of greenhouse gas emissions and that radical action was required to mitigate its grave effects. As the royal commission report clearly showed, tackling the problem of road traffic is crucial to that.

Last week, the Department of the Environment published its important "Indicators of sustainable development for the United Kingdom" document. The section on transport makes dismal reading. It reports that car use has almost doubled to an average of 6,500 miles a year per person, although use of buses has declined by one quarter to an average 600 miles a year and rail use has remained only constant at an average 400 miles a year. The average distance of commuter journeys has increased by 40 per cent. since 1974, journeys for shopping by 35 per cent. and those for taking children to and from school by 40 per cent.

Energy consumption for road passengers has nearly doubled and for freight it has increased by more than 60 per cent. since 1970, so any improvements in vehicles' energy efficiency has been more than cancelled out. The fact that the average Briton travels less for each gallon of fuel consumed than in 1970 is shocking and illustrates that technological improvements in energy efficiency, welcome though they are, do not provide the answer to the problem.

The Government's pioneering document demonstrates clearly that our current transport system—let alone what we will have if projections are only partly fulfilled—is utterly unsustainable. For good measure, it reckons that Britain will exhaust its domestic oil supplies in 14 years and its gas supplies in 25 years. Scientific reports underline the extent of the problem in that way, but the direct action on the route of the Newbury bypass illustrates both the terrible dilemmas created by increased traffic—we know that the bypass will further increase traffic—and the conflict that will inevitably arise if we do not change direction.

The latest of recent events highlighting the importance of road traffic reduction is the Sea Empress disaster, and the terrible ecological, economic, social and, as we have heard today in the Select Committee on Welsh Affairs, personal cost that it is imposing. Small wonder that, in its letter to the Prime Minister concerning the Sea Empress, a group of environmental organisations say:

"We would also ask you, independently of the inquiry into the Sea Empress disaster, what actions you propose to take to reduce the underlying need for oil tanker movements, by reducing Britain's reliance on oil".

There are many ways of doing that, but reducing road traffic must be among the most important.

Following all that, the good news is that more and more people and organisations are applying their minds to solutions. Last year, there was the Campaign for the Protection of Rural Wales document "Wales Needs Transport, Not Traffic". Recently, I came across a report by the Institution of Civil Engineers entitled "A Vision for Rural Public Transport", and the environmental change unit at the university of Oxford is conducting a long-term project called "Sustainable Mobility and Accessible Rural Transport". I mention those two in particular because, naturally enough, I am interested in the rural scene and in what the SMART report on "Rural Travel and Transport Corridors" calls travel poverty. That is an important reality in rural areas.

There are 101 initiatives of various kinds at the local level which are attempting to make an impact. I mention just a few. At Aberystwyth in my constituency the chamber of trade is proposing the installation of the Parry people mover tram in response to traffic congestion, as a means of improving access to the traditional town centre from the new and regrettable out-of-town retail development, and as a way of enhancing the competitiveness of the town centre by making it a more attractive and interesting place to be. I hope that it is successful in its bid to the Welsh Office for strategic development scheme funding for that excellent initiative.

Oxford county council is developing a transport strategy involving bus priority, improved park-and-ride and pedestrianisation schemes, the limitation of parking in central areas, better facilities for cyclists and pedestrians, and particularly the disabled, and other measures. The transport study on which it is based involved the collection of extensive information about travel patterns in the city and comprehensive public opinion surveys. Different transport measures were evaluated for their comparative effectiveness. Feedback from an exhibition of the resulting strategy revealed widespread concern about existing conditions and overwhelming support for the new proposals, and that is encouraging.

What is needed now is a political focus for the growing awareness that exists and the sense of co-ordinated purpose that comes from a strategy. That is what the Road Traffic (Reduction) Bill provides. It is important for the House, the Government and particularly those on the Opposition Front Bench to understand just how much support it is attracting. Early-day motion 21 in support of the Bill has already been signed by 111 hon. Members and I am confident that that number can be doubled without much difficulty. A substantial number of local authorities and a wide range of organisations have already registered support and the number is increasing.

I mention those on the Opposition Front Bench particularly because they are likely to form the next Government and are looking for sensible policies, and

[Mr. Cynog Dafis]

because they have a long way to go to begin to prove their credentials in the area of environmental sustainability policy.

I am pretty confident that the Secretary of State for the Environment will support the Bill, certainly in principle, as he has shown a serious interest in sustainable development. I have some difficulty with the Secretary of State's failure—or perhaps tactical refusal—when talking about sustainability to differentiate between the concepts of change, development and growth, but at least he is on the record as recognising the need to separate economic growth from transport growth, certainly traffic growth. That is a promising start. Certainly an enlightened definition of progress, which at all times should incorporate quality of life considerations, must imply support for the Bill's aims.

I am encouraged by the support expressed by my local authority, Ceredigion district council, which serves a predominantly rural area. That emphasises the fact that traffic is not just a problem of urban congestion. It also points to the need for something other than economic instruments. I am very much afraid, from what the Government are saying, that they will overly depend on those matters. We need a much more comprehensive, sensitive and intricate approach than the one to which the Government seem currently committed, with their emphasis on economic instruments. That is simply internalising environmental costs.

The studies carried out in the area particularly emphasise the crucial role of local government in the matter—the need for powerful local authorities to take initiatives to invest and, if necessary, to regulate traffic.

Bearing all that in mind, we need legislation along the lines that the Bill offers and I ask the House to express its support for that this afternoon.

Question put and agreed to.

Bill ordered to be brought in by Mr. Cynog Dafis, Mr. Peter Bottomley, Mr. Simon Hughes, Mr. Jeremy Corbyn, Mr. Frank Cook, Mr. Alan Simpson and Sir Richard Body.

Road Traffic (Reduction)

Mr. Cynog Dafis accordingly presented a Bill to establish targets for a reduction in road traffic levels in the United Kingdom; to require local authorities to draw up local road traffic reduction plans; to require the Secretary of State to draw up a national road traffic reduction plan to ensure that the targets are met; and for related purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 12 July and to be printed. [Bill 89.]

Orders of the Day

Reserve Forces Bill *[Lords]*

Order for Second Reading read.

5.5 pm

The Minister of State for the Armed Forces (Mr. Nicholas Soames): I beg to move, That the Bill be now read a Second time.

This is an important Bill as you, Madam Deputy Speaker, with your military interests, will be aware. It will bring the law governing reserves up to date, taking account of social, economic, service and strategic changes in the 30 years since the last substantial Reserve Forces Act in 1966. It will permit the reserve forces to be used more flexibly.

The reserve forces are an essential and vital element of our armed forces, and the Government attach great significance to them. Over the years, the reserves have adapted in order to meet changing circumstances and commitments, and they have become experts in a wide range of skills and specialisms. We in Great Britain are truly fortunate to be able to rely on the voluntary commitment of the men and women who serve in the reserves. They are capable of playing a significant part in our military contribution to the international response to future crises around the world and the Bill will make it easier for them to do so.

As the House will be aware, reservists are making a significant contribution in support of current operations. The largest number are serving as part of the UK's contribution to the NATO-led peace implementation force in the former Yugoslavia. There are currently some 650 reservists called out in support of the operation. They are doing excellent work and the whole House will wish to endorse their splendid efforts.

The Bill has been the subject of a very extensive and successful consultation exercise. The policy and provisions of the Bill have been therefore been considered broadly. I am sure that that has been an important factor in the general welcome which the Bill has received. I would like to take this opportunity to acknowledge the broad support that the Bill received during its consideration in another place. A number of detailed and technical amendments were made there and there have been some useful improvements.

The hon. Member for South Shields (Dr. Clark) said some time ago that the Opposition would give the Bill a fair wind. I am sure that he is still of that mind. I know that Opposition Members share that view, and that the Bill will receive a smooth and speedy passage through the House, with proper and detailed consideration. I am sure that the policies enshrined in the Bill will command support from all parties in the House.

I am conscious of the fact that events today have meant that we will not have as long as we would have liked to debate this important matter. Therefore, I propose to speak briefly so that other hon. Members will have time to make the points that they wish to make. It is a great strength of the House that there are people here who have detailed knowledge and real experience of the reserves which will bring to the debate an importance that other debates sometimes lack. I intend, therefore, to restrict my comments to the main provisions and to mentioning those significant issues that were raised during the Bill's consideration in another place.

Part III makes provision for reservists to be able to undertake periods of full-time and part-time reserve service. That will be a significant improvement on the current arrangements for the use of volunteers from the reserve forces without call-out, which require them to leave the volunteer reserves, join the armed forces as regulars, and rejoin the volunteer reserves when their period of duty is completed. That is a tortuous process and it is clearly right that it should be amended, and speedily. The voluntary employment of reservists under the arrangements will enable our reserves to be used more flexibly in future, and it will offer immeasurably greater opportunities for individuals to increase their skills and undertake a wider range of tasks.

The Bill creates two new categories of reserve. Part IV deals with one—the high-readiness reserve, or HRR for short. The Bill refers not to HRR but to "special agreements", made between the Ministry of Defence and the individual when he or she accepts an increased call-out liability. The consent of the individual's civilian employer is of course also required.

We envisage that reservists with skills in short supply would mainly become subjects of special agreements. They would volunteer, with the consent of their employer, to take on a higher call-out liability. Those who agreed to accept the higher call-out liability would be subject to a maximum period of nine months' call-out. Special agreements would have to be reviewed annually, permitting both individuals and employers to re-examine whether special agreement status remained compatible with their circumstances.

The sponsored reserve scheme, to be created under part V, will permit some support tasks that are currently performed by regulars to be let to contract. The sponsored reserve will consist of civilians belonging to a contractor's work force who accept a reserve liability to continue to provide a contracted service in an operational environment. We would use the concept only where it was cost-effective and did not in any way jeopardise or compromise operational effectiveness. We believe that the concept will allow the extension of the market-testing programme into new areas to the benefit of the services and the defence industry.

Our ideas have been welcomed by many employers, who are very keen to pursue the opportunities that the scheme will provide. We of course recognise that we shall need to continue to maintain the closest liaison with employers and unions if the scheme is to be implemented successfully. Indeed, the Bill requires formal consultation before regulations are made.

Dr. Norman A. Godman (Greenock and Port Glasgow): Would the persons referred to in part V be subject to armed services legislation?

Mr. Soames: They would for the period in which they were engaged in the particular tasks. The way in which this will be conducted is, as I say, a matter for detailed consultation in the fullness of time with employers and unions.

Part VI re-enacts in simplified form the principal call-out powers of the Reserve Forces Act 1980, and also includes one of the most significant new provisions: a new

[Mr. Soames]

power of call-out for peacekeeping, humanitarian and disaster relief operations. That will enable the reserves to be a part of the United Kingdom's contribution to the relief of human suffering around the world. I am sure that the House agrees that, since many reservists would very much like to play a bigger role, it is very important that they are able to contribute to such operations alongside their regular colleagues. Indeed, they may have skills that are simply not available in detail and depth at all times in the regular forces.

The maximum length of obligatory service after call-out for peacekeeping, humanitarian and disaster relief operations was discussed at some length in another place. The debate centred on whether a period of six months was more suitable than the nine months specified in the Bill. My noble Friend the Under-Secretary explained that a period of nine months was stipulated as a result of the most careful and detailed consideration, and was supported by the three services, the Territorial Army colonels and the chairmen of the 14 territorial auxiliary and volunteer reserve associations.

A period of six months would not have permitted the services to plan on reservists undertaking a six-month operational tour alongside their regular colleagues. Clearly, time must be allowed for those called out to undergo the mobilisation process, join their units, and undertake training before deployment. Nine months is sufficient for the necessary pre-deployment arrangements, and, just as important, is sufficient for individuals to take their leave entitlement at the end of their period of regular service. Faced with those arguments, their Lordships agreed to leave the Bill unamended.

Part VIII creates two important safeguards. The first is a right to seek exemption from or deferral of call-out, exercisable by a reservist and by his or her employer. The second is the provision for financial assistance to reservists and employers who are financially disadvantaged as a result of call-out. Those new safeguards clearly recognise changing employment and social pressures and the great importance of the intimate relationship between employers, reservists and the MOD. We believe that it is right to take steps to minimise any financial loss suffered by employers or reservists at a time of call-out. The proposals have been widely welcomed.

Dr. Godman: Surely it is not only a question of financial assistance. What about persons who are carrying out tasks in civilian occupations which require constant retraining? I am thinking, for example, of a welder having to weld to North sea standards. If that person is away from such work for nine months without retraining, he would not be able to go back to his old job. What retraining possibilities are there for such persons?

Mr. Soames: I cannot comment on the detail of that matter right now. All I would say, as I have already said, is that the scheme will work only if employers and reservists are confident of the arrangements made by the MOD. If they are not, we will simply not be able to attract the people whom we need. We will make absolutely sure of such confidence. The hon. Gentleman makes a very important point, the detail of which will have to be enshrined in the Bill when we come to a conclusion on how to manage such matters.

The Government recognise the need to safeguard the civilian pension provision of reservists, and the provisions of part VIII allow us so to do. We are fully seized of the need to use these powers if the new provisions are to be a success. We intend to consult closely the pension industry, employers and other interested parties as ideas are developed.

Part IX makes provision for an independent system of appeal tribunals to arbitrate in the case of dispute. It is our intention to make the tribunals informal, fair and quick.

Owing to the pressure of time and the number of hon. Members who want to speak, I have tried to explain in a few moments the essential and cardinal features of what we believe is a very important piece of legislation that is in the interests of the reservists and therefore of the assets of the United Kingdom's armed forces.

The Bill is widely welcomed by the people whom it affects; I know that reservists are truly excited by the new opportunities that it offers them. It provides an important framework for the 21st century, combining the greater flexibility to use reserves with new powers of call-out and important safeguards for individuals and employers. As I said at the outset, the reserves are a truly vital part of our national effort. It is inconceivable that we will not be making more use of them, and it is important that the proper legislative framework enables them, the MOD and employers—to whom, as well as to those who serve, I extend a warm and whole-hearted vote of thanks for enabling such legislation to be possible—to have confidence in the operation. I warmly commend the Bill to the House.

5.18 pm

Mr. Paul Murphy (Torfaen): Since the Opposition Front-Bench team are also disappointed at the length of the debate, I shall try to match the brevity of the Minister of State for the Armed Forces.

Labour Members, like the Minister, pay tribute to our reserve forces. I was glad that he specifically referred to the 650 members of the reserve forces who are operating in the former Yugoslavia.

I think that all hon. Members will agree that the reserve forces provide that vital link between local communities and our regular forces, very much like the cadet forces. I am particularly proud that the senior reserve regiment of the British Army—the Royal Monmouthshire (Royal Engineers) Militia, founded in 1577—is partly based in my constituency, with the 100 Field Squadron, located in Chapman house in Cwmbran. It has a long history and we are very proud of it.

The Minister was correct to say that the legislation is now out of date. The Defence Committee said:

"The present legislation is untidy, complex and inconsistent."

For that reason, as well as others, Labour Members will support the Bill in principle. We believe, as the Minister said, that there is a need for a more flexible reserve force, for special skills to be harnessed and for our country to play its part in multinational operations.

As we speak, the French Parliament is debating the future of the French armed forces. We know that other NATO countries are experiencing problems in their reserve forces—especially in the former Yugoslavia and the Gulf—in terms of poor training, inadequate management and awkward call-out measures.

The excellent report produced by the Defence Select Committee last year highlighted our problems. I understand that the turnover rate in the reserve forces is as high as 30 per cent., which compares with 20 per cent. in the United States and 21 per cent. in Australia. There is certainly a need for better recruitment to try to overcome that problem, and for improved training.

On average, only 27 days a year are spent in training in the Territorial Army. That is pretty low by comparison with our NATO counterparts. Officers are given only a two-week course at Sandhurst, compared with six months of training in the United States, 10 weeks in Canada and nine weeks in Australia. There is clearly a need to examine how we manage our reserve forces. I think that the Bill gives the House the opportunity so to do.

In the Navy debate, I and other hon. Members referred to the decline in numbers in the Royal Naval Reserve—the Royal Naval Auxiliary Reserve has gone altogether. We need assurances about the future of the Royal Marine Reserve. The Defence Committee rightly referred to the anxiety about the future of Royal Auxiliary Air Force. In its report, it said:

"It is disappointing that two years after the Options for Change announcement, when presumably some considerable thought was given to the future role of the RAuxAF, so little has so far been established."

I hope that, if not today, then in Committee, the Minister can assure hon. Members of the future of those forces.

We are concerned about the cost and efficiency of administration in the reserve forces. I have been told that between 5,000 and 6,000 administrators of one sort or another are in the reserve forces, that the Territorial Army has little influence over its own management, that only a handful of officers reach senior rank and that there is only one brigadier for some 60,000 people. We are concerned about the ratio of administrators to members of the reserve forces. A typical unit has a current strength of 700, with a back-up of about 100 administrators. Effectively, because of hours put in by reservists, that is a ratio of one administrator to every one reservist, which is a 300 per cent. increase in 15 years. It is no wonder that the Defence Committee said that the non-regular permanent staff need to be streamlined.

I think that all hon. Members agree that the Bill should not be seen simply as a money-saving exercise or as a substitute for proper funding of our regular forces. Nor should it be seen as a method for back-door privatisation or contractorisation. I know that many hon. Members are concerned about the future of the Ministry of Defence police because clauses 24 to 27 give the Secretary of State powers with which he could privatise it. That possibility has caused great unease, and it is ironic bearing in mind the fact that the Home Secretary has recently talked about increasing the number of regular police people.

Other people regard the sponsored reserve concept as a possible threat from companies that are eager to win Government orders to our regular engineers, electricians and mechanics. Obviously we must take care with that issue. Other problems have to be sorted out with regard to the sponsored reserve concept. Will regular soldiers want to work alongside relatively untrained men? Will employers put undue pressure on employees to join the scheme, especially since firms will be anxious for more business? When training occurs, it is vital that it is carried out during the normal working day.

Employers are critical in making sponsored and high-readiness reserve schemes workable. I hope that we will be assured in Committee that financial safeguards are adequate, that payments to employers are prompt and that the compliance cost assessment—which we will consider in detail—is adequate. Employers were apparently asked to complete a questionnaire that requested information on the additional costs that they would incur if they took on a temporary replacement for an employee on call-out. Only 60 employers responded, eight of whom came from small businesses. That information and the formula must be examined with great care.

We must also be assured that form-filling and bureaucracy will be kept to a minimum. The example set in the Gulf was not good. In the Gulf war, the territorial, auxiliary and volunteer reserve associations commented that the procedures for payment to reservists were so inadequate that reservists

"gave up in the face of bureaucracy".

That does not have to happen again. If we are to have a scheme that is workable and acceptable to employers, there must be a proper system that is prompt, fair, efficient and workable.

We must, of course, pay very special attention to employers. Will they be persuaded to release their employees for humanitarian operations? It is well and good for them to release employees for a Falklands war or a Gulf war, but will employers be convinced by call-ups for their people to go to Somalia or Rwanda, for example? We must define very carefully the difference between what the Bill refers to as a "war-like operation" and a humanitarian one.

The high-readiness reserve should not be seen as a stop-gap for skill shortages in the regular forces. One officer was quoted in *The Independent* in October last year as saying:

"Who, if they are any good, can just take nine months off? What we will get will be the freelancing, self-financing adventurers, or back-room people—just the sort we do not want."

That may well be exaggerated, but it is a point. We have to ensure that people who join the high-readiness reserve are people who will be respected and can be employed by the regular forces.

There was a lot of talk in the other place about the problems of medical staff and the difficulties of national health service trusts releasing staff to be reservists. We know that there is a squeeze on resources from both ends—the NHS and the MOD. We have to consider that very carefully.

On a wider scale, aid agencies—Oxfam, in particular—are troubled that military aid for humanitarian purposes, unless it is directed properly, could cause special difficulties. They fear that such exercises would be far from cost-effective and would suffer from a lack of long-term commitment.

The Minister referred to debates in the other place on pensions. That is, of course, is a very important issue, as is discrimination against reservists by businesses. We have to look to the Bill to strengthen the case for reservists if they are discriminated against by employers because they have chosen to serve their country in this very special way.

Mr. Julian Brazier (Canterbury): The hon. Gentleman has made a profound point. Change will not be achieved

[Mr. Julian Brazier]

primarily through legislation but by a change of ethos among employers. One of the reasons why the Americans, Australians and Canadians have been more successful than us in changing that ethos is precisely because of the point he made five minutes ago: they have senior reservist generals in their Ministries of Defence to advise Ministers on how to devise operating systems that will most be appreciated by employers and the wider civilian community.

Mr. Murphy: I have a great deal of sympathy with that point. Perhaps it could be expanded on when we consider the Bill in greater detail.

While employers and employees require a proper system of appeal for exemptions from call-out, we shall need to examine in some detail in Committee some of the provisions with regard, for example, to general offences and other matters. The Minister referred to the tribunals. I welcome that reference because it is important that there should be an opportunity for people who want to be exempt from call-out to be dealt with swiftly and fairly. As good as the National Employer Liaison Committee is, we must involve many more organisations in the tribunals—for example, the Confederation of British Industry, the Trades Union Congress, the Institute of Directors and, of course, our large businesses and the Federation of Small Businesses. However, that is largely a matter of detail. I hope that it can be dealt with in Committee, along with the detailed arrangements for exemption, call-out, pay and organisation.

Opposition Members agree with the Select Committee on Defence when it concluded that

"an increasing reliance on, or willingness to use, Reserve forces must be accompanied by an increased commitment to preserving their strength and improving their quality . . . A new emphasis on monitoring the quality of training and recruiting the best individuals is also essential, and we look forward to seeing these measures in place so that, in time, the Reserve forces can be seen to be not just smaller, but demonstrably better".

About a century ago, my grandfather, who was a miner, joined what was then the equivalent of the Territorial Army—the Monmouthshire Militia. He was very proud of doing so. Today, tens of thousands of men and women are equally proud of being members of the reserve forces. The House owes it to them and to the reservists who will follow to make sure that this legislation will stand the test of time.

5.30 pm

Sir Hector Monro (Dumfries): The speeches of the hon. Member for Torfaen (Mr. Murphy) and of my hon. Friend the Minister of State for the Armed Forces show that we shall have in Committee a constructive and worthwhile debate that will make the Bill even better than it is already. It is a good Bill because there has been lengthy consultation within the services, the reserves and the territorial, auxiliary and volunteer reserve associations, not only throughout the country but with the Territorial, Auxiliary and Volunteer Reserve Associations Council.

As the regular forces are run down, it is vital that we retain an effective military capability. Many of us think that we are perhaps under strength and over committed. That was highlighted by the sad loss of so many Royal Air Force service men last week. In this situation, the reserves are more important than ever before, because they provide immediate front and rear line cover and support for the regular forces. I know that "Front Line First" has become a slogan, but, in reality, the front line is only as good as the reserves. That goes for the Royal Navy, the Territorial Army and the Royal Auxiliary Air Force.

I should declare an interest as the Inspector General of the Royal Auxiliary Air Force and Honorary Air Commodore of 2622 Squadron. I have overall responsibility for the auxiliaries with the inspector and have the generous help of the Controller of the Reserve Forces at Innsworth. I have direct access to the Chief of the Air Staff, and we have constructive, cordial and regular meetings. I was certainly impressed by the Select Committee's recommendation that the Territorial Army should have something similar—a reservist who is a director general of the reserves and who therefore has an important part to play within the Ministry of Defence.

The Royal Auxiliary Air Force and the Royal Air Force Volunteer Reserve are small, and many regular officers know little of their quality and capability unless there happens to be a unit on their station. I shall outline one or two details of the history of the Royal Auxiliary Air Force and what it has achieved.

The Royal Auxiliary Air Force was formed in 1924, so it is only seven years younger than the Royal Air Force. It had 20 flying squadrons in 1939, based on cities and counties—the 600 Squadron from the City of London, the 601 from the county of London, the 602 from Glasgow and the 603 from Edinburgh, a squadron that I joined later.

The squadrons fought in the battle of Britain with Spitfires and Hurricanes and were credited with shooting down one third of all enemy aircraft that were destroyed. It is true to say that the battle of Britain could not have been won without the Royal Auxiliary Air Force. Members of this House took a particular interest in the Royal Auxiliary Air Force—Aiden Crawley, Vere Harvey, Grant Ferris, the Duke of Hamilton, the Earl of Selkirk and others were much involved, along with Honorary Air Commodores such as Sir Will Darling from Edinburgh, Sir Anthony Eden and, of course, Winston Churchill, who was the famed Honorary Air Commodore of 615 Squadron. Members of the royal family are Honorary Air Commodores and, of course, the Queen has always been our Air Commodore-in-Chief.

The Royal Auxiliary Air Force was reformed after the war and flew Spitfires, Mosquitoes, Vampires and Meteors. Sadly, it was disbanded in 1957—perhaps that was not one of our best decisions. However, the tradition of the auxiliaries was carried on through the maritime headquarters unit. From 1980 onwards, there was a steady expansion with regiment squadrons, gun squadrons—guns were retrieved from the Argentine in the Falklands war—and the defence force flight.

"Options for Change" put the expansion into reverse, which was perhaps an ill-advised decision, as the hon. Member for Torfaen said. We lost three squadrons and four defence force flights. That was a bit of a slap in the face to keen, enthusiastic volunteers who were doing what they could to help their country by being members of the reserve forces.

Now, we have a much brighter future and enhanced opportunities under the Bill, which implements much of what is required. The call-out in the Gulf was a case in

point. The restrictions of the Reserve Forces Act 1980 revealed deficiencies and, of course, there was some indecision in the Ministry of Defence about the status of reserves.

All members of the Royal Auxiliary Air Force are volunteers and ready to go at the drop of a hat. The two squadrons that were called out—the 4626 Medical Squadron and the 4624 Movement Squadron—were ready to move in 72 hours. They did valuable work in the Gulf and at Brize Norton where they were also helping. There were no problems, because the normal procedures were in place for those who could not go to put a case to the tribunal. One or two exceptional cases were accepted. I am glad that the matter is to be spelt out in more detail.

It was, however, certainly frustrating for the auxiliaries who were keen to go but unable to be called out for one reason or another. There were so many things that they could have done, such as guard duty on stations. The engineers and other tradesmen were hard pressed to keep our front-line aircraft serviced, but had to do guard duty. The reservists could have done it for them but not, apparently, under the law at the time.

In addition, employers had given reservists time off year after year for continuous or weekend training and asked why, when there was an international crisis, the reservists were not called out. It seems that their enthusiasm to help the auxiliaries was not reciprocated in an international crisis. I hope that such problems will be righted and dealt with in Committee.

I am glad that the humanitarian aspects of dealing with disasters are to be dealt with. We have always been keen to help. Territorials were involved at the time of the Lockerbie disaster, and even last month, during the particularly heavy snow falls, the TA was keen to help and did so when required.

In many ways, high-readiness reserves are similar to the Royal Auxiliary Service, because they are ready to go at the drop of a hat. The change of emphasis means that, whereas the auxiliaries operate as a unit, members of the HRR will operate more as individuals. We must be careful in Committee, because we do not want to create a feeling within a unit that some are getting more resources because they are on the HRR list than those which are ready to go but are not on the list. We also have to balance employers' attitudes to call-out for six or nine months. From reading the debate in the Lords and from considering the matter myself, I am sure that the Government are right that nine months should be the period. That allows time for training, going away for sixth months, returning, debriefing, perhaps retraining for a civilian task, which the hon. Member for Greenock and Port Glasgow (Dr. Godman) mentioned, and for leave. Six to nine months is what we should consider in Committee. I read, too, the National Employer Liaison Committee paper on call-out exemptions, which made many sensible suggestions.

The Royal Air Force Volunteer Reserve has done a wonderful job and has the same great traditions as the Royal Auxiliary Air Force. The two living recipients of the Victoria cross in the Royal Air Force were both in the volunteer reserve during the war. On 1 April 1997, subject to the Bill going through the House, the volunteer reserve flights—intelligence, interrogation, meteorology and so on—will come into the Royal Auxiliary Air Force to make one force. That is all to the good. The reservists are keen on that. There is an amicable relationship. We are looking forward to a great ceremony next spring when the volunteer reserve and the auxiliaries will be united. I hope that my hon. Friend the Minister will ensure that it does not happen on election day.

We in the reserves are keen to maintain a welcome place for women. We have women in the regiment squadron, and many serve in the maritime headquarters unit and, of course, in the movement squadron. They all do the most valuable work and we must maintain a prominent place for them.

The hon. Member for Torfaen talked about the medical side. We have the area medical squadron with a flight detached to Edinburgh. Doctors are in short supply in the reserves, especially the highly trained consultants that are needed to deal with the exceptional injuries that occur in war—particularly with aircraft.

The auxiliaries are doing well and we look forward with confidence to the immediate future. We have cadreised squadrons—27 and 48 squadrons—where auxiliaries work with regulars who operate Rapier. That is good. There are plans for composite squadrons. That is the way that we will go in future. We will not have squadron units like the present regiment squadrons, but composite squadrons full of skilled tradesmen and men of great experience who may be hived off one, two or three at a time to assist the regular Air Force at times of need. That is an important change of emphasis.

I am sure that my hon. Friend the Minister will agree that we also need a geographical change. Units are concentrated in the east and the south-west because that is where the aerodromes at which the auxiliary squadrons are based are located, but we have little in the west midlands or the north of England. I would like able men or women who are keen to be reservists to have the opportunity to join reserve units. There should be something near to where they live.

We are having successful flying trials with the Wessex and Hercules. I should like to have a look at the Hawk and do some search and rescue work as the opportunity arises. In return for all the high morale and hard work, I hope that the MOD will give us adequate opportunity to train abroad. Every two or three years, squadrons should go to Cyprus, Germany or the United States of America, because that is a great incentive that is warmly welcomed by all reservists.

We must also think of reservists' families, which give up husbands, boyfriends and other relatives for long periods while they are away doing their volunteer training. As the hon. Member for Torfaen said, when we ask them to do so much, let us not waste time with red tape. There is far too much paperwork in the MOD and the auxiliary air force. I go berserk trying to translate all the sets of initials. I do not have a clue what they stand for.

Last, the RAuxAF, like the Territorial Army and the Navy, asks for stability. We have gone through a traumatic period. We should now concentrate and build for the future. The Bill gives us a great opportunity so to do. It is a valuable step forward. It is tremendous that reservists have this year a Bill that we will discuss in detail in Committee which will give them a real opportunity to serve their country, which they appreciate so much.

5.44 pm

Mr. Donald Anderson (Swansea, East): The Territorial Army has always recruited well in Wales. As a Welshman, I am therefore pleased to follow my hon. Friend the Member for Torfaen (Mr. Murphy) in this debate.

Equally, I attended in June 1994 at University college, London a conference on the future of the TA with the hon. Member for Canterbury (Mr. Brazier). The TA representatives hoped that the Bill would appear in the Queen's Speech at the end of that year. Although the draft Bill did not appear until May 1995, it is clear that the Government used the time wisely in consultation. I hope that that will be a precedent for other Bills. There was a thorough examination of the Bill in the other place, with a great deal of expertise and experience which, alas, is perhaps not wholly matched in this House. Given the degree of consultation and scrutiny of the Bill and the TA's impatience and enthusiasm, perhaps we can give the Bill an easier passage than we otherwise might have done.

One problem is that fewer and fewer people can offer the reservoir of experience that the right hon. Member for Dumfries (Sir H. Monro) can. Alas, his generation is passing on and there is an increasing gulf, both within and outside the House, between civilian society and the services, in part because of the ending of national service. One of the joys of the TA is that it is a means of bridging that otherwise increasingly yawning gulf. Such bridges must be built and the TA should be used for that purpose.

Some may argue that the Bill's key motivation was to get an army on the cheap and that the fingerprints of the Treasury are all over it. That may have been a part of it, but we are convinced that it is really to make our reserve forces more flexible and enable them to adjust properly to a changed world environment and to changes in our society. I shall not go into the details of parts III, IV and V, which are relevant to the need for increased flexibility.

Dr. Godman: Has my hon. Friend given any thought to the circumstances surrounding the call-up of an unemployed person? Would such a person, when he finishes his service with the armed forces, be allowed to start at the beginning in terms of receiving the jobseeker's allowance?

Mr. Anderson: That is a matter of detail for the Employment Service. I understand that a sizeable proportion of reservists are unemployed, but that employers are more and more ready to value the skills that reservists gain in their periods of training. That benefit will be enhanced by the aligning of qualifications in the service with qualifications outside so that employers will have a valuable product at the end of the service period.

I have a few points to make, which I hope are non-partisan. It is objectively true that a number of problems created by the Government impact adversely on reservists. First, the simultaneous reduction of the regular and volunteer elements of our defence forces had a cumulative effect which could have been avoided if our reserve forces had been reduced a year or so after the substantial reductions in our regular forces.

Another change—I appreciate that I would be out of order if I went too far down this road—is the effect of the Government's Sunday trading legislation, with the increase in seven-day high street trading, which makes the concept of weekend soldiers more difficult and the weekend soldiers more difficult to identify, recruit and train progressively. There are also the Government reforms in the health service, to which I shall come in a moment.

It is essential to provide flexibility and to have a seamless regular-reserve concept which involves much closer liaison with civilian society, employers and trade unions. Short-term contracts are increasingly a feature of employment, but short-term service is a relatively new concept in our military, although one much advanced in, for example Canada. I hope that the Ministry of Defence can learn substantially from the Canadian precedent. Short-term contracts raise issues about the standards of professionalism as well as about the levels of training and competence required of military employment groups.

We rightly boast of our military as a centre of excellence. We therefore need to proceed with care to avoid dilution and we need to look carefully at the terms of service. A civilian employee is rarely expected to work under the terms of service offered by the Army. We must also consider the new nature of risk. We need to study, for example, the insurance of our new reservists because the British Army has been notoriously poor in terms of insuring its personnel.

The Bill will also have an effect on the ethos of our military units. A person who signs up for the military signs up for a quasi-family structure, with a supportive framework. If we are to have individual reservists who are not in formed units, it will be more difficult to maintain that ethos, which has been so valuable a feature of our services.

We assume that civilian volunteers can bring their skills smoothly into the military, although their military tasks are often very different from their previous tasks. In Canada, for example, there is up to six months of pre-training before the volunteers have overseas postings.

I have two observations on the link with the civilian sector. The Government have clearly made a strong effort to liaise with employers and to listen to their problems, and there have been a number of modifications to the Bill as a result of those consultations. Reservists have much to offer, but it is clear that there is some resistance by employers, which was expressed recently at a conference on the Bill held in Birmingham.

Industry is increasingly competitive. I understand that sectors of industry which are owned by foreign companies are more resistant to releasing people for volunteer service than others. The difficulties are enhanced by the fact that fewer and fewer of the chairmen of our major companies have had military experience, so companies are less willing to release people. It is therefore important that there be bridge-building exercises. I commend the efforts of the employer liaison committees, established nationwide since 1988, and I especially commend the recent initiatives by the National Employer Liaison Committee, the general national vocational qualifications scheme, the university student scheme and others.

With regard to the national health service trusts, I accept that the executive stretch training has in some cases been focused on the trusts. However, I had a discussion this morning with the chief executive of my local health trust in which he spelled out the fact that the shortages in the NHS trusts are in precisely the specialties

that are needed by the military. One thinks particularly of anaesthetists, orthopaedic surgeons, accident and emergency specialists and neurosurgeons. In my local health service trust in Morriston, there are currently four vacancies for anaesthetists. An adjoining national health service trust tried to recruit anaesthetists by employing a headhunter to tour Europe; after two attempts it appointed three people, but at double the normal salary in NHS trusts. It is difficult to fill key posts in specialties needed by the military.

That problem is, alas, a result of the failings of medical manpower planning over the years. Planning is increasingly geared to conform with the immediate requirements of the patients charter. In the new contracting environment in which the trusts must deliver their contracts by the end of the year, it will clearly be difficult for the NHS trusts, which are contractually bound to deliver certain contracts, to be expected to release specialists when they are needed. That is especially true of peacekeeping operations in, for example, Cambodia or Somalia. Reservists may be sent to Saudi Arabia and may have to wait for a month or two in the expectation that something may happen, but the NHS trusts have to fulfil key contracts even though their staff are stretched and although junior doctors are doing work that should be done by consultants. I ask the Government to look carefully at that problem. If, within the new internal market, the Government add more requirements, they must have let-out arrangements to cater for the problems of health service trusts.

A blessing on the Bill—it is long awaited and much welcomed—but will it work in practice? Clearly we need to monitor its operation carefully, as the Canadian army social affairs department has done. We want to ensure that those who become reservists are not people who cannot get jobs elsewhere. We need to profile the background and motives of potential recruits and to find out whether they are absorbed back into their former employment when they leave the services. The House must recognise that our colleagues in the Territorial Army and reservists generally are impatient for the Bill to go through and we should respond accordingly.

5.57 pm

Sir Geoffrey Pattie (Chertsey and Walton): I emphasise the point made by the hon. Member for Swansea, East (Mr. Anderson) about the reserve forces being a bridge between the military and the civilian community, especially when there are fewer and fewer people around who have had any military experience. That was a point well made.

Like many others, I welcome the Bill. I hope that hon. Members who follow the fortunes of the air reserves and the naval reserves will not mind if I concentrate my remarks on the Territorial Army as I recently had the great honour and privilege of being appointed honorary colonel of the 4th Royal Green Jackets.

I especially welcome the great improvement in the procedures for embodying TA volunteers in the Regular Army during, for example, the humanitarian exercise in Bosnia. At present, when TA people transfer to the Regular Army on S-type engagements, a series of rather cumbersome steps must be gone through. People often lose a rank and they sometimes have to wait for several weeks while they go through a vetting process. That will all be taken care of in the new arrangements.

The Minister has referred to the debate about whether the period of service should be six or nine months. I give him my support for the proposal for nine months as the optimum period. It is important that the Army has the opportunity to get reasonable use out of TA volunteers. We should not underestimate the amount of adjustment and acclimatisation that will be necessary even among people who are specialists.

I wish to draw to the attention of my hon. Friend the Minister an important point concerning funding of TA personnel. I hope very much that the funding liability will follow the person—that is to say, that it will be a charge on the budget of the Assistant Chief of General Staff and not remain as a charge on the TA budget. If that happened, it would be a serious diminution in the—

Mr. Soames: I hasten to give my hon. Friend that absolute assurance. That must indeed be the case, and I think he will find that the ACGS will be proud to pay.

Sir Geoffrey Pattie: I should be interested to hear whether he is actually proud to pay, but I am glad to know that he will have the opportunity to pay.

The Territorial Army wants the chance to go overseas and train and exercise alongside regular units. Therefore, as much of the training day budgets as possible should be oriented towards making the training as exciting as possible, because that is why people join. In the context of "one Army", I should like mission statements to be developed for all TA units. It is important for members of the TA to know whether they will be used as independent units or whether they are individual people who will be used as gap-fillers. Work remains to be done in issuing those mission statements.

The idea of integrating the TA properly into the "one army" concept should not work against the concept of having a very senior TA officer at what I would describe as the pinnacle of the officer structure. Let us face it, to attract the brightest and the best into the TA and then retain them, which is equally important, it is important that they see the opportunity to get right to the top— by which I mean an appointment at two star level.

I very much welcome the Bill and I hope that it will soon pass through the House.

6.1 pm

Mr. Menzies Campbell (Fife, North-East): Those who have spoken have set admirable examples of brevity and relevance, which I shall do my best to follow.

I hope that once the Bill becomes law it will re-invigorate the reserve forces. It will give a new reason for the commitment and training that is already required. It will help retention, which was mentioned, and do much to increase morale, which many people acknowledge has been fragile in recent years.

It is right that members of the reserves will be able to be involved in activities that, although not of a strictly military nature according to the traditional definition, such as peacekeeping, are none the less activities in which our regular forces will be employed rather more frequently in future than any of us may have expected. If there are more opportunities and more possibilities of using the training that is currently required, those who undergo that training will be less likely to want to leave, which is bound to

[Mr. Menzies Campbell]

have an effect on the high turnover. We should remember that members of the reserves often bring unique skills to the theatre of operation, especially in medicine and interpreting—skills which I understand are frequently in short supply in the Regular Army.

Broadly speaking, as the speeches have shown, the Bill enjoys the support of the House and has been given a fair wind, but several issues need further consideration. Some have been mentioned, but I shall mention others simply to place them on record. I do not necessarily require the Minister to respond today or even by letter immediately afterwards—I simply put down markers for issues which may require more detailed consideration in Committee.

On high-readiness reserves, I am worried about the possible problem of discrimination due to employers not being prepared to take the risk that an employee might be called out for up to nine months at relatively short notice. There is an obvious possibility of discrimination, but there is another, perhaps more insidious, possibility—that an employee's prospects for promotion in an organisation might be affected if the employee were subject to the high-readiness reserve commitment. It may be asking a great deal of human nature to expect an employer, choosing between two candidates of equal experience and qualification for one position, to manage to put out of his or her consideration the fact that one of them might be subject to the commitment involved in membership of a high-readiness reserve. That will require monitoring on the part of those responsible for such matters once the Bill has passed into law. Although one hesitates to talk about the need for specific organisations or structures for that purpose, that issue will be, at least in the first instance, a live issue in the mind of employers and—perhaps more significantly—of employees.

The Minister spoke about the maximum term of service that those who sign a special agreement to serve can be called up to serve. Notwithstanding the way in which he dealt with it in his speech, that issue will be revisited in Committee and perhaps even on Report. I do not wish to canvass the competing arguments that have been made about that issue, but obviously it needs further consideration.

I shall briefly discuss those who will come to be called sponsored reserves. We need to demonstrate realism about that proposal, for the following reason. We were all extremely impressed—as we should have been—by the extraordinary support that British Aerospace gave the British air effort in the Gulf war. We should remember, however, that British Aerospace was already in Saudi Arabia, there was a pre-existing infrastructure and it was actively seeking to demonstrate how well it could support the Tornado aircraft because it was actively seeking to persuade the Saudi Government—which it subsequently did—to acquire 48 of the aircraft. Those were special circumstances and it behoves us to be careful in making too many long-term judgments on the basis of such circumstances.

The other point about sponsored reserves which seems to be significant is as follows. It is envisaged that there will be active members of the reserves with a minimum training commitment, but to what extent will they be trained to survive on the battlefield? If they are expected to perform those functions, for which there appears to be the possibility of a contract, that may well place them in circumstances in which their capacity to survive could be severely tested. That may or may not fit easily into their other obligations, but it is an issue that must be considered.

Like others, I am worried about the notion that national health service trusts are writing into the contracts of some of their specialists that they cannot join the reserves. The fact that, even in the Gulf, we needed to deploy a field ambulance unit from Glasgow from the reserves shows the extent to which, in time of crisis, reliance on reserve units is necessary in the medical field. It would be a curious reflection on the responsibility that national health service trusts accept or bear if they were to persist in actions of the type described. I hope that the Secretary of State for Health may find it appropriate to take up the issue with national health service trusts which have embarked, or may be about to embark, on implementing such proposals.

Manpower is another issue. The purpose of reservists is to ensure that in a crisis the services can draw on skilled and trained people. The Minister will accept that there would be a certain amount of reservation—no pun intended—in the House if it were felt that the purpose of the proposed legislation was to overcome circumstances in which there were too few regulars by using reservists.

A written answer on 12 March 1996 at columns *507-8* shows that only seven out of 54 Army regiments are currently at their full establishment level. No doubt, this is a matter of which the Minister is well seized and he is seeking, so far as is available to him, to take steps to remedy it. I believe that in the House and in the country there would be some resistance to the notion that the purpose of increasing training and opportunities is to provide not a supplement but a substitute.

I welcome the proposal in clause 56 in relation to the possibility of the involvement of reserves in humanitarian, disaster relief and peacekeeping operations. The Minister may be aware that some non-governmental organisations, particularly Oxfam, have expressed some reservations about this as they are concerned that the humanitarian, disaster relief and peacekeeping roles should not be expanded to include the direct provision of relief. They have raised certain issues about military involvement not always being seen as entirely neutral but rather as political. They also raised issues about cost-effectiveness and referred to the mismatch of culture—the mentality of the soldier being always one of solving the problem, whereas the success of relief operations sometimes depends on a rather different approach. Those issues will have to be considered in Committee stage.

I welcome the Bill as it contains a sensible set of proposals and it should command the support of all hon. Members on Second Reading. For the reasons that I have outlined, the Bill will provide a valuable shot in the arm for the reserve forces of the Crown.

6.11 pm

Mr. John Wilkinson (Ruislip-Northwood): It always gladdens the heart when the grand hussar of British politics opens a debate—never more so than on this occasion. He never transmits with the mute button on, he comes over strength five, loud and clear. I agreed with every word in the speech of my hon. Friend the Minister of State for the Armed Forces.

It is most encouraging that the reserve forces should have my right hon. Friend's enthusiasm behind them at this important legislative juncture and that Her Majesty's

Government, far from setting in place a series of reductions, can be instituting a framework that will offer the reserve forces opportunities to be used infinitely more widely in the defence of the realm and in peacekeeping operations.

We should bear in mind the examples set by the United States. I refer to the air reserves. For example, 60 per. cent. of the air defence of the continental United States is done by the Air National Guard and the United States Air Force reserve. In the Gulf war, 50 per cent. of the air transport was carried out by reserves from the United States air forces. We also have the supreme examples of Israel and Switzerland. The operational capability of Israel's air force, which has a large militia component, is second to none.

An honorary air commodore is sitting in front of me and an honorary colonel is sitting behind me, so it behoves me to be brief. What my right hon. and gallant Friend the Member for Dumfries (Sir H. Monro) said needs to be borne in mind. At RAF Northolt in my constituency, which is the only No. 11 group sector station of erstwhile Fighter Command in the Battle of Britain that is still a flying station, we have No. 1 Maritime Headquarters Unit of the Royal Auxiliary Air Force. When I visit it, I am always struck by the extremely high calibre of the personnel—officers and other ranks, men and women. There is now a galaxy of talent, a wealth of expertise and professional skill in the civil community which our armed forces need to use more effectively. The Bill will enable them to do just that.

In the reform of the reserve forces, I urge the Government to retain, as much as possible, formed units. The territorial connections of units of the reserves in all three armed forces are exceptionally important. I ask that Her Majesty's Government be imaginative and to recognise that modern simulation, for example, enables much more worthwhile training to be done in a relatively short time and means that there is a premium on the expertise, or the potential expertise, of the part-timer and the reservist which was not previously available.

When we are looking at sponsored reserves, again on the air side, I urge Her Majesty's Government to use sponsored reservists in the flying training schools so that they wear a uniform and so that the instructors are not—how should I put it—blazered and flannelled but clearly military, not just in orientation but in dress and appearance. With respect to the airlines, I hope that Her Majesty's Government will recognise that often airliners will have to be taken up, commandeered and put to military use. In those instances, I urge that the crews be required to be members of the sponsored reserve. The contractors who are providing the engineering personnel more and more at Royal Air Force stations should be sponsored reservists as well.

Finally, I refer to peacekeeping. As my right hon. Friend the Member for Dumfries pointed out, the Royal Auxiliary Air Force has exceptionally valuable capability, as the Gulf war experience proved—including aeromedical and air movements expertise. The Royal Air Force regiment squadrons can be used to secure airheads in particularly troubled and difficult zones.

In conclusion, this is a timely Bill which I warmly welcome. I ask the Minister not to forget—because I did my armed forces scheme attachment to them—the Royal Marines reserves. It would be a bad signal if at this juncture we were to reduce the complement of the Royal Marines reserves.

6.16 pm

Mr. Hugh Bayley (York): I endorse the point that has just been made by the hon. Member for Ruislip-Northwood (Mr. Wilkinson) about the importance of ensuring that a military ethos remains in place now that civilians are involved in training. I pay tribute to the third battalion of the Prince of Wales' Own Regiment of Yorkshire, which is based in my constituency and which currently has one Territorial Army officer and 18 other ranks serving in the NATO implementation force in Split. According to an article that appeared in the *Soldier* earlier this month, it is the first time that a non-specialist formed TA unit has been deployed in an operational theatre since Aden in 1965.

The battalion tells me that this unit is a specialist unit. It is trained in heavy weapons and mortar fire, but the role that it is playing in Split is as a general defensive unit. That is why it was described as such in the *Soldier*. What is different is that it has gone into theatre as a single unit, which has worked and trained together in the United Kingdom, to serve in the NATO force in Split. That is something that has not happened for 30 years, and something that is more likely to happen in the future and is supported by the Bill.

I asked an officer of the battalion how easy it had been to get volunteers to serve in this way, and he said that on this occasion it had not been too difficult. The unit comprises 19 people who will serve in Croatia for a six-month period. The officer is hopeful that he will be able to replace the unit with another TA formed unit when its tour of duty comes to an end in June.

Of the 19 men in the unit, seven are unemployed and two are self-employed—half the men serving in Split did not have to get the permission of their employer to do so. The availability of people who are either self-employed or who are unemployed will vary from one part of the country to the other. I am sure that all hon. Members would hope that the level of unemployment that we have at the moment will not persist in the long term, so let me add a word of caution. In future, it may be harder to mobilise a formed reservist unit.

My second point, on which I shall be brief, is a result of the time that I was extremely fortunate to spend in the armed forces parliamentary scheme. I was attached to the Royal Air Force for one year. It is obvious that the relationship between regulars and reservists is not always banter free.

In the context of a shrinking regular force and the measures proposed in the Bill, it is clear that our reserve forces will play a greater role in future. It is important that reservists and regulars should work together as a single unit on operational duties, so we need to be conscious of the potential for friction between the two.

During my time on the armed forces parliamentary scheme, I was told repeatedly by officers and other ranks in the Royal Air Force that contractorisation had gone far enough. However committed a private contractor is—and they spoke warmly and highly of the contractors that provide support services to the RAF—the work carried out by civilians is not the same as that of men and women in uniform. Particularly in the transitional period, when

[Mr. Hugh Bayley]

the Royal Air Force and the other armed services are being reduced in size, there is inevitably some suspicion and friction between service men and contractors. Some service men—sometimes with justification—see the process of contractorisation as a threat to their jobs. It also represents a threat to the promotion prospects of some extremely able younger airmen.

Contractorisation has saved the armed forces hundreds of millions of pounds and that must be good, provided that it does not undermine the professionalism or the readiness for operations of our armed forces. Although it is right that the Bill should contain such a provision, the creation of a sponsored reserve is an admission that a greater commitment is needed from the civilians employed by contractors. I support the proposal to create the new category of a sponsored reserve, but I would not want it to become an excuse for pushing the boundaries of the functions market-tested and considered for contractorisation any wider.

6.22 pm

Mr. Keith Mans (Wyre): As a pilot in the Royal Air Force volunteer reserve, I welcome the Bill. As has been pointed out, while the regular forces are reducing in size, the reserves are steadily increasing in number. That is most encouraging. We must encourage people to volunteer for the reserves. I acknowledge the need for the nine-month rule and we should also ensure that we can recruit sufficient reservists in all three services. Therefore, we need to take into account the needs of employers, given that spare time is in not quite such abundant supply as it was in the past.

We also need to look closely at the medical reserves. That has been discussed in detail and I shall not repeat the points that have been raised. However, I hope that my hon. Friend the Minister will take an early opportunity to speak to my hon. Friend the Minister for Health, whose wife is a reservist. I am quite certain that the result of that dialogue will be a greater understanding of the needs of the medical reserves in relation to the operation of trust hospitals.

It is also important to increase the status of the reserves. I fully acknowledge the comments of my right hon. Friend the Member for Chertsey and Walton (Sir G. Pattie) about the need for a two-star reservist appointment for the position as head of the reserves. That will encourage further recruitment as it will provide a status and a voice they have not had in the past at that level.

Finally, I want to raise a couple of points about the Royal Air Force. As 14,000 regular airmen will be leaving the RAF this year, I hope that they will provide a good recruiting ground for further reservists. Many of them are leaving through voluntary redundancy. Sadly, a few are leaving through compulsory redundancy. None the less I would submit that many of them would be only too happy to serve in the reserves if they were given the opportunity to do so.

I fully acknowledge and support the idea of sponsored reserves. The Royal Air Force in particular is moving to a system of increased contractorisation. If we are to retain the capability of the training organisation in the air force—particularly the flying training organisation—to support the front line if we are ever called upon to take part in a conflict such as that in the Gulf, we shall need a system whereby those in the training organisation can take up front-line posts to allow pilots to fly greater numbers of missions where they are stationed abroad. The only way to do that is to ensure that some of those contractorised pilots are reservists and can be called upon to carry out those important jobs.

I very much welcome the Bill, which is an important step forward for the reserve forces. As a reservist, I wish it every speed and success.

6.26 pm

Mr. Bill Walker (North Tayside): I shall be very brief. Like my right hon. Friend the Member for Dumfries (Sir H. Monro), I have to declare an interest. I hold a honorary appointment and, in addition, I have served for 40 years as a volunteer reserve pilot and instructor and have commanded a volunteer unit. Like many of my hon. Friends, I speak from some experience and on behalf of the volunteers.

We welcome the Bill. We need to look at how the reserves and auxiliaries are structured, how the leadership is composed and how the command structures relate effectively to the volunteers and that requires volunteers at the top. We must also provide an environment in which volunteers can be called out quickly. I hope to address that in Committee by tabling some helpful amendments that would give my hon. Friends on the Front Bench more leverage and create the right environment based on experience.

There is nothing new about having reservists who can be called out quickly. We had it immediately after the second world war when all the reserve flying schools were staffed by reservists. That proved extremely valuable at the time of Korea, so we have some experience of that. Once again, I welcome the Bill.

6.28 pm

Dr. Charles Goodson-Wickes (Wimbledon): I shall curtail my remarks, not least because the Bill has come before the House in a model way and the fact that it has received endorsement from another place and from the Opposition is a great tribute to the territorial, auxiliary and volunteer reserve associations, the National Employer Liaison Committee and, perhaps above all, to my hon. Friend the Minister, who for the past year has been absolutely meticulous in his exchanges with those of us who have written to him representing various points, all of which he has taken seriously.

The crux of the Bill is striking the right balance in the relationship between the Government employers and employees. I would not wish upon anyone my experience as an Army reserve officer who was forced to leave the volunteer reserve to join the regulars and then to rejoin the volunteer reserves at the conclusion of that service. It was a ridiculous system and I hope I do not misquote my right hon. Friend the Member for Epsom and Ewell (Sir A. Hamilton) who described it as a "pretty good shambles". We had the will to mobilise people, but the system was not adequate to the task. I hope that the Bill will rectify that situation.

I welcome particularly the provision whereby reservists will be used in humanitarian, disaster relief and peacekeeping operations. However, I issue a plea to my hon. Friend for constructive co-operation between his

Department, the Foreign and Commonwealth Office and the Overseas Development Administration to ensure that people with the right expertise are deployed with maximum speed and minimum bureaucracy.

My hon. Friend the Minister paid tribute to 650 Territorial Army soldiers and reservists who are serving in Bosnia. I do not know whether some reservists have shown some initiative—exactly the sort of initiative that we want to see—and sneaked under the wire because, according to my arithmetic, more than 900 reserve and TA soldiers are serving in Bosnia. I welcome their deployment—whatever the correct figure may be. Last month I visited the platoon stationed in the Falklands. There are 20 or 30 men stationed in Cyprus and a contingent of 100 or so in Kenya. That is a proud record and the Bill lays the foundation for better deployment in future.

I shall now raise two points on behalf of individual reservists. I have corresponded with my hon. Friend—who responded very constructively—expressing my reservations about replacing personal annual reporting by reservists with a postal reporting system. It may be a cheaper method, but I cannot believe that it is reliable. People may change addresses or employers or become medically unfit and I think that the new system is a false economy. When the dust surrounding the legislation has settled, I ask my hon. Friend to consider reintroducing training liability for reservists, including personal weapons training and nuclear, biological and chemical drill. Will my hon. Friend also rationalise the existing four categories of reservists, which I believe is a complete nonsense?

In conclusion, I am concerned that in future regular forces will rely increasingly upon reservists for medical services—an issue that was mentioned previously in the debate. It has been suggested that restrictions will be written into national health service trust contracts. I have corresponded with my hon. Friend about the matter, and there is little anecdotal evidence to suggest that that will occur. Events have moved on and the problem now is that, under the Bill, employers will be able to apply to exempt their employees from reserve military duties. The House must address that issue. After all, there is precious little point in having a highly effective front-line force if one does not have a properly trained and integrated support body.

I endorse the remarks of the hon. Member for Swansea, East (Mr. Anderson) who referred to the valuable role played by the TAVRAs in bridging the gap between the regular services and people who have no experience of military life. I congratulate the TAVRAs, which do a marvellous job keeping alive the concept of a volunteer service.

6.33 pm

Mr. Robert Key (Salisbury): Like the length of the debate, my contribution shall be in inverse proportion to the respect in which I hold the reserve forces and the importance that the House attaches to them. The British reserve forces are second to none. Large numbers of them visit my constituency of Salisbury for training every year and they will always be welcome.

Although the reserve forces protect our future, their roots are in the past, and the Bill deals in part with that historical tradition. I would be grateful if my hon. Friend the Minister would explain clause 121 relating to the lieutenancies. I do not think that I have seen a declaratory clause in a Bill before. Clause 121(2) states:

> "It is hereby declared that the validity of the appointment of a lord-lieutenant".

I think that an explanation would underline the history of the reserve forces in this country and illuminate the debate.

I am proud to represent a constituency with a long tradition of association with this country's voluntary forces. It is exemplified by the 62nd Wiltshire Regiment of Foot, which dates back 200 years. I pay a warm tribute to my predecessor but one, Lord Margadale of Islay, who had a distinguished record of service in that regiment and in the House. I am the first Member of Parliament for Salisbury for many years who has not served in the forces. My predecessor, Sir Michael Hamilton, did so with distinction.

However, that tradition brings with it a penalty, as I suspect that I am the only hon Member who, upon winning one's seat in a general election, must appear on the balcony of the local hostelry, the White Hart, the morning after and sing a song. Appropriately, it is the marching song of the Wiltshire regiment, "The Vly be on the Turmut". I shall not sing it tonight, Madam Speaker: I shall wait until next May. I believe that "Erskine May" would have something to say if I were tempted down that path.

I congratulate the Bill teams in the Ministry of Defence who have worked particularly hard this year. Those of us who serve on the Select Committee considering the Armed Forces Bill know just how hard they work. There is some cross-linkage between this complicated Bill and that legislation. I suspect that that fact will be examined in Committee, as we must address several points.

I am grateful to the Minister's Bill team for providing some guidance on the subject and for pointing out that the provisions of the two Bills are linked. The general liability of reservists for worldwide service on call-out or recall is restricted in clauses 51 and 67 of the Reserve Forces Bill to allow for the existence in future of former regulars who had been engaged for local service as provided under clause 2 of the Armed Forces Bill. The effect is that, unless they elect otherwise, those individuals will, when called out or recalled, be liable to serve only in the area in which they were liable to serve as a regular. That provision anticipates, but does not rely upon, clause 2 of the Armed Forces Bill. That is a very important point that I believe sets a new precedent.

In conclusion, I emphasise the importance of the cadet units and the rifle and aviation clubs which are regulated under the Bill. They add to the sense of community among the forces across the country. We are very proud of our reserve forces and their ancient history. They provide comradeship and make for a richer society, which extends to bands, marching songs and to Members of Parliament singing "The Vly be on the Turmut".

6.37 pm

Mr. John Spellar (Warley, West): This has been a well-informed debate on both sides, with a considerable amount of common ground, which is not always a feature of debates in this place. There is a common desire to constrain red tape—I hope that the Minister has taken that

[Mr. John Spellar]

on board—and a recognition of the role of the reserve forces, with special reference to the reserve associations, as a bridge between military and civilian societies.

We must maintain understanding of those differing roles, particularly in the light of the abolition of national service and the disappearance from the House of many hon. Members who saw service during the last war. The hon. Member for Salisbury (Mr. Key) referred to the role of the Combined Cadet Force—I get the feeling that service in the CCF will soon distinguish one in this place. It is important to ensure that there is a degree of understanding.

There is also a recognition of the need to update the legislation, and that need arises from the transformation of defence commitments and social and economic conditions in our society, not least the changing patterns of work. The legislation will have to address the casualisation of labour and new flexibility in working patterns, however regrettable we think those changes are. The legislation will go some way towards addressing that. As was stressed by a number of hon. Members during the debate, a change in the attitude and culture of employers will be needed and will be an important part of the continuing work on the Bill.

I realise that the Minister was constrained by time in opening the debate, but I hope that in his reply or in Committee he will be able to develop the philosophy and doctrine behind the Department's view of the role of the reserves. I hope that we shall not have the mass of amendments in Committee that there were in another place, unless the Whips allow the hon. Member for North Tayside (Mr. Walker) his desire to sit on the Committee.

I suspect that it would be not only the Opposition who would be concerned if the reserves were seen by the MOD or by the Treasury as a substitute rather than a supplement for the regular forces. If the thin red line were stretched even thinner and the gaps were to be filled somehow by the reserves, that would be a matter of concern, and we need some assurance from the Minister on that.

The hon. and learned Member for Fife, North-East (Mr. Campbell) drew our attention to a parliamentary answer on the shortfall in a number of regiments. I am glad that he did, because I tabled the original question and the matter is of concern to people in many areas.

We shall also need to assess the balance of roles and responsibility between the regulars and the reserves. I take the point made by the right hon. Member for Dumfries (Sir H. Monro) about the role of reserves in the snow emergency. That was important and welcome, but the prime role of the reserve forces should not be as a substitute for the emergency services. The prime role of the reserves, it must be stressed, has to be as a reserve for the armed forces. The Government should not see the reserves as substitutes to do the real work that needs to be undertaken by the emergency services, including ambulances and the fire brigade.

I hope that the Minister will tell us whether he envisages the Regular Army becoming a more cadreised force or whether we shall maintain a strong and effective Regular Army. What assessment has the Department made of the cost-effectiveness of the balance between reserve forces and regular forces? Will the Department continue to monitor that?

My hon. Friend the Member for York (Mr. Bayley) rightly stressed that we would not want to see the sponsored reserves as a cover for problems with contractorisation. There will be difficulties in moving some of the work to contractors because it will not then be undertaken under military discipline. I hope that the Minister can reassure us on that point.

In the debate in another place, the question was raised of the pressure on individuals, who were seeking employment in their trade with a firm that would undertake work for the MOD, to join the sponsored reserves against their better will and judgment. I am sure that that would not be good for those individuals and, equally, the MOD would not wish to see conscription by the back door by those means. In the long term, that would make for unsatisfactory working relationships. We would welcome assurances from the Minister on that.

Mr. Brazier: Surely the hon. Gentleman is not suggesting that it is unreasonable for the MOD to insist that certain contracts go only to companies with a certain proportion of employees who have a reserve liability.

Mr. Spellar: The problem with that is that individuals might join the reserve forces to get the civilian job, in the hope and expectation that they would not then have to undertake the obligations of the reserve forces. That is a concern felt not just by the Opposition, but by those in the armed forces. We should be alert to that problem.

The right hon. Member for Chertsey and Walton (Sir G. Pattie) raised the question whether the reserves will be brought into the forces as individuals or as a unit. If they come in as individuals, how will the necessary team feeling be built up? How much time will be required for the necessary training? My hon. Friend the Member for Swansea, East (Mr. Anderson) drew attention to the differences that we have compared with other countries, in the time taken for acclimatisation and assimilation.

We must also consider the difficulties in the transition from work in an industrial environment to work in a military environment. That is partly a question of discipline, as one or two hon. Members suggested, but it is also a question of working in different cultures. Often, it is easier to match competencies than to mix cultures. There are difficulties when different individuals come into a common working environment through different schemes. It will be a difficult job to engender the team feeling that is required in the armed forces, and it will require skill and competence.

We also wish to ask the Minister to consider the effect of the scheme on surge capacity. In many cases, the industrial establishment is seen as providing surge capacity in times of emergency. We must guard against the danger of double-counting that capacity and counting those who are part of the sponsored reserves as part of the industrial environment. We need to ensure that we have the right balance.

I hope that the legislation, the debates in the House and the arguments that will be put to employers will help to overcome employer resistance. I regard that resistance as extremely short-sighted. Those who undertake reserve training are able to bring to their work capabilities and qualities, not just in terms of competence but in their characters and experience. I hope that that message will go out loud and clear to employers tonight.

Some hon. Members, especially my hon. Friend the Member for Swansea, East and the hon. and learned Member for Fife, North-East, raised the subject of medical staff. I was disappointed that the Minister did not cover that matter in his introduction, because it was raised many times in the other place. We realise that the military have problems with anaesthetists and other medical staff. Those problems, as my hon. Friend the Member for Swansea, East pointed out, reflect the shortages of those particular competencies in many health authorities. That is a broader aspect of the problem, which should be raised with the Secretary of State for Health, but it is not solved by various national health trusts seeking to put restrictions in contracts that do not permit their medical staff to join the reserves.

I hope that, after tonight's debate and the comments made by hon. Members from all parties, the Minister will press the Secretary of State for Health, possibly through the National Employer Liaison Committee, to make it clear that those trusts are expected to acknowledge their national obligations. It is outrageous that at a time when we are telling private sector employers that they should acknowledge their obligations to national defence, part of the public sector is falling down on those obligations—not only implicitly but, in some cases, according to the British Medical Association, explicitly—and preventing qualified staff from serving their country. I hope that that point will be the subject of interdepartmental discussions.

The various consultation documents that preceded this legislation had a long gestation—as did the draft Bill—and, in many cases, they outlined the historic and honourable role of the reserve forces in our past. The Opposition hope—and I think I speak for the House—that the Bill will enable the reserves to continue that role, reinvigorated and updated, into the next millennium. We welcome the Bill and will give it positive consideration in Committee.

6.48 pm

Mr. Soames: With the leave of the House, Madam Speaker. I listened with great interest to the extremely well-informed points made during a knowledgeable debate unusually marked by a sense of common purpose—something we could use more of in such debates. I shall try to answer some of the questions raised, and will deal with others in writing or in Committee.

The hon. Member for Torfaen (Mr. Murphy) paid a warm tribute to the reserve forces. As to concerns about administrative support, that is carefully judged to maximise the time that volunteers can spend training—which is obviously their highest priority. I shall study the hon. Gentleman's figures in *Hansard*, but I have to say that I do not recognise them. I agree that all such schemes depend on effective and efficient reimbursement patterns, and I accept that they have not always been effective in the past. I warmly endorse the hon. Gentleman's sentiments about the Territorial Army, and about the splendid service given by the Welsh, and the many Territorial soldiers, sailors and airmen in Wales.

My right hon. Friend the Member for Dumfries (Sir H. Monro) made a typically splendid and well-informed contribution in his capacity as an Honorary Air Commodore and Honorary Inspector General of the Royal Auxiliary Air Force. He made an extremely interesting speech and offered an informed history of the RAAF. I agreed with all his points and noted particularly his remarks about the frustration felt by auxiliaries at the time of the Gulf war. As my right hon. Friend knows, not only the auxiliaries were frustrated. I agree that it is extremely important to show employers that all the time, care and attention that they devote in allowing employees time off to take part in the reservists scheme is reflected at a time of national crisis and emergency, so that individuals whose skills they have carefully nurtured will be allowed on the field of honour, or as close to it as they are able to get. Employers should be able to see that the employees whom they help can exercise their skills. I was delighted to hear that the auxiliaries are doing so well. I warmly and unreservedly praise, admire and pay tribute to their splendid contribution—as does the whole House.

I was grateful to the hon. Member for Swansea, East (Mr. Anderson)—who informed me that he would have to leave before the end of the debate—for highlighting the extraordinary care taken in consulting on the Bill, which my hon. Friend the Member for Wimbledon (Dr. Goodson-Wickes) was also good enough to acknowledge. That consultation is a model for future practice, and other Departments could follow Ministry of Defence practice in this case, as in so many others. I hope that future legislation will be the subject of detailed consultation, so that it reaches the House after extensive pre-consideration.

The hon. Members for Swansea, East and for Warley, West (Mr. Spellar) and many other hon. Members mentioned the medical reserves, and that it is difficult to fill some places. As the hon. Member for Warley, West said, health service trusts are struggling because there are serious shortages in some specialties. We need to keep a close eye on that aspect, and I am sure that we shall return to it in Committee.

I am extremely grateful for the support of my right hon. Friend the Member for Chertsey and Walton (Sir G. Pattie) in relation to the nine-month call-out. That was a matter of contention in the other place and was thoroughly debated. I believe that the consensus that it reached on a nine-month engagement was right. I was grateful also for the broad endorsement that the House gave that arrangement this evening. I agree with my right hon. Friend, in his capacity as colonel of a Territorial regiment and from his personal knowledge as a soldier, that all training should be as exciting as possible.

My hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) made the point that simulation allows formed units to do so much more training together, and I hope that the TA will be able to take advantage of it. Last weekend, I visited a company in the Mid-Sussex constituency that makes extraordinarily advanced simulation systems that will completely recast artillery training—I hope greatly to the benefit of my hon. Friend the Member for Salisbury (Mr. Key). The TA will be able to book training of a kind that it has never had the opportunity to undergo before.

The one-army concept is extremely important, and all who have care of or an interest in the reserves will know that the Ministry of Defence minds very much that it should become reality. I personally take on board all reservations expressed, as requiring extra effort on our part to ensure that the one-army concept becomes reality.

[Mr. Soames]

I listened carefully to the points made by my right hon. Friend the Member for Chertsey and Walton and others about Territorial Army senior appointments. We are aware of the benefit to be gained from additional senior appointments for reservists. I announced to the House last year that two additional one-star posts would be open to volunteers. My right hon. and hon. Friends forcefully expressed their well-informed views on additional officers at two-star level, and I assure them that the matter is always under consideration. I hope that we shall be able to make an announcement shortly.

The hon. and learned Member for Fife, North-East (Mr. Campbell) made an extremely well-informed speech, as usual, and I share his view that the Bill represents an exciting departure. Morale in the reserves depends on where one is and what one is doing. I have seen morale sky high in some places, and in others I have seen people unsure of the future. The Bill will be an important addition and a new departure for the reserves, who bring a remarkable, important and irreplaceable speciality to the field of operations. I noted the hon. and learned Gentleman's points about the high-readiness reserves, medical reserves and health service trusts, which were made also by other hon. Members.

My hon. Friend the Member for Ruislip-Northwood is extremely well informed on the subject. I accept the importance of using formed units whenever possible, and noted with care my hon. Friend's remarks about using the sponsored reserves in flight training operations as uniformed personnel. I shall carefully consider that good point. If I may be indiscreet, I hope that my hon. Friend will not fret too much about the Royal Marine Reserve.

I acknowledge the remarks of the hon. Member for York (Mr. Bayley). I met members of the Prince of Wales Own formed sub-unit detached to Split, who are doing a splendid job and are in great heart. I endorse everything said by the hon. Member for York, who made a positive and well-informed contribution.

My hon. Friend the Member for Wyre (Mr. Mans) also made an extremely well-informed speech, as one would expect, on medical reserves and two-star appointments. In view of my hon. Friend's single-service predilection for the Royal Air Force—for which we all make allowances, given his service—I was grateful for his support for the sponsored reserves. My hon. Friend the Member for North Tayside (Mr. Walker) made a brief but well-informed speech and I am grateful for his warm welcome to the Bill.

I was grateful to my hon. Friend the Member for Wimbledon for his kind words. I am glad to say that he will not have to go through the trauma that he described again on re-enlistment—next time, I shall personally supervise his call-up. I thank and praise him for his splendid service. I noted his points about Overseas Development Administration, Foreign and Commonwealth Office and Ministry of Defence liaison and about training. I should be grateful if he discussed them further with me.

We are grateful to my hon. Friend the Member for Salisbury for all his support for the services on Salisbury plain. As my hon. Friend knows, lord-lieutenants are great and noble beasts and they deserve a declaratory clause. Quite what it is for, I do not know—but I shall let my hon. Friend know later. He paid tribute to my noble Friend Lord Margadale, than whom there was no greater servant of this House and for whom we all have huge respect. I share my hon. Friend's respect for the Bill team and for all who have made an important contribution to the debate. I thank them all, and I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

RESERVE FORCES BILL [*LORDS*] [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 50A(1)(a),

That, for the purposes of any Act resulting from the Reserve Forces Bill [Lords], it is expedient to authorise the payment out of money provided by Parliament of—

(1) any sums required by the Secretary of State with respect to—

(a) payments of pay, bounty and allowances to members of the reserve forces;

(2) any other expenditure of a Minister of the Crown (including that of the Defence Council) incurred in consequence of the Act; and

(3) any increase attributable to the Act in the sums payable under any other enactment out of money provided by Parliament.—[*Mr. McLoughlin.*]

Question agreed to.

City of Westminster Bill *[Lords]*

Order read for resuming adjourned debate on Question [14 December].

Motion made, and Question proposed,

That the Promoters of the City of Westminster Bill *[Lords]* may, notwithstanding anything in the Standing Orders or practice of this House, proceed with the Bill in the present Session; and the Petition for the Bill shall be deemed to have been deposited and all Standing Orders applicable thereto shall be deemed to have been complied with;

That if the Bill is brought from the Lords in the present Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the last Session;

That, as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed) and shall be committed to the Chairman of Ways and Means, who shall make such Amendments thereto as were made by him in the last Session, and shall report the Bill as amended to the House forthwith, and the Bill, so amended, shall be ordered to lie upon the Table;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during any previous Session.—[*Sir Michael Shersby.*]

Question again proposed.

7 pm

Sir Michael Shersby (Uxbridge): I shall explain briefly my interest in the Bill and the history of its provisions.

My interest goes back to the days between 1964 and 1971, when I was a city councillor, and to 1967-68, when I was deputy Lord Mayor of the city. During that period, the activity of sex shops in the Soho area of the city was becoming a real problem. It is still a problem today and it needs to be addressed in the Bill.

The Bill is promoted by Westminster city council, which complied with all the statutory requirements and the Standing Order requirements for the Bill. It was deposited in November 1993 and was allocated to originate in the other place. There were no petitions in the other place, and the Bill then came into the House on 14 June 1994. There was no objection to its Second Reading and there were no petitions against it. The Bill was carried over to the 1994-95 Session by resolution of the House, and following an adjournment of the Unopposed Bills Committee for further written submissions to be made in support of part III. The Committee approved the Bill on 20 October 1994.

The Bill was then blocked by the hon. Member for Leyton (Mr. Cohen) and several other hon. Members at the consideration stage in the House, and amendments to the Bill were tabled.

A debate on amendments took place on 26 June 1995. A point of order was raised just before 10 pm, and it did not prove possible to move the closure motion. There was no parliamentary time available to resume the debate before the end of the parliamentary Session. Nor was it possible to obtain a carry-over motion before the end of the Session, as that was also blocked. The Bill is therefore technically dead pending this debate on the revival motion.

The Bill is divided into three parts and deals with two totally separate topics that bear no relationship to each other. Part I simply deals with the short title and interpretation. Part II proposes additional provisions to supplement those contained in the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Greater London Council (General Powers) Act 1986, to control unlicensed sex establishments.

Westminster council has a particular problem, as Soho is within its area. The Bill would give the council additional powers to close unlicensed premises. Although existing powers allow the prosecution of operators of such premises and the seizure of goods and equipment found on them, experience has shown that such premises are routinely restocked and reopened within a matter of hours. Moreover, such premises are invariably run by what I can only call front men, whose identities change from week to week. Prosecution of such persons is not therefore effective in preventing the operation of the premises.

Part II would enable the council to obtain a closure order from a magistrates court, which would stop the premises continuing to be used as unlicensed sex premises.

Part III seeks to release the city council from its statutory duty to build a county primary school on a site at Moxon street in the city of Westminster.

I understand that it is to that particular provision that the hon. Member for Leyton objects. His concerns relate to the future use of the site. Were the Bill to obtain its revival motion, the city council would consider deleting part III to allow further time to seek a resolution to the current impasse.

I can assure the House and the hon. Member for Leyton that the motion, if agreed to, as I trust it shall be, will provide an early opportunity for him to meet members and officers of the city council to discuss these matters before resumed procedures on the Bill take place.

7.4 pm

Mr. Harry Cohen (Leyton): I have been an objector to the Bill and to this carry-over motion, appearing every Thursday at 2.30 pm to shout "Object". Indeed, when the Bill was last debated on the Floor of the House, last June, I spoke for two and a half hours, but you, Mr. Deputy Speaker, and the House will be pleased to know that I do not intend to speak at length tonight. I simply want to give a summary of some of the issues and where we are from my point of view in relation to the Bill, and, indeed, to give a warning shot that if we do not made progress the House might have to have lengthy sessions on it again in future. I hope that we can make some progress and achieve a settlement that benefits the university of Westminster and addresses the concerns in relation to sex shops legislation.

Westminster city council has been slow to do either of those things. It seems to think that it can steamroller Parliament into passing the Bill without having to account for the reasons behind it or without considering the implications that would come from such a change in the law. Apart from the three-hour session in June about the university of Westminster, the Bill has not been considered by Parliament. As the hon. Member for Uxbridge (Sir M. Shersby) said, it passed virtually all its stages without discussion.

[Mr. Harry Cohen]

I shall say a few words about the carry-over motion. Normally, Bills that are not completed at the end of a parliamentary Session will fall, but there is an exception with private Bills, for which there is a carry-over procedure. Because of the exception for private Bills, the onus is on the promoters to resolve the differences if they want the Bill to be carried forward and get on the statute book. I know that there is a cost to the Bill's promoter, and that is why the motion says at the end:

"That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during any previous Session."

There are also costs to the public purse, and my time and that of other hon. Members on top of that. I think that the Government have to keep about 100 of their Members here just in case the closure was moved. That adds up to a lot of time, let alone the cost of running the House. I know that we cannot amend the motion to say that in these circumstances the promoter should pay the proper costs, but if it could be amended those costs would be considerable.

I tabled a parliamentary question to the Chairman of the Finance and Services Committee last December about the estimated cost of the House on a sitting day. The reply said:

"It is not practical to allocate the majority of House costs as between sitting and non-sitting days. The outturn for the financial year ended 31 March 1995 for the Works and the Administration votes, that is, excluding Members' pay and allowances, was £102,256,000. There were 158 sitting days in that year. Further information is given in the Commission's annual report."—[*Official Report*, 18 December 1995; Vol. 268, c. *848*.]

If we divide the £102,256,000 by the 158 sitting days, we come up with a figure of £647,189.87 per day. A debate such as this, taking up three hours of parliamentary time, will cost the public purse £242,696.19—and that does not include the cost of the time of the hon. Members involved. Westminster city council will not be reimbursing that cost. As I said earlier, it is incumbent on the promoter to resolve any differences, so that parliamentary time and public money are not wasted.

I demonstrated my willingness to reach agreement on the Bill, and I think that Westminster city council was rather taken aback by that. I think that it had assumed that it would get its way automatically by using Conservative Members as Lobby fodder to bludgeon the Bill through. Perhaps it would even have preferred outright opposition from me, and from other hon. Members. I have tried to be reasonable, however. I have told the council that it can have its Bill, but that it must provide educational benefit for the university of Westminster. After all, the Moxon street land referred to in clause 9 was given to the council for educational use. I have taken a flexible attitude to the way in which educational benefit can be secured; for some time, the ball has been in the council's court.

On 18 December, I met Councillor Robert Moreland and a senior council official. I suggested that the council should come up with a package of benefits for the university, and that it should be prepared to deal with the sex shop issue. I said that I would not oppose the Bill on the basis of the sex shop legislation as long as the implications were discussed.

Since that meeting I have heard nothing from the council. On 14 March, however, Jonathan Bracken of Dyson Bell Martin, parliamentary agents for the university, wrote to me saying:

"So far as I am aware, no further progress has been made between the City Council and the University of Westminster concerning the Moxon Street site but should you need any further information please do not hesitate to let me know."

Notwithstanding our three-hour debate in June and the meeting that I attended in December, no progress towards a settlement is being made, although we are approaching the end of March. As I think the House will agree, such a settlement is achievable.

Sir Michael Shersby: I hope that the hon. Gentleman heard me assure the House that, if the revival motion is carried, Westminster city council would like to meet him again to try to resolve the outstanding issues before further consideration of the Bill. The council has made that clear.

Mr. Cohen: I welcome that assurance. I had hoped that we would make progress at the December meeting rather than simply laying out our positions again—although that may be an unfortunate phrase, given that the Bill deals with sex shops.

Eight of the Bill's nine clauses deal with sex shops; the ninth deals with the land at Moxon street, near Marylebone. As the hon. Member for Uxbridge pointed out, it has nothing to do with sex shops and everything to do with property speculation. The land was given to Westminster city council—free of charge—by the London residuary body following the demise of the Inner London education authority, for educational purposes. There is an argument about that. The council says—this suits its purposes—that it must build a school on the land, and I submit that it would be within its rights if it used the land for educational purposes. In any event, however, the land was handed over to the council for educational use.

The problem is that, once clause 9 becomes law and that obligation is lifted, the land will inevitably go to a property speculator. In a free market, the university could not possibly bid as much as a property speculator for prime-site land in central London. Indeed, in my three-hour speech last year, I pointed out that such a deal had already been lined up between Westminster city council and property dealers. It would mean that public education would be left out in the cold.

I have made it clear that the university of Westminster would make the best use of the land. According to its mission statement,

"The mission of the University of Westminster is to be the leading provider in the capital city of high quality accessible portfolio of higher education and associated strategic research".

The same document tells us:

"The University has a unique profile with 9,000 full-time students, 12,000 part-time students and 20,000 students who attend mid-career short courses. Seventy-five per cent. of the full time student population comes from London, mainly inner London, and all the part-time and mid-career population comprise those who live and work in London. Fifty-nine per cent. of the full time and part-time student population is mature (ie aged 21+ on entry) reflecting the diversity of background the University serves. Over 40 per cent. of the students come from ethnic minorities, the highest of any University in Britain. The University provides education in all subject areas, science, engineering, humanities, business, management, languages, law, art and design, with the exception of medicine and initial teacher training."

The university does an excellent job for the varied population of London, but it suffers from severe problems. It is run from 22 different addresses, and 30 per cent. of its floor space is leased. Many of the leases are now coming to an end. It suffers more than the average amount of building and estate costs, for which it is not reimbursed and for which it is often criticised by the Department for Education and Employment. Its strategy is to secure and operate from five large sites by the year 2000. It has already identified three sites in Westminster, and has had to build a further site in Harrow. Moxon street would be the ideal location for the fifth site, but Westminster's failure to come up with a suitable package is blocking progress.

Referring to the carry-over motion, the promoter says in its statement to the House:

"Westminster City Council is the Local Education Authority within the City. Clause 9 seeks to relieve the Council of its statutory duty to build a primary school pursuant to section 12(9) of the Education Act 1980 on a site at Moxon Street in the City.

The Promoters are concerned that the considerable amount of time, effort and public money which have been expended on this Bill should not be wasted."

I agree with that. That is why the promoter should have saved the time of Parliament and of hon. Members by reaching an agreement that would benefit the university of Westminster.

I should like to consider the sex shop aspects of the Bill. Four points need to be dealt with. I am sorry to do that, but I shall deal with them in summary form because, clearly, this is not the time for a full debate. That will be take place if the Bill comes back before the House.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. I appreciate what the hon. Gentleman is saying, but we are debating a revival motion and this is not the time to go into detail. That may happen if the Bill returns.

Mr. Cohen: I understand that. If we make no progress, I will have to go into the matter in considerable detail. That is why I want to summarise the issues. I hope that they will be dealt with by the Bill's promoter.

First, the Bill is meant to deal with unlicensed sex shops, but no proof has been presented to the House that there is a problem with provision on such shops. I am sure that there are unlicensed sex shops and that they are a nuisance, but where is the evidence that existing law is not sufficient to deal with them? I am not saying that there is no problem, but that evidence should have been produced by the Bill's promoter. When it wrote to me initially in October 1994, the Gay Business Association said:

"At present, if the local authority are of the opinion that premises require a licence then they can prosecute the premises for trading without the benefit of a licence.

It would appear that the City of Westminster has not availed themselves of this power to any great extent and yet they now seek a radical extension of their powers".

I wonder why existing law has not been used. Again, I shall not go into great detail, but in July I tabled a question to the Secretary of State for the Home Department asking him to

"list all legislation under which unauthorised sex shops and sex cinemas can be prosecuted; and how many prosecutions under each provision there have been in the last five years."—[*Official Report*, 13 July 1995; Vol. 263, c. *689*.]

I will not go through it in detail, but the Home Secretary's answer gives a great list of the various provisions.

Mr. Don Dixon (Jarrow): There are not enough laws covering that.

Mr. Cohen: I will not read out the Home Secretary's answer, but I should like to mention the different provisions in the Local Government (Miscellaneous Provisions) Act 1982 under which prosecutions may take place. They include schedule 3, paragraphs 20(a), (b), (c) and (d), 21, 22(1), 22(2), 23, 24(6)—

Mr. Deputy Speaker: Order. I know that the last thing the hon. Gentleman wants to do is to test my patience too far, but he knows that this debate is not for detail.

Mr. Cohen: I do not want to test your patience, Mr. Deputy Speaker. We are debating a carry-over motion. For that to be justified, the purpose of the Bill must be justified and evidence should have been presented to the House that there is a need for this legislation. I am just making a brief summary. There are existing legal powers. If Westminster council needs to go beyond those, it should produce the proof of why that is necessary. Other legislation is available apart from the Local Government (Miscellaneous Provisions) Act, including the Video Recordings Act 1984 and the Obscene Publications Act 1959, which Westminster city council could use.

Having said that—this leads me to the second point—I have an open mind on whether there is a problem with unlicensed sex shops. I am waiting for the evidence to find out whether there is a problem. If there is, why does the Bill apply only to Westminster? I know that Soho is a major area for the sex industry, but it is not the only one. The problem is that unlicensed sex shops have, I understand, arisen in other parts of London. If the Bill is passed, such shops in Soho could easily spread to the rest of London. With the Bill, Westminster could be exporting Soho to other boroughs. Why should Westminster have powers that other boroughs do not have? The Bill just shifts the problem elsewhere.

Sir Michael Shersby: The answer to the hon. Gentleman's question is that the problem has been identified and is growing in Westminster. It has not been identified elsewhere.

Mr. Cohen: Again, we have not received the evidence for that statement. The Member for Uxbridge is an honourable gentleman and I believe his word, but we are passing important legislation here and we should receive evidence of that statement. If we had a strategic council for the whole of London, all the London implications could be considered, instead of legislation being introduced in such a piecemeal fashion for just one borough.

The third point about sex shops is that councillors and officers have strong, excessive powers. If the Bill is enacted, they will have greater powers than the police or Customs and Excise. That should be explained. At the meeting, I asked for explanations of all those points and I did not receive them. That is why we are at the stage of the carry-over motion.

There is a danger of councillors and officers having excessive powers. They could decide what is acceptable. With a shallow standard of proof, they could close a

[Mr. Cohen]

business, which would have to stay closed until an appeal could be heard. A legitimate business could go broke in that time, even though sex material might be only a small proportion of its business—perhaps one book that was deemed to be pornographic. That is not right.

There is much potential for intimidation, perhaps even corruption—a form of official protection—if a councillor or an officer of Westminster council were unscrupulous. Under the Bill, newsagents could suffer because the magazines that they display on their top shelves might be deemed to be pornographic. Under these powers, they could be closed and they would have to stay closed until an appeal was heard.

There could be discrimination against gay cafés and bars. That brings me to the fourth and final point in relation to sex shops. The Gay Business Association wrote to me expressing concern that the legislation could be used in a homophobic way. Under the Bill, an officer or councillor of Westminster council could close gay businesses in Soho and elsewhere that they might not like.

I raised those four aspects in the December meeting, when I said that Westminster city council should come up with some answers. A hidden aspect of the legislation is that the licence fee could soar with consequent implications. Only rich pornographers might be able pay the licence fee that Westminster city council has in mind. We could be heading towards a monopoly. That implication should be considered. All those matters are worthy of Parliament's consideration, as is the Government's general attitude to the sex industry.

The Government seem to face both ways at once on the sex industry. On the one hand, they favour deregulation and liberalisation—cable television is allowed to show many sex programmes—but on the other hand, they have a knee-jerk reaction against obscenity without defining obscenity. The Bill is cashing in on that.

To conclude, there are genuine points in the Bill that need to be addressed, but I repeat: Westminster city council can have its Bill. I shall not block it completely, provided the points that I have made are addressed and taken into account in future legislation.

In particular, the university of Westminster should be properly treated. I should have thought that that would be a matter of civic pride for Westminster city council. My area has a lowly football club, Leyton Orient, and it is a matter of civic pride that I as a Member of Parliament and local councillors do our best by that club. We want it to thrive.

Westminster city council has a superb university—I have read out what it does—yet the council seems to show no civic pride in helping it to thrive. I am amazed at that. Public education should not be left to rot because of market economics whereby land goes to property speculators to use for their own purposes.

That is my case. I have abbreviated it. I have endeavoured not to try your patience, Mr. Deputy Speaker. If the Bill comes to the Floor of the House, that will be the right time for me to go into those matters in more detail. However, I have made clear my willingness to do a deal and I hope that Westminster city council will now pick up on that and reach a deal that benefits the university of Westminster.

7.31 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Tom Sackville): I rise briefly to show my support and that of my colleagues in the Government for the measure. Sex shops in Westminster do pose a problem. I am sorry to hear that the hon. Member for Leyton (Mr. Cohen) has an open mind on that. I do not. I know that there is a problem. I have seen some of the products that those shops sell. They cater for all kinds of perversions—coprophilia, bestiality, violent torture and all sorts of means of degrading women, a tide of filth about which we must do something.

Mr. Cohen *rose—*

Mr. Sackville: No, I shall not give way.

I am sorry that on a previous occasion on another part of the Bill the hon. Gentleman felt obliged to block this important legislation.

I stress that, as a matter of public policy, we wish to control the trade in this appalling material which is getting worse all the time. Westminster city council needs the powers and I hope that the Bill will be brought back to the House and become law.

7.33 pm

Mr. Alun Michael (Cardiff, South and Penarth): I share the Minister's hope that the Bill will return and receive rapid support. However, the Bill's promoter needs to take note of tonight's debate and the points that have been made. If it listens to what has been said, a great deal of time will be saved. The hon. Member for Uxbridge (Sir M. Shersby) acknowledged that in introducing the motion tonight and showed some recognition of the need to respond to the issues that have been raised by my hon. Friend the Member for Leyton (Mr. Cohen).

I would say, for the benefit of the promoter, that I have some experience of the extent to which a private Bill can be delayed, however valuable and positive a measure it is, by one or two hon. Members who fail to understand its virtues. It took some eight years for the Cardiff Bay Barrage Bill to become law. It would be wise if those assisting Westminster city council with the Bill—some of whom shared that experience—accepted that listening now and persuading my hon. Friend and any others who might be inclined to object that their concerns can be addressed would help us when the Bill comes before the House for a proper debate, as opposed to today's revival motion.

I understand that there are limits in the statement that can be made formally on behalf of promoters, but the statement that we received was quite lightweight. My hon. Friend the Member for Leyton is right to say that it did not make the case, which I assume is strong and which I believe is accepted on both sides of Westminster city council because the Bill has general support. It would be sensible to ensure that that case is made before the next and substantive debate.

It is wise, as I was advised on one occasion, to regard hon. Members not as remote gods to be propitiated but as individuals who seek to represent their constituents and with whom a sensible discussion can be had. My hon. Friend made the point that he had met the promoter back in December, but there was then no response to the issues that he raised with the council.

I have been given an undertaking similar to that given to the hon. Member for Uxbridge earlier, that my hon. Friend will be offered a full opportunity to discuss those issues and, if possible, for his concerns to be met. That would be greatly to the assistance of the House, enabling us to debate only the issues that are within the Bill which, in general, seem positive and helpful.

There is one issue which I hope, when we debate the Bill in substance, the promoter and, more important, the Minister will have addressed—the question whether there is a danger of displacement from Westminster to elsewhere if these powers are given to Westminster city council but not to other councils. The Minister, in his reference to the unacceptability of some of the activities that go on, is right, but there should not be the likelihood of displacement as a result of the powers. I hope that the Minister will anticipate and address that point when we debate the measure in a substantive debate.

Question put and agreed to.

Resolved,

That the Promoters of the City of Westminster Bill *[Lords]* may, notwithstanding anything in the Standing Orders or practice of this House, proceed with the Bill in the present Session; and the Petition for the Bill shall be deemed to have been deposited and all Standing Orders applicable thereto shall be deemed to have been complied with;

That if the Bill is brought from the Lords in the present Session, the Agents for the Bill shall deposit in the Private Bill Office a declaration signed by them stating that the Bill is the same, in every respect, as the Bill which was brought from the Lords in the last Session;

That, as soon as a certificate by one of the Clerks in the Private Bill Office, that such a declaration has been so deposited, has been laid upon the Table of the House, the Bill shall be read the first and second time and committed (and shall be recorded in the Journal of this House as having been so read and committed) and shall be committed to the Chairman of Ways and Means, who shall make such Amendments thereto as were made by him in the last Session, and shall report the Bill as amended to the House forthwith, and the Bill, so amended, shall be ordered to lie upon the Table;

That no further Fees shall be charged in respect of any proceedings on the Bill in respect of which Fees have already been incurred during any previous Session.

Public Health

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): It may be helpful if I were to advise the House on the scope of the debate. The debate should address the desirability of restricting the taking, movement and use of fish, edible plants and edible seaweed from the sea area defined in the schedule to the order and, in that context, could include discussion of the repercussions of the Sea Empress disaster.

7.37 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Rod Richards): I beg to move,

That the Food Protection (Emergency Prohibitions) (Oil and Chemical Pollution of Fish and Plants) Order 1996 (S.I., 1996, No. 448), dated 28th February 1996, a copy of which was laid before this House on 29th February, be approved.

The order prohibits all fishing activities in the area designated in it which is or may be affected by oil and other chemical pollutants as a result of the grounding of the oil tanker Sea Empress.

The order also prohibits the harvesting of edible seaweeds—laver, dulse and carrageen—and a plant commonly known as samphire or glasswort.

The laying of the order is the first of two which have had to be made as a result of the oil spillage.

Yesterday, on behalf of my right hon. Friend the Secretary of State for Wales, I made an order prohibiting fishing for salmon and sea trout in all water courses and rivers that discharge to the coast affected by sea fishery restrictions. The angling season for those fish was due to start today, but as a precautionary measure, my right hon. Friend decided to impose restrictions until we can be certain that consuming such fish will not be a health risk.

Mr. Alan W. Williams (Carmarthen): Does that order apply to the whole length of the river or only the tidal part?

Mr. Richards: Clearly, it applies to the tidal part because we are talking about migrating fish.

My right hon. Friend the Secretary of State's concern in placing the ban on fishing was to protect consumers—the purpose of the parent legislation, the Food and Environment Protection Act 1985.

I am extremely grateful to local fishermen, who have shown great concern for the consumer and respect for their industry since the incident occurred by immediately arranging a voluntary ban on fishing in the area affected by the spillage.

The Government took immediate action to investigate the extent of pollution and its impact on fisheries. The sea fisheries inspectorate at Milford Haven, assisted by local fishermen's groups, took samples of fish and shellfish to pass to the directorate of fisheries research at Burnham on Crouch for urgent analysis. The fisheries protection vessel, Corystes, was also diverted to the area to help with the sampling programme.

In the early days of the spillage, it was known that much of the oil would be dispersed into the water column to a considerable depth. Fish metabolise petroleum hydrocarbons quite quickly and the testing regime was set

[Mr. Richards]

up to measure the level of hydrocarbons in order to assess how far the effects of the spillage had dispersed. The movement and spread of oil was constantly monitored and we took statutory action to protect consumers as soon as scientific advice showed the need for a statutory ban.

On 28 February, my right hon. Friend the Secretary of State introduced statutory restrictions in an area of about 810 square miles from St. David's head to Port-Eynon point on the Gower peninsula. The size of the designated area is based on scientific advice, and the extent of the spillage and its likely effect on commercial fisheries. It was recommended, therefore, that the order should encompass St. Bride's bay, Milford Haven and Carmarthen bay.

It has been put to me that the designated area should have been extended for a short period so that a testing regime could have cleared the area not affected by the spillage. That would not have been legally possible. I could not make an order affecting an area unless there was evidence that we were satisfied that food from that area was unsuitable for human consumption. That was not the case, so the area defined conforms with legal requirements. We need to consider carefully all the options. We may be able to reduce the restricted area, or remove restrictions from particular species, or a combination of the two. We shall keep that under review.

The testing is a highly complex matter. Not only must we consider absolute levels of hydrocarbons, but we need to test for traces of polycyclic aromatic hydrocarbons. PAHs are resistant to degradation and some are known as suspected human carcinogens. Tests for them are complex and time-consuming. I assure the House that throughout the period before the statutory restrictions were imposed, we maintained close and continuous contact with the industry, which acted with restraint and control in adhering to its self-imposed ban on fishing.

The controls that we have introduced are being enforced with the assistance of the environmental health departments of the local authorities—South Pembrokeshire, Preseli Pembrokeshire, Carmarthen and Llanelli—the Milford Haven port health authority, and officers of the South Wales sea fisheries committee who have been authorised to supplement the enforcement role of the sea fisheries inspectorate. I pay tribute to the untiring effort that all those bodies have put in to help mitigate the damage caused by the incident. Enforcement on the ground is being enhanced by sea fisheries inspectorate surveillance flights over the area and visits of Royal Navy fisheries protection vessels in the affected area.

Hon. Members will doubtless be concerned to know how long the restrictions will last. I have to be honest and say that I cannot yet provide a definitive answer because it is simply too soon. We are continually monitoring the situation and will lift restrictions as soon as we have evidence that it is safe to do so. To that end, we shall continue vigorously with our scientific programme.

Mr. Nick Ainger (Pembroke): Before the Minister moves off that point and the imposition of the order, will he explain why only 77 hours after the Braer ran aground at 11.18 on 5 January 1993, an order identical to the one before the House was imposed—at 4 pm on 8 January? Why was a similar order not imposed with such alacrity following the Sea Empress incident? If it had, we would not have been dependent on the fishermen's voluntary action, which I, too, applaud. The vessel ran aground on 15 February, so why did we have to wait until 28 February before the order was imposed?

Mr. Richards: As I have already explained, such an order can be made only on the basis of scientific evidence and in the interests of the public or the consumer on health grounds. It cannot be made on any other grounds. As the hon. Gentleman has said, we were obviously fortunate to have the full support and co-operation of the fishing industry.

Since I have been diverted from my brief, perhaps I could correct an answer that I gave to the hon. Member for Carmarthen (Mr. Williams) a moment ago. The order for freshwater fisheries in fact applies to the entire length of the rivers concerned.

The possibility of further contamination from large quantities of dispersed oil remains, as does the possibility of a remobilisation of beached and landed oil. We are carefully monitoring and sampling to establish how the situation develops. The present cold weather means that the fish are not feeding very vigorously. Such activity will increase as seawater temperature rises and could conceivably lead to a greater intake of pollution from oil contained in the water column. We need therefore to move forward judiciously. Careful attention has to be given to every complex aspect of the passage of contamination, and I make no apologies for our cautious approach.

I am naturally concerned about the welfare of fishermen and the future of their industry. One of our main concerns is to ensure that public and market opinion about the quality of Welsh fish is put into perspective. It is important that the message is quite clear that Welsh fish coming on to the market is safe to eat. We shall explore with the fishing industry and others ways in which we can inform the public and trade interests of the fitness of Welsh fish. The subject could form part of our bid for European funding, and we shall discuss with the Commission ways in which we can enhance the promotion and marketing of the Welsh seafood industry.

The insurers of the Sea Empress have assured us that they will immediately meet the claims of hardship cases. They have set up a claims handling office in Milford Haven, and funds have been made available to make immediate payments. By late this morning, nine claims had been received from the fishing industry. These, I am told, are being urgently considered and will be processed as quickly as possible.

Claims office staff are working hard to ensure that agreement is reached with claimants as quickly as possible, although the latest information I have is that some claimants are experiencing difficulties with the international oil compensation fund. It is an issue that I shall raise with my right hon. Friend the Secretary of State to see what the Government can do about this intergovernmental agreement.

I am happy to give an assurance that we shall remove controls as soon as we can, but I make no apologies for saying that restrictions will remain in force for as long as necessary to ensure the continuing protection of

consumers and the preservation of the reputation of the Welsh fishing industry from any threat from contaminated food. At the end of the day, that is and must remain our overriding priority.

I commend the order to the House.

7.50 pm

Mr. Gareth Wardell (Gower): I am pleased to have the opportunity to speak for the Opposition. I must say at the outset that I was pleased to see a map appended to the Welsh Office press release of 28 February, but I was a little disappointed that the map was not appended to the order available in the Vote Office.

Being a geographer, I want to query one small point relating to the order's designated area schedule for the longitude of St. David's head. The Royal Geographical Society, of which I am pleased to be a fellow, disputes the location given in the schedule, but I shall not go into too much detail about the ability of the Welsh Office to ensure that the correct location is given. The longitudinal location of St. David's head is 5 deg 18 minutes 40 seconds west, not as appears in the schedule.

The closure order has been met with considerable dismay in south-west Wales. My hon. Friend the Member for Pembroke (Mr. Ainger) put his finger on a reason for part of the dissatisfaction, which is that in 1993 the Scottish Office issued a closure order within 48 hours of the Braer going aground. The order that we are debating was certainly introduced hastily, without consultation and at one hour's notice, but it was issued some 14 days after the Sea Empress ran aground.

There is a strong impression locally that, having barged and blustered in and out of the crisis for 14 days, and having at last realised that people are incensed at the apparent confusion over responsibility, the Government, especially the Ministry of Agriculture, Fisheries and Food and the Welsh Office, decided that they had better do something—anything—to show that they were in control. Unfortunately, MAFF and the Welsh Office have lost considerable credibility and the confidence of fishermen in this crisis. I assure the House that the people of west Wales—not only fishermen but traders, hoteliers and ordinary people—are absolutely furious at the way in which this incident has been handled from start to finish.

What has emerged from my mail bag and from meeting people in Pembrokeshire and Carmarthenshire is that local people have absolutely no confidence in a Government who have failed to take on board lessons learnt from the Braer disaster in 1993 and who have dithered and delayed over implementation the recommendations of the Donaldson report. People have no confidence in the port authorities, the salvagers or the marine pollution control unit, which are jointly accused of a lack of communication, of critical indecision and of misjudgment in dealing with the ship and failing to protect the environment from the oil spillage. They believe that the environmental impact has been much greater than it need have been and that a cover-up is taking place. That is why they call for a public inquiry and why we continue to do so.

This week the clean-up operation is being wound down, although 200 men are still working on the beaches. The sea is reported to be clear of oil, although around 50,000 tonnes are probably still sloshing around in the water column and in sediments. The Royal Society for the Prevention of Cruelty to Animals' bird centre is being closed, although it is still expected that many dead, oiled birds will be washed ashore. Many of Pembrokeshire's famous sandy beaches look clean again, although sand castles are likely to be black for a while yet, and internationally precious species have been destroyed, endangered or destabilised.

Now that the shock of the environmental impact has been absorbed, however, attention has to be fixed on the economic impact of the disaster. Fishermen in Milford have experienced their fourth week without income. The tourist industry expects a 25 per cent. fall in bookings, which will have a serious knock-on effect on trade and income in the area. One of the reasons for the local dismay about the closure order is the effect that it will have on the recreational fishing and tourist industries.

No one quite understands why the order has been applied to recreational angling. Usually, controls and regulations relate to commercial enterprises. The European Community directive on licences for bivalve mollusc taking, for example, relates specifically to commercial operations. If a private individual wants to catch and eat shellfish from directly under a sewer, he is free to do so. If he becomes ill, it is his responsibility. Many recreational anglers return their catch. No hotelier is going to buy black market fish which may well taste of oil. It seems that this important sector of the local economy will best be able to organise itself.

Certainly, I hope that the Secretary of State will take on board the fact that anglers and their suppliers of, for example, charter boats and tackle are extremely angry that their sport and livelihood is being penalised in this way and that there is a good case to remain for removing recreational angling from the order.

Given the scale of the disaster, and setting aside environmental, conservation and ecology issues, the Government must take on board two matters relating to fishing interests. The first is public health and the second is the long-term protection of the fish and shellfish markets.

While there is some concern about the effects on fish and the marine ecology of the cocktail of chemical dispersants used, no one to whom I have spoken thinks that there are serious immediate public health safety implications. The consensus seems to be that as fish and shellfish affected by oil acquire the taste of that oil, no one is going to eat enough to become seriously ill. In any case, local authorities, through their environmental health duties, are always closely monitoring the public health safety situation in their areas.

To protect the market, we need to ensure that no fish that go on sale are tainted by the taste of oil so that the perception and reputation of local fish as wholesome and clean is maintained. The voluntary ban by local fishermen, as the Minister has acknowledged, was the courageous, practical and immediate first step to securing that confidence in the market. The tasting panel facility at Torry will be invaluable in maintaining that position.

Locally, it is widely felt that the Welsh Office did not need to impose the closure order, especially at such a late stage. Although continuing the voluntary ban would have imposed too much responsibility on a small group of the community, the Welsh Office could have asked local authorities to take on responsibility for protecting public health and market credibility in their areas.

[Mr. Gareth Wardell]

It is clear that local authorities are best placed to cope with the situation. Swansea, Llanelli and Preseli Pembrokeshire councils had already undertaken the procedures that are legally necessary to implement local measures to control fishing in their areas. The councils have public and environmental health powers that would have covered their areas perfectly adequately to protect the public health and safety requirement.

Council environmental health departments, the National Rivers Authority and the sea fisheries committee officers are undertaking much of the monitoring work that provides the basis for the MAFF and Welsh Office analysis of the situation. Under the closure order, local authorities, through their sea fisheries committees and environmental health units, will enforce the order. As the local councils will be informing and enforcing the order, I fail to see why, when local councils had the necessary powers, the order is required at all. I hope that it is nothing to do with the Welsh Office not wanting to pay for local authority help on a longer-term basis than the immediate clean-up.

On 21 February, the Welsh Office said that the imposition of a closure order would be "a draconian measure". Less than a week later, this order was imposed at an hour's notice by the Welsh Office. I agree with its original assessment: the order is draconian. It is a blunt instrument wielded in the dark. Everything about it shouts, "best guesstimate available". Yet families' livelihoods depend on such decisions.

The decision to impose the closure order cannot be justified because it was supposed to have been based on information from the monitoring of samples. It clearly was not. My understanding is that sampling results on 28 February did not show any pollution increases above background levels in most species or in the Milford Haven waterway. From that information, it follows that despite the delay in taking action and the breathing space to assess the situation that the fishermen's voluntary ban had given them, MAFF and the Welsh Office decided to make the order before they had reliable information on the effects of the spillage. For example, the most cursory examination of the order shows that the boundary defined in it can be described only as wholly arbitrary.

Mr. Richards: The hon. Gentleman raises an important point. He says that the boundary described in the closure order was wholly arbitrary, but it is almost coterminous with the voluntary boundary imposed by the fishermen.

Mr. Wardell: Yes, indeed. I am delighted that the Welsh Office followed that guidance, but the boundary was not based on what the Minister said in the House. He said that it was based on scientific evidence. He now says that it was based on what the fishermen did. The change that he has admitted to the House shows clearly that the Welsh Office followed the boundary set by the fishermen without the scientific evidence that he says was legally necessary to define the boundary.

No one understands the rationale behind the defined offshore limits as anything other than a precautionary, catch-all MAFF and Welsh Office protective position. No one understands why north Devon and, especially, the area around Lundy have not been included in the order. People in Swansea want to know whether, as North sea oil from the Forties field was recorded at Mumbles head and in Swansea bay last weekend, the boundary of the order will be extended. Why is the border south of Port Eynon point when the oil has reached further east than the currently enforced boundary? If, as seems likely with so much oil still suspended in the water column, further pollution sites are identified, will the order be varied again and again? If so, what is the mechanism for doing that? As I said, the boundary is arbitrary. If it is not, I hope that the Minister will place in the Library as soon as possible the exact sample results that enabled the line to be drawn. We look forward with interest to seeing the sample results from before 28 February that would give us confidence. The samples that I have seen do not lead to that conclusion.

How flexible will be the mechanism for lifting as soon as possible the prohibition on an area-by-area and a species-by-species basis? We want to know the mechanism and whether the Minister will give a commitment that he will lift the order area by area and species by species.

Although local authorities, the NRA, sea fisheries committee officers and MAFF are undertaking extensive monitoring of oil, water and fish, we cannot compare its results with experience and data from the Braer incident because MAFF is using a different indicator. They are using total hydrocarbons, as opposed to the polycyclic aromatic hydrocarbons that were used after Braer. After the experience at Braer, we would hope that practically all species of fin fish will be untainted after about three months and that after perhaps 18 months, crabs and lobsters will be clear. The length of time that a species will take to recover depends on how badly an area was affected by the spillage. Local authorities are surely best placed to define where in their localities the effects of oil have cleared or remained.

The position of the shellfish industry is different and is potentially much worse. I understand that because of the very cold weather, some species have not been taking much food, so the effects of the oil are and will be much less than expected. Only information from monitoring will show whether that view is correct. Only monitoring will show whether the phenomenon is short term, whether the position will change when the water warms up and whether it applies to all shellfish or just to some species. Experience from the Braer incident suggests that heavily affected shellfish take a very long time to recover. The ban on whelks and scallops after the Braer incident has remained in force for three years.

Although research is under way through Plymouth and Bristol universities, we do not know the background level of oil pollution in shellfish sites in seas throughout Europe. It is, therefore, difficult to say what levels will be deemed safe and what levels will be deemed normal. That is a critical point. We did not know that information before the disaster occurred so it is impossible to know what its effects will be. The base level against which we need to make comparisons is not available.

On 22 February, for example, the Milford mussel beds were open, although the total hydrocarbon levels in the mussels were far higher than the levels in mussels in the beds at the Burry inlet on 28 February. Those beds were closed under the prohibition order when the total hydrocarbon levels were just over six parts per million per kilogram of fish. As the Burry inlet happens to be

within the arbitrary boundary that the Welsh Office has drawn, although it has no visible oil in it, it is covered by an order that prevents the people of the northern part of my constituency from undertaking their commercial enterprise. There is no indication that the total hydrocarbon level in the cockles there poses any risk to public health.

I would like the Minister to tell the House this evening what the critical levels are which, if found in samples, will pose a public health risk. What are the levels below which shellfish or finned fish are deemed to be safe and fit for human consumption? Unless we know that, we can have no confidence in the order and can see it only as a catch-all, precautionary measure which is not based on scientific evidence. People should know that what they are eating is not safe because the critical levels have been exceeded.

Such considerations demonstrate how important it is to individuals and to the local economy that regulations are flexible enough to respond to changing information. Local authorities and the South Wales sea fisheries officers are already monitoring and gathering information. They are much better placed to respond to changed situations in their own area than are the Welsh Office and the Ministry of Agriculture, Fisheries and Food.

I have raised a number of important points to which, I hope, the Minister will be able to respond. The point about the critical level is especially important and I hope that the Minister can tell us about the sample results that demonstrate clearly that it is dangerous to eat any fish or shellfish covered by the prohibition order.

I trust that the closure order will be lifted as soon as it is possible to agree standards and procedures with the local authorities. As more information becomes available, everyone involved will be better able to understand what is happening in different areas to different species. At that point, local authorities are best placed to adapt to and to put in place the necessary fine-tuning to protect public health, public confidence and the local economy.

I am pleased to have this opportunity, for the first time in my parliamentary career, to address the House from the Dispatch Box. I am grateful to you, Mr. Deputy Speaker, for calling me.

8.14 pm

Mr. Nick Ainger (Pembroke): I congratulate my hon. Friend the Member for Gower (Mr. Wardell) on an excellent performance. Unfortunately, it may well be his last performance at the Dispatch Box. He displayed again his great skill and his command of detail. The House will be lessened when he is not with us after the next general election.

I will try to confine my remarks to the order. I am sure that if I stray you will pull me back quickly, Mr. Deputy Speaker. As you know, it is mainly my constituency that has been affected by the Sea Empress disaster and by the prohibition order.

As I mentioned when I intervened during the Minister's speech, I am especially concerned by the delay that has occurred, for whatever reason. We had an explanation from the Minister. The Scottish Office acted only 77 hours after the Braer had run aground in conditions that were extremely severe, with gales and huge seas. Was anyone able to carry out scientific monitoring to decide whether there was a risk to health within 77 hours of the vessel running aground? I have read the debate that followed the imposition of that order. Everybody congratulated the Scottish Office on its alacrity in dealing with an extremely severe problem. As my hon. Friend the Member for Gower has said, the order was a precautionary measure which was confirmed later by scientific evidence.

I put on record my thanks to the fishermen of Pembrokeshire, Carmarthenshire and West Glamorgan, who imposed their own voluntary ban as quickly as possible and then pursued the Welsh Office and the Ministry of Agriculture, Fisheries and Food to get a proper prohibition order in place as quickly as possible.

There were two reasons for that action. First, the fishermen wanted to try to restore order to the situation. Secondly, once order had been restored, confidence could be given back to the market for products from areas not affected by the oil. Progressively, following testing and monitoring, areas in the periphery could then establish their own clean bill of health for the products that they wished to market.

We can already see the problem. The Select Committee on Welsh Affairs heard evidence this morning about prawns caught between Aberystwyth and New Quay in Cardigan bay, on the periphery of the area affected by the order. Those prawns were not accepted for sale in the market. We are talking not only about products caught within the prohibition area, which was purely voluntary until 28 February, but about products caught some distance away. That is a major problem.

Within hours of the news getting out that the Sea Empress had run aground on 15 February, the people marketing whelks from Carmarthen Bay were informed by the Koreans—their only market—that they did not want the product for fear that it was tainted. The same then happened to products shipped to France and Spain; the market dictated that it did not want products from west Wales and, I understand, from Wales in general at one stage, although I understand that that problem has started to improve.

The Minister has not been able to tell us—at least, not in response to my intervention—why it took from 15 February until 28 February to impose the order. In his opening remarks, he mentioned the consultation that had taken place between the Welsh Office and the fishing organisations and industry. He repeated that statement in a memorandum that he sent to the Welsh Affairs Select Committee for our investigation into the matter, from which I quote briefly. In paragraph 21 of that memorandum he states:

> "Throughout the period before the placing of statutory restrictions, there was close and continuous liaison with the fishing industry about adherence to their self imposed ban on fishing which enabled the Department to have full confidence that the action being taken ensured the consumer was fully protected."

That is contrary to evidence that we received this morning from Mr. Phillip Coates, a director of the south Wales sea fisheries committee. When Mr. Coates was asked by the Chairman of the Welsh Affairs Select Committee, my hon. Friend the Member for Gower, what consultation had taken place between the Welsh Office and the sea fisheries committee on that issue, the answer was "zero". There was no consultation whatever about the imposition of that prohibition with the officers or the members of the sea fisheries committee.

[Mr. Nick Ainger]

More than 90 per cent. of fishermen in west Wales are members of the Sea Empress Fisheries Claimants Association. Their view was faxed to me at 11.42 am on 28 February. I quote from it:

"The MAFF Office has offered all the assistance that can be given to the Welsh Office but we understand they have rejected it. The association need a definitive answer to the closure problem as soon as possible as our members are becoming a little angry to say the least. Could you please contact the Welsh Office and lend your weight to our problem."

The week before I received that fax, I had received a communication from the Sea Empress Fisheries Claimants Association, which I met that Friday afternoon. As a result of that meeting, I contacted the private office of the Minister in MAFF with responsibility for fisheries, the hon. Member for Banbury (Mr. Baldry), to urge him to institute a prohibition order to restore confidence to the market and protect the rights of the fishermen who were currently exercising a voluntary ban.

I was informed that the Minister was not available, but I explained the position and staff agreed to pass the message on to him at the earliest opportunity. I telephoned his office when I returned to London on Monday morning and was told that he was not available but that we could meet after the vote at 10 o'clock. That is what I did, and I was assured by the Minister that he would do what he could to ensure that order was restored. He agreed with me that the best way was to put a prohibition order in place as soon as possible. He informed me, however, that it was not his responsibility but the responsibility of the Welsh Office.

On Tuesday morning, I contacted the private office of the Under-Secretary of State for Wales, the hon. Member for Clwyd, North-West (Mr. Richards). Unfortunately, he was not available until about 4.30 on Tuesday afternoon. I spoke to him just before he went into the Standing Committee on the Nursery Education and Grant-Maintained Schools Bill. I was assured by him that the argument had been accepted and that the prohibition order would be in place as soon as possible.

I received no information the following day until I saw the Minister in the precincts of this place and asked him what was happening. He said that he would check and find out what was going on. He understood that the Secretary of State was dealing with it. That was at 4.50 pm. I then received a phone call from a member of the Press Gallery, informing me that the order had already been put in place. As you will see from the order, Mr. Deputy Speaker, it is timed 4 o'clock that afternoon.

I can understand that at times there may be lack of communication between Departments such as the Ministry of Agriculture, Fisheries and Food and the Welsh Office, but it is beyond me to believe that we had such bad communication within the Welsh Office between the Secretary of State for Wales and the Under-Secretary of State. I understand that the Secretary of State signed the order at approximately 2.30 pm, for imposition from 4 o'clock onwards, but obviously no one had bothered to tell the Under-Secretary of State what was going on. That exemplifies one of the problems that we have had in getting the order properly in place.

My hon. Friend the Member for Gower made a point about leisure angling. To help my constituency and the constituents of my hon. Friends the Members for Carmarthen (Mr. Williams) and for Gower and the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis), I hope that everyone, at least from Wales, will try to restore the reputation of that most beautiful part of our country. The problem is that while the order is in force leisure angling is prohibited.

This morning I learned that an international sea angling competition scheduled for September, in which 25 boats would have been involved and for whose competitors several hotels would have provided accommodation—in other words, an opportunity to restore confidence and put some money back into the local economy—had been cancelled. That will cost my constituents many thousands of pounds, because most of the competitors had intended to stay in the Tenby area and charter boats from Tenby, Saundersfoot and Milford Haven.

I support the call by my hon. Friend the Member for Gower for the leisure angling part of the prohibition order to be removed as soon as possible. The case was well made by my hon. Friend. Everyone accepts that people who enjoy angling as a sport or as a leisure pastime know what they are doing and there would be no suggestion of those fish products finding their way on to the market. We can at least begin the process of tackling the obvious problems that the tourist industry and the leisure industry generally will suffer as a result of the spillage.

The Minister rightly alluded to compensation problems, despite assurances given by the insurers about the payment of hardship funds and compensation. I am sure that he departed from his prepared text, as I am aware that he met members of the Sea Empress Fisheries Claimants Association before the debate. As he knows, we received evidence from them this morning and in the early afternoon and we learned that there are clearly serious problems in relation to hardship payments and general compensation.

What worries me especially, even though I have met the insurers, is that people who are rightly starting to make claims seem to feel that, apparently because there were problems with the payment of claims following the Braer disaster, the insurers may well be taking a different view and acting differently in the way that they treat claims arising from the Sea Empress disaster. I quote from an article that appeared in *The Times* on 24 February in which Mr. Michael Thorpe, deputy director of Skuld—the insurers of the Sea Empress—said:

"Unfortunately we created a claims mentality"—

referring to the Braer—

"which led to a number of spurious and over-inflated claims.

Our experience with the *Braer* incident might make us more reluctant to pay out claims for the *Sea Empress* in full even if we are satisfied that claims are bona fide. This is because we do not want to find in three years' time that we have paid too much too early".

The experiences so far of the few people who have submitted their claims, and the reactions of the insurers to those claims, bear out the fears that the insurers are following a far more tight-fisted policy in relation to justified and reasonable claims made by those who have suffered consequential loss as a result of the Sea Empress disaster. I am assured by the insurers that that is not the case, but the experiences of the people making the claims seem to bear out those fears.

I am sure that the Minister and Labour Members would agree that that is wholly and utterly unacceptable. People who have suffered consequential loss should be

compensated in full as quickly as possible. Their claims for hardship should also be dealt with as quickly as possible. Let us not forget that it is five weeks since the Sea Empress ran aground and literally no one in the fishing industry has been paid anything in that time.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): I apologise to the Minister for my absence during his speech. The issue of consequential loss is important. There is no doubt at all that the losses of fishermen in Ceredigion—who are unable to sell their fish even though it may not be contaminated—are a consequence of the Sea Empress tragedy. I trust that there will be no cavilling about this and that the insurers and the compensation fund will recognise this as a consequence of the tragedy and that these people will be properly eligible for compensation. I trust that the Government will press this issue very strongly.

Mr. Ainger: I do not know whether that intervention was meant for me or for the Minister, but I support the point made by the hon. Member for Ceredigion and Pembroke, North, particularly as I referred to the example of fish caught off his constituency between Aberystwyth and New Quay. Undoubtedly, the fishermen and the processor have suffered consequential loss. I took this point up with the insurers and the international pollution compensation fund administrators and I was assured that so long as documentation was provided, the consequential claims would be met.

We are concerned, however, that there appears to be a climate of restriction—certainly this was the experience in the first few days of dealing with the claims—in which relatively small percentages are being paid of what are reasonable claims. Obviously, there is still a large amount of hardship that has not so far been tackled and which needs to be tackled as quickly as possible.

I shall not detain the House much longer. The accident of 15 February turned into a disaster on the night of 19 February. Unless we have a truly independent inquiry, I fear that people in my constituency will believe that there has been a cover-up. It is clear from evidence that is now widely available that the decision-making process in relation to the salvage operation included officials from the Coastguard Agency and officials from the marine pollution control unit. This and other issues must be addressed to restore confidence in west Wales and in the energy industry as a whole. The only way in which that can be done is by an independent inquiry—ideally under Lord Donaldson—so that confidence can be restored and we can get to the bottom of this tragedy.

8.34 pm

Mr. Denzil Davies (Llanelli): I shall be brief as my hon. Friends the Members for Gower (Mr. Wardell) and for Pembroke (Mr. Ainger) have dealt with the problems fully. I shall raise one or two points. As my hon. Friend the Member for Gower said, this is a draconian order and I do not know whether it is necessary. Having listened to my hon. Friends, I am not so sure, but I can understand that a Government of any political persuasion would feel it best to err on the side of caution and safety in these matters.

In looking at the order—I am not making a pedantic lawyer's point—I find that the language does not fall very easily. Indeed, looking at the parent Act, it is not clear whether it is always a suitable vehicle. As I understand it, however, the order is the same as the one used following the Braer incident. I will quote the preamble, if that is the right term. We are told that the order is

"in exercise of the powers conferred . . . of the Food and Environment Protection Act 1985".

There is then a curious long sentence which states that the Secretary of State may be of the opinion

"that there exists or may exist circumstances which are likely to create a hazard to human health through human consumption of food"—

I understand that, but the next part is very odd—

"and that in consequence food which is derived or may be in the future derived from fish . . . may become unsuitable for human consumption".

I thought that that referred to fish, but having read it again it obviously does not. I do not think that fish is food derived from fish—fishcakes or fish fingers, perhaps, but not fish. I do not know why there is this difficulty. Very often when drafting is not clear, it betrays a difficulty in dealing with the problem. The order goes on to say that no one should fish at all, even those who fish merely for leisure. The way the preamble is drafted is rather strange.

In relation to fishing for recreation, the order will have a considerable effect. There is perhaps not so much fishing in my constituency as there is in Pembrokeshire, the Gower peninsula or the constituency of Carmarthen. As the Minister will know, people fish commercially for bass and for their own pleasure. This will be a draconian order, not only for those who fish commercially but for those who fish for pleasure in the Burry Inlet and beyond.

What worried me most was the Minister's use of the word "hardship" when he discussed the insurance fund. My hon. Friend the Member for Pembroke has dealt with this issue, and perhaps the Minister did not just mean hardship. Hardship is not loss of profit, as I understand it: it is a subjective matter. Why can the Minister not say "claims by commercial fishermen for loss of profit"? We all understand that a claim has to be proved, but it should not be too difficult to prove that there has been a loss.

I hope that the Minister will be able to reassure fishermen and those who process shellfish in my constituency that if they can show a loss of profit—it should not be too difficult to show a dip over a six-month period from the disaster, as supplies may be obtained from other places—they will be compensated.

Mr. Gareth Wardell: I agree with my right hon. Friend. That information is available. The sea fisheries committee licenses cockle gathers, so their numbers are known. MAFF has information about whelks, for example. On the basis of the information that the Departments already have, therefore, there is no reason whatever not to speed up the process of compensation.

Mr. Davies: My hon. Friend is right. I have no doubt that the South Wales sea fisheries committee is aware of every cockle that is lifted from the Burry inlet. The information is available, so people should be allowed to prove their claims.

I hope that the Minister was not saying that only claims for hardship would be allowed. Where did he find the word "hardship"? Is it from some part of the agreement

[Mr. Davies]

that I have not read? I hope that the Minister will be able to tell us that claims for loss of profit will also be allowed and that it is not just a matter of hardship.

That is all that I have to say as my hon. Friends have covered the matter. It is a draconian order and I hope that it will be lifted fairly soon. I hope that the Minister will come back to the House regularly to tell us what is happening and when he is likely to lift the order.

8.40 pm

Mr. Alan W. Williams (Carmarthen): I am glad to have the opportunity to take part in the debate. It is very much an all-Dyfed affair. I note that the Minister was brought up in Llanelli and that my hon. Friend the Member for Gower (Mr. Wardell) was born in my constituency and lives there now. Everyone who has spoken tonight represents Dyfed constituencies.

I congratulate my hon. Friend the Member for Gower on his speech from the Front Bench. He has worked diligently, as he did in the Select Committee, and is a complete master of his brief and knowledgeable about fisheries and the problems that we face in Dyfed. I should also put in a word for the excellent work of my hon. Friend the Member for Pembroke (Mr. Ainger), who has a unique background in the oil industry.

Although Dyfed is only a small part of Britain, North sea oil destined for the British market caused last month's catastrophe, which severely threatened its economy. I echo the calls throughout Dyfed and among Opposition parties for a full and independent public inquiry into the initial incident and, in particular, into what happened during the following four days which turned the incident into a disaster. Only a full public inquiry can ensure that it does not happen again.

Broadly speaking, I welcome the order in that it safeguards the future of the fisheries market—it is important to our economy and food safety in Britain. As my hon. Friend the Member for Gower said, the order draws a rather arbitrary border. The initial incident occurred just off Milford Haven, but the wind direction carried its effects down the south-west coast. Very little thought seems to have been given to the boundaries.

The order will affect the cockle industry in Laugharne in my constituency. In the past three or four years, there has been a remarkable revival of the cockle industry there as the cockle beds have shifted in Carmarthen bay. I do not understand such matters, but the industry is now worth well over £1 million a year. The prohibition order will mean the loss of several million pounds in shellfish sales this year.

I had an exchange earlier with the Minister about salmon fishing and angling in the Towy. I am glad that he has corrected his earlier comment. I understand that the order applies to the entire length of the Towy and that no fishing will be allowed—even for leisure—in the next few months, until the order is lifted. I am sure that the Minister will keep the situation under constant review.

Mr. Gareth Wardell: My hon. Friend mentioned the cockle industry in Laugharne. The sampling of hydrocarbon contamination of cockles at Llansteffan shows that, when the order was introduced, hydrocarbon contamination was at the maximum, so there is no scientific justification whatever for the introduction of a ban on the harvesting of cockles there. That is an example of the problems that are likely to occur under the order.

Mr. Williams: There are many such anomalies. The order is a sledgehammer. It is a crude measure that bans everything from that area of sea water. It may be difficult to make exceptions, but my hon. Friend has raised an important point.

There is also a problem in relation to leisure angling on the Towy. I have a letter from the chairman of the Carmarthenshire Fishermen's Federation pointing out that the Towy has always been a good river for salmon and sewin. It is one of the best salmon rivers in Britain. It was his understanding that the ban on fishing covered the river as far as Abergwili. He wrote:

> "My advice to rod fishermen on non-tidal stretches, whose season was due to open shortly, is to hold off until we have some results from the studies being made by the NRA."

He was advising his members to introduce a voluntary ban on fishing until the situation was clearer.

Will the Minister keep under constant review the comments of my hon. Friends the Members for Pembroke and for Gower, because the leisure fishing industry is an important part of our tourism industry as well as being extremely popular among my constituents? There are fishing clubs in Llandeilo, Cross Hands, Llandyssul and Carmarthen. Fishing is extremely popular; it is much more popular than membership of political parties. Hundreds of people enjoy a day's fishing. Sometimes they catch nothing at all, but it is a leisure pursuit and what they catch is generally for their own consumption. I ask the Minister to keep matters under review and consider the points made by my hon. Friends.

The hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) mentioned the definition of consequential losses within the terms of compensation. I hate to think about the effect on the finances of the fishing clubs in Llandeilo, Cross Hands and Llandyssul this year. Any losses they and the NRA incur in respect of fishing licences must be reimbursed from the oil compensation fund.

My final point concerns how long the order will remain in force. The Minister said in his introductory comments that that is difficult to anticipate. I am glad that he did not limit it to a short period. After the Chernobyl accident, we were told that restrictions would apply in north Wales for only a few weeks. Those weeks became months, the months became five years and now, 10 years later, some farms in north Wales are still restricted. I would rather that the Minister erred on the side of caution instead of making promises that he cannot keep.

My hon. Friend the Member for Gower referred to the scientific basis for a ban—a ban can be justified only upon clear scientific grounds. Crude oil is not incredibly toxic. We do not like the taste of it, but it is generally indigestible. I accept that it contains toxic polycyclic aromatic hydrocarbons, but we are talking about relatively low levels. I hope that the Minister will show discretion, as my hon. Friend requested, and that the ban will be lifted as soon as public health requirements allow and studies by environmental health officers, the Ministry of Agriculture, Fisheries and Food and other responsible bodies suggest that it is permissible.

8.50 pm

Mr. Richards: We have had a good debate this evening about a very serious subject. The hon. Member for Gower (Mr. Wardell) and others have made constructive speeches, and we have benefited from their close understanding of the issues and from their local knowledge. I was intrigued to see the hon. Gentleman lead for the Opposition, as he comes from Tumble, which is landlocked. I wondered how much he knew about sea issues—but clearly he has done some research.

They say that a crisis can bring out the best in everyone; west Wales can be proud of the way in which its representatives have dealt with the incident from the beginning. As Opposition Members have said, I number myself among those with connections with west Wales. Seafaring on the Irish sea has a long history that is full of great, magnanimous and even heroic deeds. I am reminded of the giant, Bendigeidfran, who it is said walked across the Irish sea pulling the Welsh forces behind him in their ships. Superhuman endeavours have also characterised the weeks following the Sea Empress incident.

I pay tribute to those who have worked tirelessly and ceaselessly to help ease the ill effects. First, I commend those who controlled and supervised the emergency—often performing beyond the call of duty. Secondly, I record my appreciation for the level of co-operation received from local authorities and other public bodies. Thirdly, I thank the fishermen who selflessly refrained from fishing in order to safeguard their industry and the general public. Last—but certainly not least—I commend those voluntary organisations, Crown forces and volunteers comprising men, women and young people who did not hesitate to respond to the emergency. We thank them for their dedication.

Many Opposition Members—particularly the hon. Members for Gower and for Carmarthen (Mr. Williams)—said that the exclusion area is arbitrary and the right hon. Member for Llanelli (Mr. Davies) described the closure order as draconian. I assure Opposition Members that the order is not arbitrary, but based on scientific advice. I think that I have time to tell hon. Members a story—which I am sure they will appreciate—to prove that the order is not arbitrary.

As I read the order and looked at the list of species that would be affected by it, my eyes fell upon the words "lemon sole". I lived in Llanelli as a boy and I remember well how the whole family—all seven of us—would sit down to lemon sole for Saturday lunch. My mother bought it from one of the fish stall holders in Llanelli market. I know the gentleman from whom she used to buy—he had come from eastern Europe some time during or following the war—and I always marvelled at his dexterity in filleting.

My mother used to dip the lemon sole in breadcrumbs before cooking and then serve it with parsley sauce, peas, mashed potatoes and a knob of butter. I assure hon. Members—and anyone else who cares to listen—that lemon sole from the Burry inlet in Carmarthen bay that is cooked in that manner is better than any lemon sole from anywhere else in the world.

I shall now deal with some of the points that have been raised by Opposition Members. If I do not succeed in answering their questions in the short time available, I shall write to them as I know that these issues concern them and their constituents. I must inform the hon. Member for Gower that public health authorities do not cover hydrocarbons or polycyclic aromatic hydrocarbons in their programmes. He said that we did not need to impose an order. The fishermen have told us that they accept that such an order is necessary.

I thought that some of the hon. Gentleman's remarks bordered on the irresponsible—which is not characteristic of him. He must realise that the Secretary of State has a duty to look after public health and to ensure that consumers do not eat fish that could be injurious to their health. I was surprised to hear him refer to anecdotal evidence in support of his case, whereas the case for the closure order is scientifically based.

Mr. Gareth Wardell *rose—*

Mr. Richards: The hon. Gentleman is dying to say something, so how can I not give way?

Mr. Wardell: I refer the Minister to only two issues. First, as to his point about the arbitrary line, he must now demonstrate that samples taken from immediately outside that line have considerably lower levels of contamination than those taken from immediately within it. Secondly, he must inform the House what critical levels of hydrocarbons found in fish and shellfish make them injurious to public health upon human consumption. If he is able to do that, I shall be a much happier man.

Mr. Richards: I assure the hon. Gentleman that sampling will continue inside and outside the exclusion area, including those parts to the east of his constituency to which he referred earlier. My right hon. Friend the Secretary of State will make a judgment, based on the available scientific evidence and advice that he is given, about the appropriateness of the exclusion order that is currently in force. I shall come back to the issue of levels of hydrocarbons a little later, but the level of hydrocarbons found varies from species to species and depends on which part of the creature's body is sampled.

Mr. Walter Sweeney (Vale of Glamorgan): Does my hon. Friend agree that there is no difference in the level of pollution one inch either side of a line drawn in the sea, which does not have a wall running under it? Will my hon. Friend assure the House that the effectiveness of the boundary will be reviewed and that the Government will take prompt action if it proves necessary? Would my hon. Friend care to speculate how long it will be necessary to keep the zone in force to protect health and the reputation of the Welsh fishing industry, which is vital?

Mr. Richards: My hon. Friend makes a valid point about the line. It was not drawn arbitrarily, but on the basis of scientific evidence. I assure my hon. Friend that sampling, especially, and computer modelling will continue to take place inside and outside the exclusion zone, as has been done already.

One other issue seems to confuse Opposition Members. I must put them straight. They all seem to suffer from the illusion that there was a public inquiry after the Braer incident. That is not the case.

[Mr. Richards]

On the question of recreational angling, I repeat that the purpose of the order is to ensure the safety of consumers. My right hon. Friend and I cannot possibly take risks in that area. Indeed, my right hon. Friend has a duty to look after the interests of the consumer.

Mr. Ainger: Will the Under-Secretary give way?

Mr. Richards: I shall not give way because the hon. Gentleman has had a good bite at the cherry already.

I cannot see how angling would be policed. One Opposition Member said that the fish would not necessarily end up on dinner plates, but in most cases they would end up on the dinner plates of the angler's family or friends.

Mr. Ainger: I am somewhat puzzled. The Minister said that the order was precautionary and intended to protect the consumer, so why has he only just introduced it? If that was the real issue, the order would have been imposed as soon as the vessel hit the rocks and started leaking oil in such large quantities. It does not make any sense to introduce the order for the rivers that feed into the area almost a week after the original order that covers a huge area. If the order was precautionary, it would have been introduced sooner.

Mr. Richards: The hon. Gentleman has mugged up on oil, but not on angling. He should know that migratory fish are difficult to find in February, so it was not possible for samples of oily migratory fish to be found in the middle of February. They took rather more time to find. The hon. Member looks astonished. Perhaps he should mug up on angling.

One Opposition Member—I forget which one—referred to the district fisheries inspector. The district fisheries inspector is an official of the Ministry of Agriculture, Fisheries and Food, so MAFF has a locus in the matter. My right hon. Friend, obviously, takes advice from MAFF.

Another Opposition Member said that the Department had not consulted the industry, and cited the sea fisheries committee. The committee wanted information to answer queries from fishermen, because it is not the committee's role to represent the fishing industry. The Department has from an early stage copied information to it on a regular basis and continues to do so. I can tell the right hon. Member for Llanelli that loss of profit is a matter for compensation, but insurers will consider claims on that ground after hardship claims.

In the short term, we will continue to monitor carefully hydrocarbon and PAH in fish, crustacea and shellfish. As levels become safe—something that we shall determine in close consultation with the Department of Health and the directorate of fisheries research—we shall progressively lift the ban. There are no safe limits for hydrocarbons in fish and shellfish.

As with the 1993 Braer incident, samples of fish and shellfish from commercial harvesting areas were collected during the early stages of the spill, and they will be analysed to establish background values. Those data will form the basis of establishing safe concentrations, to protect consumers of fish and shellfish from affected areas. In the medium and longer term, we will explore with the industry and its representative bodies how we can ensure that the trade and consumers appreciate the quality of Welsh fish.

I want the seas of west Wales open for fishing again as soon as possible, and I want consumers of Welsh fish near and far to be confident, when that fish returns to the market, that it is clean, healthy and appetising. In short, I want to do the best that we can for the local fishing industry. I know from the comments that have been made this evening that all hon. Members here share that aim. I commend the order to the House.

Question put and agreed to.

Resolved,

That the Food Protection (Emergency Prohibitions) (Oil and Chemical Pollution of Fish and Plants) Order 1996 (S.I., 1996, No. 448), dated 28th February 1996, a copy of which was laid before this House on 29th February, be approved.

PETITION

West Bank Park

9.7 pm

Mr. Hugh Bayley (York): I rise to present a petition on behalf of my constituent, Mr. William Dixon Smith, supported by letters from Mr. and Mrs. Witt and Mr. Lodge, who are also constituents of mine.

The petition concerns a proposal to build housing association homes on land formerly used as a horticultural nursery adjacent to West Bank park in York. The petition is lengthy, but I know that it will be printed in full as an appendix to the Votes and Proceedings and that I am supposed only to read the prayer, which is as follows:

Wherefore your Petitioner prays that your honourable House will earnestly recommend that York City Council reflect upon its decision to ignore the entreaties of so great a number of good citizens, and resolve to allow the future of West Bank Park to be decided according to the findings of a Public Enquiry.

The petition is signed by my constituent, William Dixon Smith.

To lie upon the Table.

Castle Cement, Clitheroe (Cemfuel)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wells.]*

9.8 pm

Mr. Gordon Prentice (Pendle): I welcome the opportunity to raise the important issue of the burning of Cemfuel by Castle Cement at its works in Clitheroe. I have invited the hon. Member for Ribble Valley (Mr. Evans) and my hon. Friend the Member for Denton and Reddish (Mr. Bennett), who chairs the Environment Select Committee, to speak in the debate, with your permission, Mr. Deputy Speaker, as it is right that they should.

We have the benefit, of course, of the Government's strategy document, "Making Waste Work", but unfortunately in this debate we do not have the benefit of the Government's considered response to the Environment Select Committee's report on the burning of secondary liquid fuels in cement kilns, which was published about 10 months ago, on 7 June 1995. Perhaps I should explain my interests, as Clitheroe is not in my constituency; it is in Ribble Valley, which lies alongside Pendle, and the two constituencies are separated by the vast bulk of Pendle hill. But, of course, smoke and dust, like the wind and the rain, do not respect lines on maps. I have an interest, as the Member of Parliament next door, for environmental reasons. Indeed, on 10 January this year, Pendle's services committee, in my local authority, considered a report on the issue, so people's concerns about the burning of Cemfuel extend well beyond Ribble Valley.

The Library of the House tells me that the exact composition of Cemfuel—the generic name is secondary liquid fuel—is commercially confidential. However, it is chiefly based on distillation residues from the solvent recovery business, Solrec, blended with solid and liquid waste from the paint, plastics, chemical and car industries, with old solvents that are no longer in use. It can contain metals such as mercury and thallium and chlorine compounds, which may generate dioxins when burnt, although there is a limit, I am told, on the metal content that can go into cement kilns.

It is clear that we are talking about a real witches' brew in Cemfuel. I have no idea what else may or may not be in it, but I have a list of the substances that are present in the recycled liquid fuel that is burnt at Blue Circle's Weardale works. They include methanol, which is found in windscreen cleaners; acetone, a varnish remover; propyl acetate, commonly found in adhesives; nitrobenzines, dyestuffs; dichloroethane, in anti-knock petrol; styrene, in plastics, and so on. It is a terrible cocktail of ingredients. The issue that is at the centre of this is whether all that can be burnt safely.

Secondary liquid fuels are used by the cement industry because they are cheap. Instead of paying for coal or coke, the producers of hazardous waste pay the cement industry to take their waste away for burning. That makes tremendous economic sense for the cement industry, which tells me that it is struggling very hard to fend off competition from other countries in the European Union—from the Greeks, for example, who apparently have a highly developed cement industry—and from all corners of the globe. That infuriates the companies that run and operate purpose-built incinerators. They have told me that the burning of hazardous waste in cement kilns is banned in Denmark, Finland and, in effect, the Netherlands. Castle Cement is partly owned by the Swedes, and in Sweden, mercury, thallium, bromine, iodine and fluorine are all banned from combustion in cement kilns. But not here, apparently. The Minister will want to come back on that point.

In this country, secondary liquid fuels are burnt at Cambridge by Rugby Cement, and at Ketton in Leicester and at Clitheroe by Castle Cement. Other plants are giving it a trial. What is happening in the nation's cement kilns will be the first real test of the new Environment Agency, which opens for business on 1 April.

According to Fred Pearce, writing in tomorrow's edition of *New Scientist*, chemical wastes are now being burnt permanently, or are on trial, in about half the country's cement works. Her Majesty's inspectorate of pollution, which is to become part of the new Environment Agency, is constantly reviewing what it may or may not be acceptable to burn in cement kilns. It is constantly reviewing national and international guidelines. Apparently, it is a moving target. It is feared that not just Cemfuel—secondary liquid fuel—will be going up the chimneys. In due course it may be joined by sewage sludge, shredded tyres, oil sludge and PCBs, although Castle Cement has told me that there is no question of polychlorinated biphenyls being burnt at Clitheroe.

Last September I travelled from my constituency to Ribble Valley, having been invited to tour the cement plant by the plant manager, Peter del Strother.

Mr. Nigel Evans (Ribble Valley): I do not recall receiving a letter from the hon. Gentleman saying that he would be visiting my constituency.

Mr. Prentice: I hope that the hon. Gentleman will forgive me for not observing the parliamentary proprieties on that occasion. It was my mistake.

The plant manager and his colleagues were very courteous and helpful, and showed me the cement kiln. It was the first time that I had been in a cement plant. The kiln was an enormous metal structure, 100 or more yards long. It revolved slowly, generating a tremendous amount of heat: if I got too close, I had to back off. Inside the kiln, the temperature reached about 1500 deg C. I was taken to a viewing platform and invited to look through the spyhole just behind the lower part of the kiln, where the flame was. It was like the fires of hell. I thought that nothing could survive such an inferno—that everything would be vaporised, neutralised and made safe. Subsequently, however, I bumped into scientifically qualified people who knew much more about the subject than I did, and what they said gave me pause for thought.

I have raised this issue not just because of my own concerns, but because constituents have pressed me to secure answers to the questions that they have raised, so far without success. Judy Yacoub and her colleagues in the Pendle branch of Friends of the Earth have taken a close interest, and people in Clitheroe have also been in touch with me, although I have always made it clear that I should not be regarded as a surrogate Member of Parliament for Ribble Valley.

I should also mention Mary Horner, who seems to have lived and breathed the issue for years—literally, in fact, because her house is in the path of the plume from Castle

[Mr. Prentice]

Cement's chimney and is regularly enveloped in it. People in Clitheroe are worried about the plume "grounding", and about its effect on health. The main group of campaigners is known by the acronym RATS, which stands for Residents Against Toxic Substances. Its members are concerned about the fact that Cemfuel is being burnt without proper regard to the health of people living in the vicinity. Their January newsletter records that Ribble Valley council's environment committee passed a vote of no confidence in HMIP in November last year. The council did that because of HMIP's alleged

"lack of commitment to stop pollution from Castle Cement".

It beggars belief that a responsible local authority could pass such a resolution about another public authority, HMIP.

In March 1995, Ribble Valley council's environment and social services committee recommended that HMIP be told that the council could not support the continuation of the burning of Cemfuel at Clitheroe until the following measures were put in place:

"there must be reductions to below the 'permitted levels' for all elements which are discharged from the stacks and to landfill

there must be research and urgent action taken to prevent the regular grounding of the plumes from both chimney stacks

there must be a rigorous analytical system in place to undertake specified analysis every 3 months in order to obtain more data on the burning of Cemfuel, and

there must be a properly planned programme of environmental impact analysis set up by HMIP in the area surrounding the Castle Cement works."

The committee took that view because of the information that had appeared on the public register. That information compared stack emissions and increases in emissions following the burning of Cemfuel, with emissions from the combustion of coal. There was a 72 per cent. increase in ammonia, a 54 per cent. increase in particulates, which are sooty particles—I am not entirely sure what these things do to the human body, but they do not sound attractive—a 534 per cent. increase in chromium, a 54 per cent. increase in lead, an 819 per cent. increase in nickel, and so it goes on. Ribble Valley council was obviously concerned that that stuff was spewing out of chimney stacks at Castle Cement and that council tax payers would be breathing it all in.

The RATS January newsletter quoted two scientists, Dr. Vyvyan Howard from Liverpool university and Professor Paul Connett. I do not know how wide its distribution was, but the newsletter said:

"These two eminent scientists both say that burning hazardous waste in cement kilns is a very dangerous practice and cannot be justified under any circumstances."

When I read that newsletter, I thought that it was a bit alarmist and that, if I lived in the Clitheroe region, I would feel uncomfortable and anxious. I wanted to dampen anxieties and try to reassure people, but with such newsletters circulating in the Clitheroe region, it is clear that people are hyped up about the threat to their health and to that of their children.

On 10 January, the Minister told me that, over the preceding 21 months, HMIP had received approximately 440 complaints against Castle Cement,

"some of which allege ill-effects".

On the same day, he told me that HMIP had sought advice from the Ministry of Agriculture, Fisheries and Food, from East Lancashire health authority and from the Department of Health. After seeking that advice, HMIP concluded that it was

"satisfied that there does not appear to be any evidence that the use of cemfuel is any more harmful to health than the use of coal"—

except perhaps the smell.

I have a clipping from the *Clitheroe Advertiser and Times* of 22 February. The banner headline reads:

"Demand to stop 'plume' nuisance".

The strapline says:

"Children experience a 'bad egg' smell".

The story goes on:

"As a thick plume dipped over Chatburn, a village resident demanded immediate action to 'stop the nuisance'."

Mrs. Elizabeth Gardner was reported as saying:

"The plume was so severe and lasted so long that I was concerned about the children playing in Chatburn Primary School yard".

She goes on:

"I accept that Castle Cement is trying to deal with the problem of plume-grounding long-term, but at the end of the day nobody was able to prevent or alleviate the effect of the plume-grounding on our own health and our children's health".

Later in the article, she says:

"My daughter, who had been playing out in the yard at Chatburn Primary School, told me the children had been discussing what the 'bad egg' smell was all day".

The article goes on:

"Castle Cement's works manager, Mr. Peter del Strother, said it had been a gusty day and that he had seen occasional plume-grounding incidences. 'In high winds the frequency is higher than it normally would be. It obviously was possible that there were incidents of plume-grounding . . . it is perfectly safe.'"

Then he added:

"February was always a difficult month due to the turbulent wind conditions."

Tough luck for anyone playing in the playground at Chatburn primary school in February, because of the turbulent wind conditions. The article goes on to talk about the authorisation.

I have the minutes of the meeting that took place between RATS, the borough council, HMIP and Castle Cement on 4 December 1995. It quotes Donald Boardman and his colleagues from RATS. I quote it because we are talking about ordinary people, living in the area, breathing this stuff and experiencing it, who are concerned about their children. The minutes of that meeting say:

"It is generally thought that the plume grounds far too often and this is felt across the Ribble Valley Community. People also believe there are adverse effects on their health, such as sore throats, headaches and dizziness. People think Castle Cement is trying to hide something by not publishing the formula of the fuel."

The minute goes on:

"We feel there has been inconclusive monitoring. Cemfuel constitutes advanced technology energy production but has monitoring been equally advanced? The inconsistent monitoring has damaged trust with the public and the credibility of Castle Cement. Is the equipment working at less than optimum? How do we know the kilns can burn cemfuel efficiently?"

Those are all the questions that come cascading out of the mouths of people who live in the area.

There were problems with the monitoring. An earlier newsletter from the same organisation in September, when the National Physical Laboratory was monitoring air quality in the area, referred to the two worst incidents that occurred in September, when the monitoring equipment was never where it was meant to be. The two worst incidents during the first week of the monitoring appeared to be in Park avenue, when the lab was at Moorlands school, and at Worston, when the lab van was at Chatburn, and on both occasions the hotline did not work. That was the monitoring carried out by the National Physical Laboratory, which will inform the decisions that the Government and HMIP will take about whether Cemfuel should continue to be burnt.

The RATS people also complained about the role of the East Lancashire health authority, which covers that area. They refer to Dr. Stephen Morton, who has been complaining that the health authority does not have the resources to monitor public health in the Ribble Valley.

For this Adjournment debate, Castle Cement produced a briefing note. It helpfully sent a copy to me and to other hon. Members who are interested in the matter. That briefing note says:

"the local health authority give cemfuel 'a clean bill of health' and the Department of Health also give cemfuel a clean bill of health."

That may be the case, but I should like to see the evidence to justify the health authority and the Department of Health giving Cemfuel a clean bill of health.

On 6 November last year, I asked the Secretary of State for Health whether he would commission studies into the health effects of burning Cemfuel. On that occasion, I was told by the then Minister, the hon. Member for Bolton, West (Mr. Sackville), that the Department of Health would contribute to the Government's response to the Environment Committee's report—the one that 10 months later we do not yet have—but that the Department had no plans to commission any studies on the subject. That is absolutely astonishing. On 30 November last year, the Under-Secretary of State for the Environment told me that HMIP had yet to complete its consultation on health issues. Presumably it was waiting for the results of the investigative monitoring of the National Physical Laboratory, to which I have already referred.

One Clitheroe resident, who is an active member of RATS, Linda England, wrote to Dr. Stephen Morton because she was concerned about the incidence of asthma. He replied on 31 January, saying that he was not in a position to release raw data on asthma incidence in the Clitheroe area of Ribble Valley, because the number of hospital admissions was small and patient confidentiality might be compromised. He also said that the health authority might be breaching the Data Protection Act. For good measure, he added that data relating to general practice are the property of the general practitioner.

It is astonishing that, as far as I am aware, East Lancashire health authority seems to have made no serious attempt to collect data from GPs in the area. One would have thought that it would have been simple to contact GPs and ask them about the number of prescriptions for inhalers and so on, and whether the incidence of asthma had increased, but it did not happen. Indeed, Dr. Morton said in his letter to Ms England:

"The evidence available to the health authority does not indicate that the current use of Cemfuel leads to any greater health risks than there were previously when coal alone was used at Castle Cement."

He went on, however, to add the caveat:

"We have never said that the processes at Castle Cement do not carry health risks, and we certainly recognise the discomfort which poor dispersal of the plume may cause especially to people with chronic ill health."

He concluded by saying:

"only a major national study is likely to give meaningful data on the degree of the health risks associated with fuels used in the cement making process. To conduct such a study requires a political decision to commit resources from the Department of the Environment and/or the Department of Health."

That is what we have never had, although thousands of people living in the Ribble Valley area are crying out for someone in authority, someone with responsibility—the Government or one of the other public bodies—to commission a study on the alleged effects on health, but it has not happened.

My hon. Friend the Member for Denton and Reddish chaired the Environment Committee when it published its report on 7 June last year. Of its nine recommendations, the ninth—and I would say the most important—was that the Government should commission research to establish one way or the other whether there is any causal connection between burning Cemfuel and any rise in ill health. It has not been acted on. Without that study, people are relying on anecdotal evidence, some of which is fairly alarmist.

I was at another public meeting in Clitheroe—again, I apologise if I did not inform the hon. Member for Ribble Valley—in September, at which Dr. Van Steenis, a retired GP who used to practise in south Wales, spoke. Many people, including those from Castle Cement, feel that Dr. Van Steenis is a discredited witness because he is so emotive about the issue. In fact, at that public meeting, what he said was so over the top and alarmist that the people who came up to me afterwards were very nervous after listening to him. I take what he says with a pinch of salt—we do not intend to alarm people, but we simply want to get at the facts. He said that asthma rates in villages down wind of Castle Cement had risen from zero in 1991 to 9 per cent. last year, and he found as many as 15 per cent. of asthma cases close to the plant. I do not know whether his figures are right or wrong, but I pass them on for what they are worth.

I mentioned Blue Circle Cement. If I may be allowed to digress for a moment, I should like to mention Dr. Irving Spur, whose general practice covers three surgeries in the upper valley, close to the cement works. He looked retrospectively through patients' records, selecting those with a diagnosis of asthma. He found a correlation between asthma incidence in children between the ages of five and 12 and their postcodes. Two per cent. of such children living west of the cement plant had asthma, and 7.1 per cent. of those living to the east of the site had asthma. The figure rose to 12 per cent. for those living at a distance of four miles from the plant and to 9 per cent. for those at a distance of eight miles away. I do not claim to be an expert on these matters, but I know that the causes of asthma are many and varied, and such findings are worthy of serious research.

Given all the anxieties that I have enumerated, it is astonishing—not only to me and my constituents but to the constituents of the hon. Member for Ribble Valley—that the Government could not get their act together to reply formally to the Environment Committee's report, especially as the Committee's recommendations were expressed in fairly trenchant terms.

[Mr. Prentice]

I have mentioned the health effect, but the Select Committee made eight other recommendations. As I said, we hope to get a response within the next few weeks, which is one of the reasons why I raised the issue tonight. On 5 December last year, I asked the Minister when we could expect a considered response to the Select Committee's report. I was told that a full response would be published early in the new year. We are now 25 per cent. of the way through 1996 and we still do not have that response. When the Minister replies, I should like to know why there has been such an inordinate delay.

It is always possible to look down both ends of the telescope. People living in Clitheroe next to the plant have one view, but Castle Cement has another. I would not be paraphrasing Castle Cement unfairly if I said that it feels that many of the anxieties expressed have been whipped up and are almost hysterical. It is keen to reassure people and to try to do something about the very hostile public mood.

In fact, I had a meeting in the House on 22 February with Jim Stevenson, the chief executive of the Cement Association, and Ian Walpole and Richard Boarder from Castle Cement. They were here to talk to the Labour party's environment committee, which I chair. Also present were Roger Lilley and Alan Watson from Friends of the Earth, who wanted to put their opposing point of view. The gulf between the two views was wide, and I did my best to see how it could be bridged.

The people from the cement industry wanted Friends of the Earth to visit Ribblesdale in Clitheroe, to see the cement works and speak to the people involved. For its part, Friends of the Earth was upset that Castle Cement was playing its cards very close to its chest, citing in its support academics such as Professor Vincent Marks of Surrey university, but not persuading Professor Marks to make available the research data that led him to state that there is

"a lot of misplaced anxiety among the people of Clitheroe . . . Despite convincing and repetitive evidence that dioxins emissions are no greater in Clitheroe when Cemfuel is burned than when coal is used alone, the dangers to health from dioxins have been so exaggerated that many local people continue to believe and repeat fallacies based on unjustified extrapolation and experimental animal data".

I should like the cement people to invite Friends of the Earth to the cement works and I should like Friends of the Earth to take up Jim Stevenson's invitation. I cannot understand for the life of me why Castle Cement cannot persuade Professor Marks, who obviously has some sort of consultancy with it, to make available his research data to an academic peer group, to find out whether they stand up.

The briefing note circulated by Castle Cement, to which I referred earlier, enumerated the advantages of burning Cemfuel. It said that it reduces emissions, fossil fuel use and greenhouse gases, moves waste up the hierarchy, maintains competitiveness and secures jobs. That is important. I do not want my opposition to be misrepresented in any way. Jobs, especially in the current climate, are important and we must safeguard them. We have to support firms that are expanding employment, but not at the expense of people's health.

I recognise that Her Majesty's inspectorate of pollution has given Castle Cement until the end of next month to identify a solution to the problem of plume grounding, with a remedy to be in place and effective by the end of the year. Many people say that there have been too many variations and too much bobbing and weaving. Information that should have been available has not been made available.

The right hon. Member for South Ribble (Mr. Atkins), in 1994, when he was an Environment Minister, wrote to the hon. Member for Ribble Valley, hinting—he did more than hint; he made it explicit—that there were commercial considerations and that Castle Cement had invested much money in burning Cemfuel. While such matters were not supreme, they could not be lightly set aside.

There are also the concerns of what I might call the opposition—the people who run incinerators, who feel that they have one hand tied behind their back, that there are double standards, that cement kilns are being allowed to burn stuff that they should not be allowed to and that there should be a level playing field. They think that purpose-built incinerators are being disadvantaged and say that it is only a matter of time before the vast majority of UK waste will be burnt in cement kilns. They ask what will happen then to one of the UK's leading environmental technology industries.

It is a long and tortured tale. There is masses and masses of technical information, but some of the simple reassurance that people want has not been forthcoming. I lay the blame at the door of Castle Cement, which could do more than it has, and of East Lancashire health authority, which has been remiss. Lancashire county council has not replied to the report on the monitoring that was undertaken in September. It has had lead boots on this occasion. Most of all, I blame the Government, who have primary responsibility for reassuring people that what they breathe in Clitheroe will not be injurious to their health.

9.44 pm

Mr. Andrew F. Bennett (Denton and Reddish): I am grateful for the opportunity to join my hon. Friend the Member for Pendle (Mr. Prentice) in this debate and I congratulate him on raising an important issue.

I speak tonight basically on behalf of the Select Committee on the Environment. This time last year, the Committee was lobbied hard by some of the companies concerned with reprocessing and incinerating waste. They argued that they were being unfairly treated as a result of the Government allowing the cement manufacturers to use secondary waste fuel in their plants. As soon as the cement manufacturers discovered that we were being lobbied in one direction, they started to lobby us in the other direction.

Last summer, the Select Committee decided to hold a short inquiry into the issue. It was an effective inquiry and we produced a useful report. As a result, the Government gave us a short response because at that stage, the Environment Bill was going through the House and we had an effective debate. However, the Government then promised that there would be a more substantive answer to our report. I am afraid to say that we are still waiting for it. I hope that the Minister can make it clear tonight when the report will be produced and that it will not be a matter of "on the one hand" and "on the other hand". I hope that it will come up with some recommendations.

My hon. Friend the Member for Pendle has made the case for his plant. There are nine other places where secondary fuel is being burnt so the matter is of considerable concern in many places.

I turn first to the case made by the waste processors—companies such as Shanks and McEwan, Cleanaway and Leigh Environmental. They argue that they have had to install high-quality waste reprocessing plant and incinerators. They argue that they have to install that plant—

Mr. Deputy Speaker (Mr. Michael Morris): Order. The Adjournment debate is pretty specific. It is concerned with the burning of Cemfuel at Castle Cement, Clitheroe. We cannot have a debate that spreads through the whole Select Committee report. The hon. Gentleman has asked a fair question in relation to the ninth recommendation, but we cannot go through all the others.

Mr. Bennett: I appreciate the position, Mr. Deputy Speaker. However, I am sure that you appreciate that if the fuel is not being burnt at Clitheroe, it is available for burning in the other incinerators which have been purpose built—

Mr. Deputy Speaker: Order. Whether I appreciate that point or not is irrelevant. All that I am interested in is protecting the business of the House, which at this time is exclusively concerned with the burning of Cemfuel at Castle Cement, Clitheroe. That is the sole subject for debate.

Mr. Bennett: I appreciate that point, Mr. Deputy Speaker.

I make the point that if the fuel is not being burnt in Clitheroe, it is available to be burnt elsewhere. If the fuel is burnt at Castle Cement in Clitheroe, it reduces the viability of the waste processing industry. It also makes it difficult for that industry to regain its capital investment in extremely expensive plant. Like many others, the waste processing companies are concerned about what goes on at Castle Cement in Clitheroe.

Equally, the cement manufacturers, including Castle Cement, made the point that if they have to pay for coal or other fuels, the price of cement goes up. If the price of cement goes up in this country, it is possible that people will start to buy cement from abroad, which would not be in the best interests of jobs in this country. I do not have too much sympathy with the cement manufacturers on that point because when the Select Committee asked them whether they could tell us what difference allowing them to use secondary fuels made to the price of a bag of cement, they could not tell us the figure. They said that it was commercially sensitive. I should have thought that, if there were a difference between the cost of using that fuel and the cost of importing it from France or from anywhere else where cement is made, it would be in their interest to make that information available.

There are two sides to the argument—that of the cement industry and that of the waste processors. There are also the interests of the local community in Clitheroe.

If I had to live close to a cement factory, I should not be very happy, whatever it burnt. At Clitheroe there is considerable concern about the plumes, especially when the plant has to be stopped due to a malfunction, because that is when the plumes descend. It appears that there is a high concentration of nasty particles in the descending plumes. There is the suspicion that whereas if the plant is operating at its highest efficiency, all the toxic material is burnt and there is no problem, as the plant cools down there may not be complete combustion of some dioxins and other material. That causes local people considerable anxiety.

That poses the question, as my hon. Friend the Member for Pendle did, if the plant closed, would local people be pleased? Obviously, some would be; others would lose their jobs and be unhappy. It is extremely expensive for an elderly plant such as the one at Clitheroe to be brought up to modern standards.

I shall be brief because the hon. Member for Ribble Valley (Mr. Evans) wants to speak, but I urge the Minister to tell us what will happen about the medical inquiry.

It was unfortunate that Earl Ferrers, the Minister of State in the Department of the Environment, wrote to me as Chairman of the Select Committee, more or less giving me some assurances and then Her Majesty's inspectorate of pollution took no notice of those assurances. I know that if one reads the Minister's letter carefully, one can just about wriggle out of it and say that HMIP did not go totally contrary to the words in the Minister's letter, but it certainly went against the spirit of that letter.

I urge the Minister to tell us when we shall receive the Government's response, so that we can set at rest the minds of people in Clitheroe and people living close to the other nine plants, so that we may see what the future is for waste incineration and reprocessing in this country and so that we may have some way in which people can take decisions about the future of cement manufacturing, its pricing and so on, with some certainty about what is happening.

9.52 pm

Mr. Nigel Evans (Ribble Valley): I am usually happy to speak in debates in the House, as you know, Mr. Deputy Speaker, but not tonight. This is a subject that is very dear to me, with which I have been involved since 1992. In my opinion, there has been gross misconduct and a gross infringement of etiquette by the very fact that the debate is taking place. If the hon. Member for Pendle (Mr. Prentice) believes that he can simply drop me a line to say that I would be able to speak if I so wished in a debate on the subject of a cement kiln in my constituency, affecting my constituents, he has another think coming.

I shall write to Madam Speaker on that matter, as the hon. Member for Pendle has admitted at least twice that he visited my constituency before this debate, without contacting me, and has raised the issue.

Mr. Gordon Prentice *rose—*

Mr. Evans: No.

Mr. Peter L. Pike (Burnley): Did the hon. Member for Ribble Valley (Mr. Evans) not visit my constituency and look at Padiham power station and make comments without notifying me?

Mr. Evans: I accept that, and I am extremely grateful that the hon. Gentleman is here. What I did not then do

[Mr. Evans]

was initiate an Adjournment debate about Padiham power station. The hon. Member for Pendle has become involved in a gross infringement.

As the hon. Member for Burnley (Mr. Pike) knows, when we were discussing the issue of the burning of orimulsion—an issue in which all our local authorities were involved—I went to Padiham because Read and Simonstone neighbour Padiham power station. The boundary could not be any closer. One might stand in Simonstone and see the towers of Padiham power station, with the smoke coming across the boundary. It could not be any closer than that.

Mr. Pike *rose—*

Mr. Evans: No, I will not give way again because I want to deal with a number of issues.

Mr. Gordon Prentice *rose—*

Mr. Evans: No, I will not give way to the hon. Gentleman because he has already grossly infringed the etiquette of the House by raising the issue in this way. I want to make a few points tonight, so perhaps he can intervene on someone else. I am extremely angry about what he has done. I am sure that the people of Pendle will be more than interested in this. If the hon. Gentleman thinks that he can play politics in this issue, he has another think coming.

The people of Pendle probably have a lot of issues—perhaps even with the local authority—that they want the hon. Gentleman to investigate and would be amazed that he has taken so much time involving himself in an issue in my constituency, in which he knows that I am intensely and closely involved. He should involve himself with issues that solely affect his constituency.

I will not go into the specifics of the issue. I have written to my hon. Friend the Under-Secretary of State for the Environment on several occasions—in fact, we have had a massive amount of correspondence on the issue—and I have sought a meeting with him and with Earl Ferrers on this issue. I have held and chaired two public meetings in my constituency which were attended by Her Majesty's inspectorate of pollution and a number of local bodies. The first meeting was absolutely packed and the second was not so packed, but the interest was certainly there from the people of Clitheroe and the surrounding area.

There has been great anxiety over the way that Cemfuel has been introduced into Castle Cement, and I cannot say that I have been happy with that. I certainly have not been happy with the way in which Her Majesty's inspectorate of pollution has handled this issue from the beginning. I was not happy with the delays that seemed to take place over whether Cemfuel was going to be fully authorised—that process seemed to take ages. I understand that they would wish to ensure that the investigation was done fully and properly, that they wished to go into the full ins and outs of the issue, and that they wished to consider it carefully before coming to a conclusion. However, it seemed to take for ever. The anxiety in the area was further fuelled by that delay.

There are a number of issues in relation to the burning of Cemfuel at Castle Cement. The first is the burning of Cemfuel and the second is plume grounding. Testing was carried out last summer as to the effects of the plume grounding, and I believe that we have made some advances towards eradicating those problems. We have had the testing and, if it had not been for the burning of Cemfuel, this problem may have carried on for quite some time—it certainly had been going on for a long time in Clitheroe, as I learnt when I first became a Member of Parliament in 1992.

I am grateful to Mary Horner, one of my constituents, who has seen me several times in my surgery. I have also met her when I have met the Residents Against Toxic Substances. I have been in receipt of various videos that have proved that the plumes ground in Clitheroe. I understand, from my talks with Castle Cement—even as late as last Sunday when I met Peter del Strother, the works manager at the Clitheroe base—that it has to put forward plans by next month that show how they will prevent the plumes from grounding. Although work has been done by Castle Cement—15 m was added to one of the chimneys—it has not solved the problem; it has only ensured that the plume that grounds is dispersed further on. It is still a problem for the area.

I pay tribute to Residents Against Toxic Substances for taking an on-going interest in the subject. They have kept me fully informed. I have been to several of its meetings at Lynda England's house—indeed, I have taken questions back for the Minister and I have ensured that I passed on the results.

Residents Against Toxic Substances is an extremely reasonable body. The vast majority of its members do not want Castle Cement to close because it is so important to the local economy. It provides several hundred jobs. I suspect that some of them live in the constituencies of the hon. Members for Pendle and for Burnley.

The money that comes into the local economy is important to all our constituencies, but when it comes to making a choice between health and the economy, as I said in a previous debate when Cemfuel was being burnt elsewhere, I would always choose health. It would be ridiculous to put economic considerations before the health of our youngsters and everyone else who lives in the area. I would welcome much fuller health analysis of the effects not just of burning Cemfuel in a particular area—

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wells.]*

Mr. Evans: I would welcome a fuller health analysis of the impact of burning Cemfuel and plume grounding. It is a vital issue for me. *[Interruption.]* I know that the Whip, my hon. Friend the Member for Chelmsford (Mr. Burns) may not be interested, but we are discussing a cement kiln in my constituency that concerns the vast majority of my constituents, although tonight's debate is not the right vehicle for debating it.

My constituents are also interested in a number of issues outside the burning of Cemfuel and plume grounding. Mention has also been made of waste incineration plants. Some of my constituents have a financial interest in what is happening at Castle Cement and other cement kilns around the country.

I spoke at the structure plan meeting in Clitheroe on Friday. I was adamant that the Castle Cement plant should not be turned into a waste incineration plant by the back door. If the company wishes to go down that route, it should apply for full planning permission from the local authority so that the case can be judged on its merits. I would fight it tooth and nail. If we were to start again, Castle Cement would not get permission to set up on its present site. However, it is there now and provides jobs to the local economy. I cannot look back 60 years. We have to accept that the plant is there. We have to make as best a job of it as we possibly can and look for ways of improving health and the environment.

I wrote to the hon. Member for Denton and Reddish (Mr. Bennett), the Chairman of the Select Committee on the Environment. I wanted the Committee to consider the impact of burning Cemfuel. I look forward to a full report from the Minister on the points that were raised in the excellent Select Committee report. I hope that that will arrive sooner rather than later, now that the results of some of the investigations have been returned to the Department.

I am also interested in commercial confidentiality. I would like to see the ingredients of Cemfuel to be made public so that everybody can see what is happening. The sooner that happens the better it will be, not only for Castle Cement but for any other areas where there is burning of secondary fuel. We need to reassure the public. I have always stated that I am not an expert on these matters. I have always relied on Her Majesty's inspectorate of pollution, which is an independent body, to carry out the analysis and the testing.

I spoke to Peter del Strother, the works manager at Castle Cement, on Sunday and he told me that there is far more testing and monitoring at Castle Cement than at any other cement kiln in the United Kingdom because of the interest that has been raised. I am sure that a great deal of information has been collected for the Minister and HMIP to consider.

In April, Castle Cement has to produce its proposals to prevent the plume from grounding. I understand that it is considering a number of possibilities. Castle Cement must join HMIP to find the most effective way of preventing the plume from grounding and ensuring that they stop the smell and any pollution coming from the chimney. They must reassure the public that there are no harmful emissions.

I know that people will inquire about the cost. Whatever it is, it will be worth while if it prevents the plume from grounding, stops the smell and allays public concern as to what is coming out of the kiln. If Castle Cement and HMIP are satisfied that they have found a solution to the problem—for example, introducing scrubbers into the plant—but it will cost millions of pounds, then so be it.

I want to ensure that a solution is found as quickly as possible: I do not know why we must wait until the end of December. I hope that HMIP will be able to use its influence over Castle Cement to ensure that, once a solution is found, work on the plant will start immediately. The recent lengthening of the chimney by 15 m has not solved the problem. I am sure that it cost the company a considerable sum, but it did not prove effective. I hope that Castle Cement will reassure the public that it will take speedy action as soon as a solution is announced.

The area must be cleaned up. I know that there is another problem involving Castle Cement and quarrying. I am sure that it will shortly make another application to begin quarrying across the road. I opposed its initial quarrying application because I felt that it would be detrimental to the local environment. The Ribble Valley is one of the most beautiful areas in the United Kingdom. It attracts a considerable number of tourists and it is the area to which, allegedly, Her Majesty the Queen would like to retire—I hope that that will not occur for a long time. We want to attract many more tourists to the Ribble Valley, but we cannot do so if there is a deterrent to their visiting and staying in the area.

We must clean up the area. Peter del Strother has assured me that, once the current quarry reaches the end of its useful life, the company plans to fill it with water and restore the natural habitat which will attract more tourists. However, we must ensure that any other quarrying applications by Castle Cement are appropriate to the area. Although Castle Cement has enjoyed good relations with the people of Clitheroe, because of the way in which Cemfuel was introduced into the area and a number of other occurrences, that good will has been lost. It must win back public confidence, and finding a proper solution to the plume grounding in April is a good place to start.

I have sought a meeting with the Minister to discuss the matter. He said that he will be happy to have such a meeting as soon as Castle Cement and HMIP have met and found a solution. We shall talk through the various problems and residual difficulties that the people of Clitheroe may have regarding the existence of Castle Cement in my constituency and its continuing operations. I look forward to that meeting, but, more than anything else, I look forward to Castle Cement's introducing measures that will reassure my constituents that nothing going into the cement kiln and coming out of the chimneys will harm them.

10.9 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): I am pleased to have this opportunity to respond to the debate and to set out the Government's approach on this important subject. The hon. Member for Pendle (Mr. Prentice) set out his views in some detail. I am sure that he is generous enough to acknowledge the role that my hon. Friend the Member for Ribble Valley (Mr. Evans) has played as the Member who represents Clitheroe and the rest of the Ribble valley. My hon. Friend has taken a thoroughgoing and close interest in the subject and has already made numerous representations to my Department and to others on many of the subjects that the House has covered this evening, especially on plume grounding.

The subject is also of interest to another of my hon. Friends, the Member for Morecambe and Lunesdale (Sir M. Lennox-Boyd), who cannot be here tonight. He is interested in the subject from a different direction because he represents the constituency in which Cemfuel is manufactured by the company Solrec, to which the hon. Member for Pendle has adverted. My hon. Friend also has a keen interest in the subject and has made representations to the Government.

The hon. Member for Denton and Reddish (Mr. Bennett) made his contribution and set out his interests as the Chairman of the Environment Select

[Mr. James Clappison]

Committee. Understandably, he raised the question of the Government's response to the Select Committee report, which was also of concern to the hon. Member for Pendle. The hon. Member for Denton and Reddish set out fairly the circumstances which appertained when the Select Committee's investigation was first carried out. As he told the House, the Government made an initial response and he is now waiting for the full and considered response from the Government. He will have that response very soon.

Mr. Bennett: Will the Under-Secretary define "very soon"?

Mr. Clappison: I am sure that question has cropped up before. I can tell the hon. Gentleman that the Government share his interest in ensuring that there is a proper system of regulation for potentially polluting processes. I am sure that he will understand that the Government want to give a full and considered response to the Select Committee's report. I know that the Select Committee has taken a great interest in the subject.

The system of regulation is a good starting point for me to talk about how cement works are regulated. In 1990, the Government introduced a major new initiative in the regulation of industrial processes—the Environmental Protection Act 1990. That Act singles out complex industrial processes with the potential for significantly polluting the environment and places them under a particularly rigorous regime known as integrated pollution control. I am sure that the hon. Member for Denton and Reddish is familiar with that. In England and Wales, such processes, which include cement works, are regulated by HMIP.

Integrated pollution control incorporates two main aims of the Government's policy for environmental protection. We aim, first, to ensure that the best available techniques not entailing excessive cost—known by my favourite acronym, BATNEEC—are used to prevent or minimise the release of substances prescribed under the 1990 Act and to render harmless any such substances which are released and, secondly, to consider harm to the environment as a whole.

The 1990 Act seeks to ensure public confidence by making the regulatory process transparent and open to public scrutiny and comment. Copies of the application, of any authorisation or monitoring returns required by the authorisation and, where appropriate, notices of any formal enforcement action taken by HMIP are placed on public registers. The public have full and open access to those registers.

BATNEEC aims to balance the costs of abating pollution against the benefits to the environment of achieving such abatement. BATNEEC does not require or authorise HMIP to seek to reduce environmental impact to nil, whatever the cost. The object is to render the impact to nil, or reduce it, so far as that can be done without imposing excessive abatement costs. It is important to recognise that the responsibility for delivering environmental protection lies with the operator. It is for the operator to conceive, design, build and operate his process in such a way as to meet the requirements of the law.

I refer next to the particular question of the cement industry and its use of secondary liquid fuels in cement kilns. Cement is made by mixing limestone or chalk with clay minerals in defined proportions, then heating the mixture to high temperatures. Cement manufacture is an energy-intensive process in which energy costs represent a large percentage of variable costs.

The cement-making process incorporates several features that make it suitable for burning substitute fuels. For example, it is a continuous process and has high thermal stability suitable for destroying organic materials. Materials are heated for a long time, and heavy metals are trapped in the cement clinker in a non-leachable form.

Cemfuel is a trade name for a type of secondary liquid fuel that is blended to a specification developed by Castle Cement. Secondary liquid fuels are normally a blend of residues from solvent recovery operations and used solvents that cannot be recovered for recycling. They are flammable and, although they contain some pollutants that require control, make excellent fuels.

Cement companies in the United States of America and some European countries have been using waste solvents as a partial substitute for conventional fuels, to reduce energy costs. That practice was started in this country by the Castle Cement plant at Clitheroe in 1992. Subsequently, all major UK cement manufacturers have sought to adopt the practice.

Government policy on the burning of substitute fuels in cement and lime kilns was detailed in a parliamentary answer on 23 June 1994, which made clear the Government's policy that there would be no more such trials than necessary to allow HMIP to determine BATNEEC; the operator must provide satisfactory data on baseline operations before trials commence, which must include emission data and kiln operating data; all trials must be to an agreed schedule; if any trial is adversely affecting the environment, it must stop; HMIP must agree the specification for substitute fuel in advance; and the operator must provide continuous monitors for particulates, sulphur dioxide, nitrogen oxides, carbon monoxide and oxygen.

Having outlined those important considerations, I refer to the specific question of the burning of Cemfuel at Clitheroe. The use of Cemfuel at the Clitheroe plant started in 1992. At that time the plant was registered under the Health and Safety at Work, etc. Act 1974. It is important that the House bears in mind the history of the matter. That registration allowed the company to use Cemfuel in combination with coal. Regulations made under the Environmental Protection Act 1990 required all cement plants to seek authorisations under that legislation by the end of February 1993. Castle Cement duly applied and, after statutory and public consultation, was authorised by HMIP in November 1993 as an existing process. The use of Cemfuel was included in the authorisation as, at that time, the available information from monitoring data indicated that no harm was being caused to the environment.

In July 1994, HMIP developed the parliamentary answer of 23 June into a protocol for the testing of SLF in cement kilns, which was to be applied to all plants undergoing trials with secondary liquid fuel. Although Castle Cement, Clitheroe, was entitled by law to continue to use SLF under its authorisation, HMIP required the company to adjust its operations, so that it could carry out

an emission monitoring trial that, as far as practicable, met the requirements of the protocol. HMIP made it clear that it would review the authorisation once the results of the emission monitoring were known. The company used the monitoring results to assess the potential effects that the use of SLF might have on the environment and reported that assessment in December 1994.

HMIP placed advertisements in the local newspapers to announce the opening of a consultation period on the continuing use of Cemfuel at Clitheroe. The public were invited to comment. In addition, documents produced by the company were sent to the local council, the local borough council, the National Rivers Authority, the local waste regulation authority, the Health and Safety Executive, the Ministry of Agriculture, Fisheries and Food, the local health authority, the Department of Health, and others.

HMIP carried out a detailed assessment of the monitoring results and found no significant change in the releases of the major pollutants: sulphur dioxide and nitrogen oxides with or without Cemfuel. There appeared to be an increase in particulate releases when burning Cemfuel, although the concentrations found were within those currently authorised. No change was found in the levels of dioxins released, which are very low whichever fuel is used. Because of the general anxiety about the effect of dioxins on human health, HMIP carried out a detailed study of the fate of emitted dioxins, which covered transfer to plants by deposition, to herbivores in grazing and then to humans via the food chain. It showed that there was no significant difference between coal and coal plus Cemfuel.

Overall, the releases of heavy metals from the process were found to be low and of little environmental significance, although some individual metals were found at higher levels, and some at lower levels, during the burning of Cemfuel. The overall conclusion was that the use of Cemfuel does not result in any net adverse environmental effect.

MAFF analysed milk, as part of the human food chain, from a number of farms in the vicinity of the Clitheroe plant. The results showed that the levels of dioxins, heavy metals and arsenic were within the range normally found in milk in the UK.

The public had expressed concerns about the perceived ill-health effects caused by the use of Cemfuel. HMIP sought advice from MAFF, East Lancashire health authority and the Department of Health on human health effects from the burning of Cemfuel. The advice that it received, which was publicly announced, stated that, first, it is unlikely that there will be any unacceptable effects on the human food chain arising from the use of Cemfuel at Clitheroe; secondly, there is no evidence of increased admissions to hospitals, increased prescribing of anti-asthma therapies or increased levels of asthma and cancer in the area as a result of burning Cemfuel—indeed, the standard of health in the area is rather better than in some other parts of Lancashire—thirdly, it is unlikely that the ambient level of any of the pollutants released from the burning of Cemfuel are responsible for the increase in complaints of eye and upper respiratory tract irritation recorded in the area; and, fourthly, there is no scientific evidence relating to the emissions to support the assertion that the use of Cemfuel at Clitheroe is likely to be more harmful to human health than the use of coal.

I now turn to a separate concern about the plant at Clitheroe—the problem known as plume grounding, with which my hon. Friend the Member for Ribble Valley is familiar. He has made representations on this subject and has taken a close interest. This phenomenon is where the plume from the plant chimneys may reach the ground prematurely in certain weather conditions. There were practically no complaints about this at the time of the original authorisation. However, as the local public opposition and concern about the use of Cemfuel has built up, the number of complaints about plume grounding have increased.

Plume grounding is not caused by Cemfuel but rather is a consequence of the cement plant and its interaction with local weather and topography. However, there is public concern about plume grounding, and in response to a high number of complaints about the site, HMIP commissioned the National Physical Laboratory to perform continuous monitoring of emissions from the plant when burning Cemfuel in areas that are subject to plume grounding. That exercise was conducted for 24 hours a day over the period 7 August to 1 September 1995. As a feature of the exercise, NPL scientists operated a hotline service through which members of the public could report incidents and so provide an opportunity for the NPL to monitor on-going plume grounding incidents as they were in progress.

The full report from the NPL was placed on the public registers. The results showed that accepted air quality limits were not exceeded on any occasion, but the NPL did report some eye and chest irritation effects on a number of occasions.

I have already mentioned that HMIP sought advice on the health effects of burning Cemfuel from MAFF, East Lancashire health authority and the Department of Health. On the separate issue of plume grounding, those organisations advised HMIP that it appeared possible that concentrations of sulphur dioxide in the grounded plume were sufficient at times to induce eye and upper respiratory tract irritation. That seemed to be independent of the fuel used, as the stack emissions—and hence the ground level concentrations—did not differ between the two fuels, coal and Cemfuel. People with asthma might expect to be more affected than others, but ailments such as headache and nausea could not be attributed to substances recorded in the emissions.

HMIP takes plume grounding seriously. The variation to the Castle Cement authorisation issued on 23 January requires the company to advance firm proposals to solve the problem, with the aim of implementing them by the end of the year. My hon. Friend the Member for Ribble Valley has taken a close interest in the problem, and in what is to be done about it. Properly designed engineering solutions for large industrial plants take time; in this instance, the tight schedule imposed on the company reflects the urgency that HMIP attaches to the problem. Depending on the company's success in remedying it, the inspectorate will then consider whether the authorisation should be varied yet further, or even rescinded.

In allowing the continued use of Cemfuel at the plant, HMIP has imposed strict requirements on the company. They include a reduction in the percentage of Cemfuel

[Mr. Clappison]

that can be used, and a lowering of the limits for heavy metals and sulphur. There are also individual limits on the amount of chromium, lead and nickel in the Cemfuel. The use of Cemfuel is forbidden if the plant is working at low loads, when dust emissions are high or when the electrostatic precipitator is not working fully. Limits have been placed on all major pollutants, and, in particular, those on dioxins are the same for chemical waste incinerators.

This is not an easy subject, but it is important. I hope that in the short time allowed to me I have been able to convince the House of the priority that the Government attach to having an overall, proper national system of regulation, and to the specific problems of the Castle Cement plant in Clitheroe. The Government are determined to achieve a satisfactory environmental solution to all the problems.

Question put and agreed to.

Adjourned accordingly at twenty-seven minutes past Ten o'clock.

House of Commons

Thursday 21 March 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

BODMIN MOOR COMMONS BILL *[Lords]*

Order for Second Reading read.

To be read a Second time upon Thursday 28 March.

ROYAL ASSENT

Madam Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Acts:

Consolidated Fund Act 1996

Health Service Commissioners (Amendment) Act 1996

Oral Answers to Questions

NORTHERN IRELAND

Peace Process

1. **Mr. Riddick:** To ask the Secretary of State for Northern Ireland what consultations he has had with the Government of the Irish Republic on their contribution to the substantive negotiations relating to the peace process. [20407]

4. **Mr. Canavan:** To ask the Secretary of State for Northern Ireland if he will make a statement about the progress of the peace process. [20410]

7. **Mrs. Bridget Prentice:** To ask the Secretary of State for Northern Ireland what discussions he has had with the Irish Government concerning an acceptable elective process leading directly to all-party negotiations. [20413]

The Secretary of State for Northern Ireland (Sir Patrick Mayhew): A round of intensive consultations was held between 4 and 13 March involving the British and Irish Governments and the constitutional political parties in Northern Ireland. These discussions were illuminating and the Government have been reviewing the outcome with the Irish Government. My right hon. Friend the Prime Minister will be making a statement later this afternoon which will set out the Government's decision on the way forward.

Mr. Riddick: As there is some understandable resentment on the part of some people in the north of Ireland of the considerable involvement of the Irish Government in the affairs of the north, would it not be an appropriate goodwill gesture for the Irish Government to announce that they intend to drop the clauses of the Irish constitution that lay claim to Northern Ireland?

Sir Patrick Mayhew: Under the Anglo-Irish Agreement, certain rights are conferred upon the Irish Government. I think that it is worth remembering that one of the declared principles shared between the two Governments on the process of negotiations with which we are concerned is the possibility of finding a replacement for the Anglo-Irish Agreement that would attract broader support and have a broader base. I think that the Irish Government recognise very well the limitations placed upon the rights that I have mentioned, and observe them.

Mr. Canavan: Does the Secretary of State now realise that, by trying to please the Ulster Unionists' demand for elections as a passport to all-party talks, there is a distinct danger that he will end up pleasing no one, and that the only positive result might be that he will unite all Northern Ireland parties in their opposition to the scheme? If there is widespread opposition to this hare-brained hybrid electoral scheme, will he consider an alternative approach whereby the passport to all-party talks might be based on existing electoral mandates, with fresh elections being held after a new constitutional framework is agreed at the all-party talks?

Sir Patrick Mayhew: I am fairly philosophical about uniting people in opposition to anything that the Government may put forward in the interests of negotiations in Northern Ireland, but I think that one of the things that we have learnt is the wide disparity of views that are held. We will wait and see how what the Government will introduce this afternoon is received. We have a shared ambition with, I believe, all the constitutional parties to bring forward the process by which all the parties who are democratically mandated and wholly committed to peaceful and democratic means can sit down and discuss the issues that will be fundamental to an ultimate political settlement.

Mrs. Prentice: On those discussions, does the Secretary of State agree that, as well as the electoral system, there are other crucial elements on the road to 10 June and that having discussions with the Irish Government, and agreement with them, is the best way to ensure that those other elements are included?

Sir Patrick Mayhew: It is certainly true that the Irish Government have a legitimate interest in those matters that have come to be called strand two and strand three matters. It is therefore sensible that we should reach a common position, if possible, as to the ground rules for negotiations that bear upon those matters.

Mr. Wilshire: In respect of Question 7, which focuses on elections in Northern Ireland, does my right hon. and learned Friend agree that the organisation of elections within a sovereign state is entirely the business of that sovereign state and of nobody else? Can he confirm,

therefore, that the foreign Government in Dublin will play absolutely no part in the discussions that will take place in the House when we come to legislate?

Sir Patrick Mayhew: Yes, that is true, and that is understood by the Irish Government.

Mr. Trimble: Does the Secretary of State recall the inter-party talks of 1992, which failed largely because of the failure of the Irish Government to make a positive contribution on substantive matters? Has the Secretary of State any indication that the Irish Government will in the future act positively not only on articles 2 and 3 of the Irish constitution, but on the issue of finding a new agreement, to which he referred?

With regard to that matter, when the Secretary of State says that the Irish Government recognise the limitations on their powers to interfere under the existing Anglo-Irish Agreement, were they acting within the limits of those powers when they interfered so shamelessly in the past few days, with the effect of changing the statement that the Prime Minister is to make this afternoon?

Sir Patrick Mayhew: I recall very well the discussions of 1992, as I know the hon. Gentleman does. They came to an end, inconclusively, after between five and six months, in November, for a variety of reasons, and I do not think that it is possible to identify any particular one today.

As to the conduct of the Irish Government that we may anticipate in the negotiations that we hope will take place, I have every confidence that they will be positive and will wish to address matters in a constructive way, as indeed will we and, I am confident, all the constitutional parties.

I dealt earlier with a question about the involvement of the Irish Government by right in matters connected with strands two and three. I am not aware that the Irish Government have sought to go outside those entitlements in any respect recently.

Mr. Peter Robinson: The Secretary of State has spoken much about the shared understanding between the Government and the Government of the Irish Republic. Was the Prime Minister of the Irish Republic acting in keeping with that shared understanding when he said in *The Irish Times* of 18 March that decommissioning would not

"be allowed to inhibit . . . progress"?

Sir Patrick Mayhew: It is difficult to extract from one newspaper headline or one newspaper report anything that gives a reliable account of people's views. From the point of view of the British Government, I can say unequivocally that we stand by the position adopted by both Governments in paragraph 12 of the joint communiqué of 28 February. I have no reason to suppose that the Irish Government are in any different position.

Mr. Mallon: Can the Secretary of State tell the House whether the Government have had any unofficial contact or discussions with the IRA, or those representing its views, since the breakdown of the ceasefire?

Sir Patrick Mayhew: Since the breakdown of the ceasefire, no. I do not know quite who the hon. Gentleman would include in the category of those representing the views of the IRA, but since the breakdown of the ceasefire I have not had, and I do not believe that any Minister has had, any contact with Mr. Adams or Mr. McGuinness; before then, I had.

Mr. Peter Bottomley: May I put it to my right hon. and learned Friend that compromise actually means seeking agreement? If the constitutional parties of Northern Ireland could reach agreement, would there be any difficulty in the United Kingdom Government agreeing to their system of defining those who should be party to the talks?

May I put it to my right hon. and learned Friend that the only people who appear to want to go on turning women into widows and children into orphans are those who represent Sinn Fein-IRA, who appear at the moment to find every excuse to avoid getting involved in the democratic process?

Sir Patrick Mayhew: I hope very much that Sinn Fein will become involved in the democratic process. I believe that any subsequent and ultimate political accommodation will be more soundly based if it does. That, of course, involves its being prepared to accept an adverse outcome to its wishes, if that be the case under the operation of the democratic process. That is the test that it has to face. As to the first part of my hon. Friend's question, I would be glad to accommodate any system that was agreed by the constitutional parties of Northern Ireland.

Ms Mowlam: Following the consultations with the Irish Government, does not the Secretary of State agree that what is important is that the talks start on 10 June? When, therefore, does he envisage telling hon. Members about the basis of the structure, the format and the agenda for those talks? What time scale is he working to?

Sir Patrick Mayhew: My right hon. Friend the Prime Minister will make a statement this afternoon, as the hon. Lady knows, and I shall not anticipate it. The statement will be accompanied by the publication of a paper, which will be available in the usual way.

Housing Rents

2. **Mr. William O'Brien:** To ask the Secretary of State for Northern Ireland what is the proposed average increase in housing rents for the year 1996-97; and if he will make a statement. [20408]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Malcolm Moss): The rent for Northern Ireland Housing Executive tenants will increase from 1 April 1996 by 2.75 per cent.—on average, 87p per week.

Mr. O'Brien: The Minister must be aware that, over the past 10 years or so, rents in Northern Ireland have increased well above the rate of inflation. People on fixed incomes obviously suffer the greatest if they are not in receipt of housing benefit. Rent increases push up the housing benefit bill, but the Chancellor of the Exchequer has demanded reductions in public expenditure—which is totally unfair to the people of Northern Ireland. When will the Government do something about being fair and honest

with tenants in Northern Ireland? When will the Government give them a better opportunity to retain more of their income?

Mr. Moss: There is a flaw in the hon. Gentleman's thesis: the present average rent paid by Housing Executive tenants in Northern Ireland is £31.65 a week—which is £6 per week less than rents for local authority housing in England and in Wales. Therefore, I believe that the tenants of Northern Ireland get a good deal.

Mr. Clifford Forsythe: The Minister will be aware that 75 per cent. of tenants in Northern Ireland receive housing benefit to assist them with rent. The Housing Executive pays out housing benefit and decides what the rents should be. There have been giro drops in Northern Ireland, but the Housing Executive has no incentive to deal with them, because it gives people money anyway.

Mr. Moss: The Government's policy is to keep Housing Executive rent increases in Northern Ireland in line with the average increases recommended for local authority housing in England and Wales. That is why the rent increases for next year have been limited to inflation—2.75 per cent. We are keeping the rent increases in line with those in the rest of the United Kingdom.

Mourne and Banbridge Hospitals

3. **Mr. McGrady:** To ask the Secretary of State for Northern Ireland what recent representations he has received about the closure of the Mourne hospital, Kilkeel and the Banbridge hospital. [20409]

Mr. Moss: Since the beginning of 1996, three representations have been received about proposals from the Southern health and social services board affecting the future of the Mourne hospital, and two representations have been received about the closure of Banbridge hospital. In addition, a petition about Banbridge hospital—which contained more than 5,000 signatures—was sent to the Prime Minister.

Mr. McGrady: The Minister's reply shows that there is great disquiet and discontent among people in the catchment areas served by the hospitals in Kilkeel and Banbridge. Is he aware that the consultative process carried out by the Southern health and social services board was a charade, in light of its decision of 29 February, because it could not possibly have taken on board, analysed and assessed the representations made to it by the community? In view of that, will the Minister, first, withhold ministerial approval from that unlawful decision, secondly, receive the representations that were ignored by the Southern board and, thirdly, receive a small deputation from the community groups representing each of the hospitals?

Mr. Moss: Consultation on the future services in Banbridge and Mourne have been going on since 1992. The hon. Gentleman rightly pointed out that there was some public confusion about the earlier consultation. That is why the board decided in April and May 1995 to have further consultation, which concluded at the end of last year. I am not prepared at this stage to change the board's decision, but its decision about both hospitals is conditional on services of as good, if not better, quality being provided on site in those communities. I shall consider the matter extremely carefully before I endorse the decision.

Rev. Martin Smyth: With all the rationalisations going on, will the Minister be able, soon, to announce that there is a place for community hospitals, which provide minor surgical and medical treatment for patients in their areas who may already have received major surgery or other treatments in acute hospitals or regional specialty centres, providing respite care and nursing attention?

Mr. Moss: I agree with the hon. Gentleman's sentiments. We shall soon publish our regional strategy for the next five years, which points to the concentration of acute services at, say, six major hospitals, but that does not mean that there will be no role for all the other hospitals in Northern Ireland. We are considering a definition of a community hospital which will do many of the things that are needed on a local scale and will complement activities at the big acute hospitals.

Mr. Dowd: On the future of hospital services throughout Northern Ireland, is the Minister aware that the further cuts of £31 million in health budgets have exacerbated the funding crisis that already confronts them, and are likely to lead to deeper cuts in acute services—so much so that the trust managers and health boards have been obliged to call emergency meetings to discuss where the axe will fall? What action is he prepared to take to avoid the appalling prospect of further closures and bed closures, especially in intensive care, which have been such a damaging feature of the NHS throughout the United Kingdom recently?

Mr. Moss: The delivery of the health service in Northern Ireland is the responsibility of the health boards, and they have been given an apportionment of the finances for the next year. I do not expect them to come up with any proposals to cut beds, and certainly not intensive care. I have given the boards and trusts a target of 1.5 per cent. efficiency savings and additional 1.5 per cent. cuts in some services but, as the boards are tasked with representing the health needs of their areas, I do not expect a major reduction in emergency treatment in our hospitals.

Ulster Culture and Landscape

5. **Mr. Mackinlay:** To ask the Secretary of State for Northern Ireland what steps he is taking to promote interest in the culture and landscape of Ulster among Ulster's diaspora. [20411]

The Minister of State, Northern Ireland Office (Mr. Michael Ancram): The British Council and the Northern Ireland tourist board promote interest in Northern Ireland internationally, though their activities are not directed primarily at people of Northern Ireland origin or descent.

Mr. Mackinlay: I congratulate the Northern Ireland tourist board and its friends in Bord Failte on co-promoting the ancient Province of Ulster. Does the Minister share my view that an invitation should be

extended to many hon. Members who have never visited the Province of Ulster, let alone Northern Ireland, and that our friends in North America and Australia should be encouraged to visit Ulster to see it for themselves?

That would be a great confidence-boosting measure to the people of Northern Ireland, especially if the visitors were to visit Cavan and Monaghan and go to see the mountains of Mourne, the Antrim coastline and the city of Belfast, stopping off at Bush Mills and visiting the beautiful city on the Foyle, as well as looking in at St. Patrick's city of Armagh, the American folk park in Omagh and President McKinley's birthplace in Antrim.

Mr. Ancram: The hon. Gentleman and I may not often agree, but in so far as the areas that he described are in Northern Ireland, I very much agree with him. We all do our best to promote tourism to all parts of Northern Ireland. As he says, there is much to see. I fear that the itinerary that he has set out may be beyond the pocket of the average tourist, but it obviously was not in his case.

Rev. William McCrea: What steps will the Minister and the Government take to encourage the majority Ulster Scots culture, rather than the constant bombardment of the Ulster people and others by a foreign Irish Gaelic culture? Will the Government take the initiative, as they have rightly said that they believe in the Union?

Mr. Ancram: As a Scottish borderer, I have a great deal of respect for the Scots language, which is the parent language of Ulster Scots. The Ulster Scots linguistic tradition is one important strand in Northern Ireland's complex cultural heritage and I am taking steps to ensure that it receives the same treatment as the Scots language in Scotland.

Mr. John D. Taylor: In view of that excellent statement, is the Minister surprised that the central community relations unit now gives 20 times more money to the promotion of the Irish language than to the Ulster Scots tradition—even though, as he said, Ulster Scots is the main linguistic tradition in Northern Ireland? Will he therefore ensure that the imbalance is corrected when promoting Ulster culture abroad—which is what the question refers to—and that the Government will no longer discriminate against the majority culture in Northern Ireland?

Mr. Ancram: The right hon. Gentleman heard my comments about how the Ulster Scots language should be treated, which is the Government's policy also. As to promoting Ulster abroad—particularly to those of Ulster ancestry—the Northern Ireland tourist board has a mechanism for attracting people back to Northern Ireland, which is what the question is about. It has introduced a guide entitled "Tracing Your Ancestry", and I wish it well in that endeavour.

Mr. Worthington: The people of Northern Ireland's diaspora and the people of Northern Ireland itself are interested in one aspect of its culture above all others—whether the talks on 10 June progress in a way that helps to promote a full settlement. That should include decommissioning in the way suggested by Mitchell and strands one, two and three—

Madam Speaker: Order. We have strayed quite a long way from the question, which refers to the culture and landscape of Ulster. There are many more questions on the subject that the hon. Gentleman is raising.

Mr. Worthington: One important cultural aspect is that of parity of prestige within Northern Ireland. I would like the Minister's assurance that talks will go forward on all aspects: decommissioning and strands one, two and three in parallel—

Madam Speaker: Order. The hon. Gentleman is quite out of order. It will be in order for the Minister to reply to part of the question.

Mr. Ancram: I can give a very short reply. The intention of any negotiations is to ensure that, in the future, there is mutual respect for each other's culture within Northern Ireland.

Madam Speaker: Thank you. Perhaps in future hon. Members—particularly those on the Front Bench—will keep to the subject of the question.

Schools (Standard Assessment Tests)

6. **Mr. Jamieson:** To ask the Secretary of State for Northern Ireland if he will make a statement on progress in operating standard assessment tests in schools in Northern Ireland. [20412]

Mr. Ancram: Assessment in Northern Ireland will become statutory from September 1996. Externally set and marked tests will be used in key stage 3 alongside teacher assessment. In key stages 1 and 2, it will take the form of teacher assessment, informed by the use of externally set assessment units.

Mr. Jamieson: I congratulate the Minister on the way in which he has implemented standard assessment tests in Northern Ireland—by talking to teachers and by ensuring that there is proper teacher assessment and that the tests are workable and manageable. Will he give a firm undertaking today that he will pass on his Northern Ireland experiences to his hon. Friends who are responsible for implementing education policies in England, because they have botched virtually every education reform that they have introduced?

Mr. Ancram: I thank the hon. Gentleman for his new-found enthusiasm for assessment. The Government welcome that attitude in view of the problems that Opposition Members have caused in that area previously. As the hon. Gentleman knows from attending Northern Ireland questions, Northern Ireland is different. If he wants me to pass to my English colleagues some of the aspects of Northern Ireland education that have led to setting such assessments, particularly key stage 2, I remind him that we have selective education in Northern Ireland and a transfer test.

Mr. Harry Greenway: Does my right hon. Friend accept the great value of standard assessment tests in schools? Does he accept also the importance of close liaison with the teaching profession in setting and marking

those tests? Has he noted that the Labour party has consistently opposed those tests in England and has done its utmost to disrupt them, to its great disgrace?

Mr. Ancram: I agree with my hon. Friend. I commented earlier on Labour Members' attitudes to assessment and testing. I have received co-operation from teachers in Northern Ireland. It is important that assessments are viewed not only as a means of telling parents how their children are doing, but as a means of informing teachers also. I am sure that they appreciate it.

Mr. Beggs: The Minister has already answered my question in his later answers. I am confident that he agrees that parents and pupils will benefit when test results become available. What action will his Department take when results identify schools in which children are repeatedly under-achieving? Will additional funding be made available to employ more teachers to raise pupils' achievement in those schools?

Mr. Ancram: I am grateful to the hon. Gentleman for pointing out that, in addition to their benefit for parents and teachers, tests enable us to assess how schools are doing. We certainly want to learn the lessons from those assessments. As he knows, we already have an initiative to raise standards in low-achieving schools. The type of qualifications gained in those schools play an important part in deciding who takes part in the initiative.

Tourism

8. **Mr. Spring:** To ask the Secretary of State for Northern Ireland what assessment he has made of the prospects for tourism in Northern Ireland. [20414]

Mr. Ancram: While the breakdown in the IRA ceasefire is clearly cause for concern, the Northern Ireland tourist board reports that interest in Northern Ireland as a holiday destination remains high, and it is confident of future growth.

Mr. Spring: Does my right hon. Friend share my view that Northern Ireland is one of the most attractive and least spoiled parts of the United Kingdom? Does he agree that the excellent news on tourism was recently further boosted by the very welcome announcement of a £16.3 million investment in the Province by the Stakis Hotel Group?

Mr. Ancram: I am grateful to my hon. Friend for reminding the House of that investment. During the past three weeks, both the Stakis and the Jurys hotel groups announced major hotel investments in Northern Ireland. At a time when some questions have been asked outside Northern Ireland about whether recent events would have any effect on the confidence of the tourism industry, those investments give a sure indication that people are still ready to invest in a very large and potentially successful growth industry in Northern Ireland.

Miss Hoey: Does the Minister agree that prospects for tourists visiting one of the most delightful parts of Northern Ireland—Rathlin island—will be greatly enhanced by the new ferry service? Does he agree that it is quite disgraceful that the islanders who have operated a ferry service and kept the island's link with the mainland going for a long time have done so without any help or financial compensation? Will he have a word with the relevant Minister, and tell him that that cannot be allowed to happen?

Mr. Ancram: I think that the hon. Lady recognised that she was touching on territory that is not my responsibility at the Northern Ireland Office, but that of my hon. Friend the Under-Secretary, who is sitting beside me, heard what she said. He informs me that he is to meet her and the hon. Member for North Antrim (Rev. Ian Paisley) shortly to discuss the matter.

Mr. A. Cecil Walker: Is the Minister aware of the advantages to tourism in Northern Ireland that will result from relining the west link junctions with the flyover system, which has been financed by the Government and the EC?

Mr. Ancram: I am grateful to the hon. Gentleman for raising that matter, but he will appreciate that it does not fall strictly within my area of responsibility. He has mentioned—it is worth reminding ourselves of it—that the support that peace can bring to the Province can only help to encourage more investment in tourism in Northern Ireland, which will in turn produce more jobs. That is what we must all look for.

Council Tax

9. **Mr. Michael Brown:** To ask the Secretary of State for Northern Ireland what plans he has to introduce the council tax in Northern Ireland. [20415]

The Minister of State, Northern Ireland Office (Sir John Wheeler): I have no plans to introduce the council tax in Northern Ireland.

Mr. Brown: Given the general acceptability of the council tax in England, Wales and Scotland, is it not a disappointment to hear my right hon. Friend's answer? Why will Northern Ireland be deprived of the benefits of the council tax, which are enjoyed elsewhere in the kingdom?

Sir John Wheeler: There are many differences in the governance of Northern Ireland. The council tax has not been introduced because local government arrangements in the Province are significantly different from those in the rest of the United Kingdom. That is why I have no plans to introduce a council tax.

Sir James Molyneaux: As a council tax payer, I have no wish to debate the merits of that innovation, but may I suggest that it might be sensible to give councils in Northern Ireland powers similar to those exercised by their counterparts here in Great Britain and thus make the rating authorities the councils, rather than the Department of the Environment?

Sir John Wheeler: I am grateful to the right hon. Gentleman for his question. I can tell him and the House that it is the Government's wish to see established in Northern Ireland political structures that command widespread community support. If, with the help of the

right hon. Gentleman's party and others, progress can be made towards that objective, I have no doubt that, in future, councils in Northern Ireland will have an expanded role and responsibilities to go with it.

Patrick Kelly

10. **Mr. Madden:** To ask the Secretary of State for Northern Ireland what recent representations he has received concerning the transfer of Patrick Kelly from prison in Northern Ireland to prison in the Republic of Ireland. [20416]

Sir John Wheeler: While my right hon. and learned Friend has received a number of formal and informal representations, the repatriation of Patrick Kelly is a matter for the Home Secretary.

Mr. Madden: Can the Minister confirm that Patrick Kelly first applied to be transferred to prison in the Irish Republic last autumn and that he was transferred to a prison in Northern Ireland last December? How many more medical reports are necessary before this man is transferred to prison in the Irish Republic so that he can be near his partner and child? He is clearly an extremely sick man. The Government promised to act with generosity and imagination—badly needed in Patrick Kelly's case.

Sir John Wheeler: The prisoner in question remains under the jurisdiction of my right hon. and learned Friend the Home Secretary, but it is true that he has been transferred to Northern Ireland as a temporary condition to facilitate visits from his family who, as I understand it, live in or near Dublin. As to the prisoner's medical condition, that should be a matter not for subjective claims but for objective evidence. As I understand it, his medical condition is not such as to be immediately life-threatening. Thus it remains the position that transfer to the Republic is a matter for my right hon. and learned Friend the Home Secretary to deal with, as Kelly belongs to him in jurisdictional terms.

Dr. Hendron: I wish to add my voice to the case for Patrick Kelly. May I inform the Secretary of State and the Minister that great concern has been expressed about Patrick Kelly by his common law wife and child and by people throughout the island of Ireland? My understanding is that Mr. Kelly is in fact very seriously ill with cancer, and I should have thought that sensitivity and compassion would be shown towards him. I therefore entreat the Minister to use his considerable influence with the Home Secretary to have Patrick Kelly transferred to a prison in the south of Ireland and, hopefully, released soon afterwards.

Sir John Wheeler: I have already explained the procedure to the House. The hon. Gentleman, who is a distinguished medical practitioner, will, I know, fully understand the importance of accuracy in describing the medical condition of the prisoner in question. I remind the hon. Gentleman that the prisoner's condition is not life-threatening, so the matter of a transfer is one for my right hon. and learned Friend to decide in consultation with the Government of the Republic of Ireland. I am sure that my right hon. and learned Friend the Home Secretary will take note of what the hon. Gentleman has had to say.

International Fund for Ireland

11. **Mr. William Ross:** To ask the Secretary of State for Northern Ireland what procedures he intends to put in place to monitor the expenditure of US contributions to the IFI in order to comply with the recent decision by the United States Congress to apply the Macbride principles to such expenditure. [20417]

Sir John Wheeler: Matters pertaining to disbursements by the international fund are a matter for its independent board. The board is supported by an advisory committee of senior officials who will advise it on the implementation of any conditions that may be attached to future donor contributions.

Mr. Ross: Surely the decision by the United States Congress raises the much wider question of whether employment practice in a United States-owned firm in Northern Ireland has to abide by United Kingdom or United States law. In those circumstances, what is Baroness Denton going to say to any possible investor from the United States who seeks advice on these matters?

Sir John Wheeler: The international fund, when operating in the jurisdiction of the United Kingdom, will obey the laws of the United Kingdom as they apply in Northern Ireland.

Mr. Connarty: The Minister will recall that I proposed a 10-minute Bill on positive discrimination towards the long-term unemployed in Northern Ireland. During the debate, it was pointed out that many communities in Northern Ireland, of all traditions, suffer endemic, long-term unemployment and that positive discrimination towards the long-term unemployed is not allowed under the Fair Employment (Northern Ireland) Act 1989. Do the Government have any proposals to allow IFI money to be spent in a way that would positively discriminate in favour of the sumps of long-term unemployment in the communities of all the traditions in Northern Ireland?

Sir John Wheeler: The Government deplore any discrimination against any citizens living in Northern Ireland, which has the most formidable battery of laws—some regard them as oppressive—applying to that area. As to the detail of future policy, that is a question for my colleague, Baroness Denton, who will consider the hon. Gentleman's point carefully.

Job Creation

12. **Mr. Nigel Evans:** To ask the Secretary of State for Northern Ireland what representations he has received concerning job creation in Northern Ireland. [20419]

Mr. Ancram: In the past six months, there have been numerous representations on job creation at ministerial level. The approaches have been from Members of Parliament, district councils, economic development groups and business and voluntary organisations. The representations have mainly concerned the level and location of inward investment.

Mr. Evans: I understand that unemployment has dropped in Northern Ireland by 750,000 since 1992 and that confidence in Northern Ireland is such that, since the ceasefire, no inward investment projects have been lost to Northern Ireland. I also understand that the rate of inward investment in Northern Ireland is so tremendous that the people there get three times their per capita share. Does my right hon. Friend agree that, if we could re-establish the ceasefire in Northern Ireland, confidence would grow further and the boost to jobs would benefit all the people of Northern Ireland in all sectors of industry?

Mr. Ancram: I am grateful to my hon. Friend for his comments. It is self-evident that, if there is a credible ceasefire, confidence to invest will be much greater. At the same time, it is important to recognise the success of the Northern Ireland economy at this time. As my hon. Friend says, unemployment is at a low level and, in fact, is at its lowest level since May 1981. Employment, which is perhaps as important, is at its highest level ever and has risen faster than in the rest of the United Kingdom throughout the 1990s. It is important that we get the message across to potential investors that Northern Ireland is a good place to invest for many reasons, not least because of the quality of the work force.

Mr. Stott: While, of course, I welcome the efforts to create jobs in Northern Ireland, will the Minister take on board the serious problem that faces Shorts in Northern Ireland as a consequence of the liquidation of Fokker and the potential loss of more than 1,000 jobs? Can the Minister tell the House what the Department will do to try to mitigate the worst effects of that awful catastrophe?

Mr. Ancram: I am grateful to the hon. Gentleman for mentioning that problem. We regret the demise of the long-established partnership between Shorts and Fokker, and we recognise the impact that that will have on Shorts. Government agencies will do all that they reasonably can to assist Shorts to minimise the effect of the situation on employment at Shorts.

Mr. Ian Bruce: Does my right hon. Friend believe that the inward investment in Northern Ireland is greater than that coming into the Republic of Ireland? Does he agree that that is not a reflection on the ability of the Irish people in both parts of the island of Ireland, but because investors in Northern Ireland do not have to worry about the social chapter while in the south they do?

Mr. Ancram: I am grateful to my hon. Friend for making that point. There is no doubt that the existence of the social chapter must act as a disincentive, as against the situation that exists in Northern Ireland.

Peace Process

13. **Mr. McNamara:** To ask the Secretary of State for Northern Ireland if he will make a statement on the progress of all-party talks. [20420]

Sir Patrick Mayhew: I refer the hon. Member to the answer I gave earlier today to my hon. Friend the Member for Colne Valley (Mr. Riddick), and to the hon. Members for Falkirk, West (Mr. Canavan) and for Lewisham, East (Mrs. Prentice).

Mr. McNamara: Can the right hon. and learned Gentleman inform the House whether the dog's breakfast of an electoral procedure to be announced later today has been welcomed by the Republic of Ireland?

Sir Patrick Mayhew: I do not recognise as a dog's breakfast anything that has been or is likely to be announced.

Mr. Nicholas Winterton: As a Conservative Member who voted against the Anglo-Irish Agreement and treaty because it allowed a foreign country to interfere in the internal affairs of another country, may I ask whether my right hon. and learned Friend agrees that it is important, as we move towards peace talks, that the position of the proper, legally established and responsible majority party in Northern Ireland—the Ulster Unionists—be not undermined in any way?

Sir Patrick Mayhew: It is very important that no proper position should be undermined in any way. I also think it important that we hold to our international obligations and seek to improve them by agreement, where that is possible.

14. **Mr. Dykes:** To ask the Secretary of State for Northern Ireland if he will make a statement on developments in the peace process talks. [20421]

Sir Patrick Mayhew: I refer my hon. Friend to the answer I gave earlier today to my hon. Friend the Member for Colne Valley, and to the hon. Members for Falkirk, West and for Lewisham, East.

Mr. Dykes: May I wish my right hon. and learned Friend and other Cabinet colleagues well in these crucial processes? Is he confident that there is now a good outlook that Sinn Fein will eventually persuade the IRA to declare a renewed ceasefire?

Sir Patrick Mayhew: I am grateful for my hon. Friend's good wishes, but the answer to his question is that it depends entirely on members of Sinn Fein, who are excluding themselves. They will be admitted to the negotiations if they lift their own self-imposed exclusion.

PRIME MINISTER

Engagements

Q1. **Mr. Clifton-Brown:** To ask the Prime Minister if he will list his official engagements for Thursday 21 March. [20437]

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having a further meeting later today.

Mr. Clifton-Brown: In the wake of the Dunblane tragedy, does my right hon. Friend agree that we should take all possible steps to prevent illegal firearms from

getting into the wrong hands? Will he look at the firearms laws to see what reasonable steps can be taken to revisit them?

The Prime Minister: I do agree with my hon. Friend about that. My right hon. and learned Friend the Home Secretary and my right hon. Friend the Secretary of State for Scotland have been in discussions with the police for some time about the possibility of a firearms amnesty. Those discussions had begun before the appalling tragedy in Dunblane. I can now tell the House that it has been agreed that an amnesty will take place. Details are being worked out, and we will advise the House of them as soon as possible.

Mr. Blair: Does the Prime Minister agree that the only way now to restore trust and credibility over bovine spongiform encephalopathy and beef is not more assurances from Ministers but clear and firm advice based on scientific evidence? Does he agree that that evidence should be published in full so that the independent scientists who provided it can be properly examined and can defend it?

The Prime Minister: I entirely agree with the right hon. Gentleman. My right hon. Friend the Secretary of State for Health gave the assurance yesterday that he would publish the advice that we have had. As the House will know, we ensured that the Spongiform Encephalopathy Advisory Committee's statement was published as soon as was practically possible yesterday. As my right hon. Friend told the House yesterday, the facts on which the committee based its deliberations will be made public in scientific journals as soon as possible. I shall of course ensure that the appropriate evidence is placed in the Library of this House.

Mr. Blair: I am grateful for that assurance; I hope that it genuinely covers all the advice that has been given. I assume from what the Health Secretary said yesterday that the scientific advice that the Government have received is absolutely clear that it is entirely safe to carry on feeding beef and beefburgers to children. May we have a categorical statement that the right hon. Gentleman's scientific advice does indeed say that? *[Interruption.]* The clearer and better the statements, the sooner public concern will be allayed—Conservative Members should realise that.

The Prime Minister: The right hon. Gentleman will be able to see the advice for himself because we have published the advice that we have had on this matter, and we will publish any further advice that we receive so that people can see for themselves, from the scientists, what the evidence is. That is more valuable than hearing from those without scientific information, and we will make sure that it is available.

As my right hon. Friend has already said, there is no scientific evidence to suggest that children are more at risk than adults from eating beef, but I understand very well, as, indeed, will every hon. Member, the concern that parents will have, and my right hon. Friend the Secretary of State for Health has specifically asked SEAC—the Spongiform Encephalopathy Advisory Committee—to provide specific advice on that matter. As soon as we receive that advice, we shall make it public so that people may see it for themselves.

Mr. Blair: I think that it should be made entirely clear. Is the statement that the Prime Minister is giving us that the scientific advice is that it is entirely safe to continue to feed beef to children? If he can tell us yes to that question, it would allay some of the fear.

The Prime Minister: I have to say to the right hon. Gentleman that the advice is on the record. *[Interruption.]* If the right hon. Gentleman would listen, it would be helpful to the whole House. The advice is on the record, and the right hon. Gentleman himself said a few moments ago that he needed to see the scientific advice, not speeches by Ministers. I agree with that point. That is why we are making public the scientific advice so that there can be no doubt what the absolutely basic advice is from the scientists. It is on the record. Further advice will be put on the record.

Mr. John Townend: Does my right hon. Friend agree that recent decisions of the European Court of Justice are progressively undermining the social chapter and that it is becoming not worth the paper on which it is written? Although I welcome the Government's decision to try to deal with that problem and the problem of fish while at the intergovernmental conference, does he accept that the time factor means that the British taxpayer is likely to face claims from Spanish fishermen before the IGC is completed? Will he therefore accept the suggestion by my hon. Friend the Member for Chingford (Mr. Duncan Smith) and legislate to prevent this decision from being acted on in the British courts, and restore the sovereignty of the House?

The Prime Minister: As I told my hon. Friend, we propose to pursue these matters in the IGC. Of course I am prepared to look at any advice that I receive from any of my hon. Friends, or, indeed, from any hon. Member. Although we are concerned about the way in which the health and safety element of European legislation has been applied—we believe that it has been misapplied—I do not accept my hon. Friend's point that it undermines the whole basis of the social chapter opt-out. Evidence suggests the contrary, and we intend to ensure that the social chapter opt-out remains of the value that it has always been, both now and in the future. We shall pursue that point and the other matters raised by my hon. Friend very vigorously in the IGC.

Mr. Ashdown: In view of what now appears to be the well-justified public concern about certain aspects of food safety, of which BSE is only the latest example, has not the time now arrived to break up the Ministry of Agriculture, Fisheries and Food so that the interests of the producer and the consumer can be looked after by two different Departments?

The Prime Minister: I do not agree with what the right hon. Gentleman had to say, and I think that, on reflection, he will not agree with it himself.

On the question of recent events, an independent committee of the most eminent scientists advises the Government on these matters. The Government invariably take that advice. No Minister now or in the past has the scientific competence to deny that advice, and we do not do so. We take that advice and we publish it. That is the right way to proceed.

Mr. Thurnham: In the wake of last week's awful tragedy, will the Prime Minister add to the tributes to a lifetime of work for children by the late Baroness Faithfull, who died on the same Wednesday morning still hard at work at the age of 85? Does he agree that, in her lifetime of devotion to the welfare of children and through her sincere concern for the treatment of offenders, she set an example to us all?

The Prime Minister: I entirely agree with my hon. Friend about that, and am happy to endorse his tributes to Lucy Faithfull. In her lifetime she was a tireless worker on behalf of disadvantaged children, and her devotion and concern does indeed set an example to everyone.

Q2. **Mr. McNamara:** To ask the Prime Minister if he will list his official engagements for Thursday 21 March. [20438]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. McNamara: Is the Prime Minister aware that the average unemployment level in the three Hull constituencies is 20.2 per cent? More than 30,000 men are unemployed. How can the Prime Minister justify the spending of £5 million of European and United Kingdom funds to relocate jobs from Fenners polymer factory in Hull to south Wales, thus losing 350 jobs in Hull and more than 150 in Peterborough? Would not the money be better spent on creating proper jobs in south Wales, rather than creating unemployment in Hull?

The Prime Minister: Of course I shall look at the instance to which the hon. Gentleman has referred, but, as I do not know the background, I cannot comment immediately. I can, however, comment on the fact that, although unemployment in Hull is far higher than we would wish, it has fallen by 20 per cent. from its peak and continues to fall. I am delighted about that.

Mr. Wilshire: Does my right hon. Friend agree that today's welcome reduction in inflation means that there will be more protection for jobs, more protection for savings and more protection for public services? Would he care to tell the House what would happen to jobs, savings and public services if the Labour party ever came to power?

The Prime Minister: My hon. Friend is entirely right about the importance of low inflation. For the first time in 30 or 40 years, we now have a low-inflation economy, and there is no sign that inflation is going to take off. If it did so in the fashion in which it did so in earlier years—most obviously in the late 1970s—it would not only rob savings of their value, but would rob millions of people of their jobs.

Q3. **Mr. Turner:** To ask the Prime Minister if he will list his official engagements for Thursday 21 March. [20439]

Mr. Foulkes: "I refer the hon. Member to the answer I gave some moments ago." [*Laughter.*]

Madam Speaker: Too clever by half.

The Prime Minister: Forgive me, Madam Speaker. Because of the noise on the Opposition Benches, I did not catch the question—but I refer the hon. Member to the answer I gave some moments ago.

Mr. Turner: Are the Prime Minister and the Government at all contrite about the BSE crisis, given that Labour's then agriculture spokesman, my hon. Friend the Member for South Shields (Dr. Clark), raised the question of safety six years ago? What he said was contemptuously rejected by the Government at the time.

The Prime Minister: Let me repeat what my right hon. Friend the Secretary of State for Health said yesterday. At each and every time in the past, we have accepted totally and immediately the expert advice given to us by the scientists on this matter—on each and every occasion. If we had not accepted that advice, the hon. Gentleman would be in a position to criticise the Government, because those scientists are there to advise us. They are the specialists; we are wise to accept their advice; we have done so in the past; we are doing so now; and we will do so in the future.

Mr. Jenkin: Is my right hon. Friend aware that small businesses in countries such as France and Italy enjoy substantial exemptions from the employment law that applies in those countries? Let me enter a plea on behalf of British small businesses: give us the same advantages.

Mr. Skinner: They want a social chapter.

The Prime Minister: The hon. Member for Bolsover (Mr. Skinner) is mistaken if he thinks that my hon. Friend is seeking the social chapter. I think that he is seeking an assurance that we will not have it, and that the Government want to enable small businesses to continue to create the extra jobs that they have created in recent years. I announced a number of measures to that end recently. We will continue to consider what might be done to enable small businesses to fuel more growth, and create more jobs and prosperity in our economy.

Q4. **Mr. Hardy:** To ask the Prime Minister if he will list his official engagements for Thursday 21 March. [20440]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Hardy: Is the Prime Minister aware that, just before the 1979 election, a Select Committee visited prisons and met burglars? It found them to be ardently Conservative. Were not burglars richly rewarded as crime soared, the proceeds of crime rose and the number of convictions fell markedly? Is the Prime Minister confident of retaining the support of that bedrock of Conservative enterprise?

The Prime Minister: I confirm that crime was rising for decades and is now falling in this country. One of the reasons why it is falling is that there may be even more burglars, howsoever they may vote, in prison, which is where they should be.

Mr. Congdon: Will my right hon. Friend explain to the British people why unemployment is lower in Britain than in France, Germany, Spain or Italy? *[Interruption.]*

The Prime Minister: I can echo only what the hon. Member for Bolsover is now convinced of. *[Interruption.]* I thank the hon. Gentleman very much; I will conduct him. The social chapter and minimum wage are certainly a part of the answer. The low tax structure that we have compared with Europe is part of the answer, the deregulation in this country is part of the answer, the supply-side reforms are part of the answer and a Conservative and not a social democratic Government are part of the answer. We intend to retain those benefits, both in the short term and in the long term, and to provide more jobs.

Q5. **Mr. Madden:** To ask the Prime Minister if he will list his official engagements for Thursday 21 March. [20441] *[Interruption.]*

Madam Speaker: Order. I am sorry, but the Prime Minister started late.

The Prime Minister: I refer the hon. Gentleman to the reply I gave some moments ago.

Mr. Madden: May I ask the Prime Minister a question, of which I gave him prior notice, concerning Irish prisoners? Will he intervene personally to expedite the transfer of Irish prisoners, including Patrick Kelly, to prisons in the Irish Republic? Will the Prime Minister do that in view of the specific assurances that the Government of the Irish Republic have given about the sentences to be served? Will he also ensure that the regime prevailing in Belmarsh prison is dramatically improved in relation to Irish prisoners?

The Prime Minister: My right hon. and learned Friend the Home Secretary is considering a number of requests for repatriation, including the case mentioned by the hon. Gentleman. Each request must be considered on its merits. It needs to be subject to the consent of both jurisdictions and of the prisoner concerned. Those matters are being examined. As a result of Sir John Woodcock's report, security at Belmarsh is being improved. I understand that a newly refurbished special secure unit is due to open next month.

Elective Process (Northern Ireland)

3.31 pm

The Prime Minister (Mr. John Major): With permission, Madam Speaker, I shall make a statement on the arrangements leading to all-party negotiations in Northern Ireland.

In my statement to the House on 28 February, I announced that all-party negotiations would commence on 10 June. In a communiqué issued on the same day, the British and Irish Governments also agreed on intensive multilateral consultations with the Northern Ireland political parties. The purpose of those was to help the British Government to draw up proposals for a broadly acceptable elective process, including the possibility of a referendum, and to try to reach agreement on the format and agenda of all-party negotiations.

During those consultations, the Government have met all the major parties and most minor parties in Northern Ireland on several occasions. Sinn Fein has of course excluded itself. There have been several meetings between the Secretary of State for Northern Ireland and the Tanaiste, Mr. Spring, including a review of the outcome of the consultations. The Irish Government have also had a number of meetings with the Northern Ireland parties.

In some areas, we have seen encouraging signs of convergence between the parties' views. In others, sharp differences have remained. The form of elections has been one of the main areas of disagreement between the parties.

Three main systems have been proposed: an election in 18 constituencies, each electing five members by single transferable vote; an election on a party list system across one single Northern Ireland constituency; and a single constituency election across Northern Ireland with votes for parties, but not for named candidates. None of those systems has secured the clear support of major parties representing each of the main communities. Some parties have even threatened not to participate in the process and thus abort the possibility of all-party negotiations should one of the other systems be chosen.

I made it clear in my statement on 28 February that, if no agreement proved possible, the Government would come forward with proposals based on a judgment of what is most likely to be broadly acceptable to the parties and to the people of Northern Ireland. Whatever the merits of each of the three main systems, it is clear that none, on its own, meets that criterion of broad acceptability.

We have therefore considered how to proceed. We have decided to propose a new system, including the most attractive elements of other proposals. We will therefore introduce legislation, immediately after the Easter recess, providing for an election on 30 May using a list system rather than individual candidates, organised in 18 constituencies, but not by single transferable vote, and supplemented by Northern Ireland-wide party preference.

Briefly, electors will have to register just one vote which they will cast, in the constituency, for the party of their choice. Five seats in each of the 18 constituencies will be allocated from party constituency lists of candidates, published in advance, in proportion to each party's share of the vote. In addition, the votes in all the constituencies will be aggregated and the 10 most successful parties across the whole of Northern Ireland will secure two elected representatives each, from party lists published in advance.

I believe that this is a fair and balanced system that will produce a representative outcome. The Province-wide element should help to achieve the widely shared objective of making the negotiating process as inclusive as possible through representation of the smaller parties.

The elections will create a pool of 110 elected representatives. The successful parties will be invited by the Secretary of State to select, from among their representatives, negotiating teams for the negotiations to begin on 10 June. The transition from the elections to the negotiations will be automatic and immediate.

Our aim is to see inclusive negotiations. Sinn Fein has, however, currently excluded itself from negotiations by the ending of the IRA ceasefire. That is its choice. But it can make itself eligible to participate through the unequivocal restoration of the ceasefire. That, too, is its choice.

The negotiations need to take place in an atmosphere of confidence. As I told the House on 28 February, all parties will need to make clear at the beginning of negotiations their total and absolute commitment to the principles of democracy and non-violence set out in the Mitchell report and to address, also at the beginning of negotiations, Senator Mitchell's proposals on decommissioning. There can be no backing away from that. Equally, there must be confidence that, as the negotiations proceed, they will be comprehensive and address all legitimate issues.

As well as furnishing negotiating teams, the elected representatives will be members of an elected forum to meet in Belfast on a regular basis when negotiations are not in session. The purpose of discussion in that forum will be to promote dialogue and mutual understanding within Northern Ireland.

The forum will not engage in the negotiations, which will be free-standing, but could interact with and inform the process at the request of the participants in negotiations. For example, the negotiators might agree to commission discussions, studies or reports from the forum. The legislation will also provide for the forum to be able to conduct hearings at which public submissions by relevant bodies or individuals can be made.

The forum's life will be time limited to 12 months, renewable for up to a maximum of a further 12 months. It will not continue in existence if negotiations are no longer in process. In its procedures, it will be required to proceed by broad consensus.

We have also looked at proposals for referendums. We agree that the people of Northern Ireland must have full ownership of the negotiation process and its outcome. The electoral legislation will give the Government powers to hold referendums in Northern Ireland. That will enable us to meet our undertaking to put the outcome of negotiations to the people of Northern Ireland before submitting it to Parliament.

It has also been argued that a referendum now could be valuable, for example, on the use of violence for political ends. Our judgment at present is that the case for such a referendum has not yet been conclusively made, but we have not ruled out the option of holding a referendum with an appropriate question or questions on the same day as the elections.

There is one other important area that needs to be settled before negotiations can begin: the ground rules for the negotiations. At the end of last week, a consultation

[The Prime Minister]

paper was issued to the parties. It sets out what an acceptable approach might be, drawing on the experience of the 1991-92 talks round and preliminary consultation with the parties. Further consultation with the parties will continue to ensure that the maximum common ground can be identified.

I have outlined today what I believe to be a viable and a reasonable way forward. Everyone in this process has had to make compromises, some of them difficult compromises. Everyone has needed to exercise patience, and I am grateful to those who have done so. But the basis of our approach has remained unchanged—namely, the principles of democracy and non-violence set out in the Downing street declaration, and the need for an approach that can build confidence and lead to an agreement capable of winning the allegiance of both main communities.

I therefore urge the Northern Ireland parties to look carefully at the announcement that I have made today, and the short paper giving more detail which we are publishing in parallel. No party has got all that it wanted. Equally, I see no issue of principle that could reasonably cause any party to walk away from the democratic process that I have set out. I do not believe that the people of Northern Ireland would understand if any party did.

Let us also not forget that the threat of terrorism continues to hang over the process. That is why the Mitchell principles of democracy and non-violence, and parallel decommissioning, remain so important. The IRA used the lack of a fixed date for all-party negotiations as an excuse to break its ceasefire. There was never any justification for its actions. Now, its excuses are running out.

What I have set out today represents a clear and direct route to all-party negotiations. The prospects for a just and lasting settlement are better than they have been for a generation if all parties take advantage of the opportunities that lie before us. Let me make it clear yet again that, while we want to see all parties round the table, the process will go on with or without Sinn Fein. If it excludes itself from taking part in democratic negotiations, it will not be able to exercise a veto against others doing so.

Once again, the people of Northern Ireland are watching the latest steps along the road to negotiations with bated breath. Their hopes for peace could not be clearer or more overwhelming. We need to move beyond procedures to the substance of negotiations as speedily as we can. The chance is there—no one who stands unreasonably in the way of a settlement will be readily forgiven.

I therefore commend to the House the approach that I have set out and the hope that the House will today send a clear signal of support for this democratic process. That would be the best answer to the terrorists who continue to threaten it and the people of every part of our islands.

Mr. Tony Blair (Sedgefield): For obvious reasons, the statement has been difficult to make, and we all need to consider the details carefully. As I am sure that the Prime Minister would agree, the solution on the election process is certainly not ideal, but then the situation is not ideal. So long as the Government search in good faith for peace, Labour Members will not stand in the way of progress. Indeed, we shall try to assist it.

Does the Prime Minister agree that the crucial point is that there is now a starting date for talks—10 June—that the elections will lead directly to those talks, and that he envisages no delay to that process? Does he further agree that the position on decommissioning remains the same, and that no party will be able to participate in negotiations unless it supports the Mitchell six principles and commits itself unequivocally to peaceful methods?

May we repeat again the call echoed across Northern Ireland in the nationalist as well as the Unionist community, for the IRA to cease forthwith its murderous campaign, for which there is no shred of political or moral justification?

Obviously it is unfortunate that the Prime Minister has been unable to announce all the elements of the package today, and we look forward to further details, especially about the format and agenda of the negotiations. Can the right hon. Gentleman confirm that the other elements in the package, including the ground rules and the issue of the referendum, will be wrapped up as soon as possible, in a way broadly acceptable to both communities?

Am I right in thinking that although the negotiators will be nominated from the elected parties, the two bodies—the forum and the negotiators—will remain independent, and the conduct of the negotiations is to remain with the negotiators? Will the Prime Minister say a word more about how he sees the two bodies operating in parallel? And can he confirm that the negotiations will be based on the three-stranded process, with both Governments taking part in the strands appropriate to them?

Of course, as the right hon. Gentleman said, the electoral process gives no one exactly what he or she wants—but in fairness I remind the House that the Government's duty was to find consensus and, if none existed, to bring forward their own proposals. The plain fact is that consensus does not exist, and imposing one absolute system over another is obviously fraught with difficulty; hence the compromise. Imposing this on participants is obviously desirable, but least desirable of all would be any more delay or uncertainty. We should not forget that the election is a means to an end—genuine negotiations to try to give a proper forward settlement for Northern Ireland. And that leads to the final and most desirable objective of all, which is peace—a peace that lasts and is sustainable, because its basis is determined not by violence or bombs but by debate and agreement.

In all the complexity of the electoral systems—no doubt hon. Members found it difficult to follow precisely that complexity, the interweaving strands, and how the various parts of the process fit together, even as we were hearing about them—we should not lose sight of that simple and higher duty, to let no prejudice or interest stand in the way of peace. I am sure that that is the will of the people of Northern Ireland.

The Prime Minister: I am grateful to the right hon. Gentleman. I agree with his view that the electoral solution is not ideal. It seems complex, but from the point of view of the elector it is simple. Electors will simply have to cast one vote in their own constituency, and everything else flows immediately from that. So there is no complexity from the point of view of the elector in Northern Ireland; it is a very simple process.

The right hon. Gentleman is correct in saying that the start date of 10 June is fixed, and that there will be no delay. The position that he set out on decommissioning, the Mitchell report and the six principles is also correct.

We shall conclude the format, the agenda and the ground rules paper as speedily as possible. The ground rules paper is out for consultation, and we shall wish to consult further the constitutional political parties in Northern Ireland, with the intention of reaching, as far as that is possible, an agreed position on it. We shall seek a consensus if one is there to be had.

On negotiations, the right hon. Gentleman is right about the separation of the forum and the negotiators. The negotiators, in essence, are masters of their own process. If they choose to refer elsewhere they may so choose, but it is not obligatory for them in any way to do so. The three-stranded process is as he set it out. He is also right in saying that this election is a means to an end. The election is not the end in itself, it is simply the process by which a proper, democratic mandate is arrived at which will enable the parties honourably to sit down one with the other and conduct the negotiations that all Northern Ireland is crying out to see happen. With that in mind, I hope that the House will give them a speedy and helpful start.

Mr. David Trimble (Upper Bann): First, may I welcome the fact that we are going to have elections and a forum on the way to the negotiations, as I believe that that is the right way to proceed. However, I must tell the Prime Minister that we are concerned about the practicality of this entirely novel suggestion for 18 different list elections.

I believe that I am right in saying that there is no precedent for list elections on this small scale anywhere in the world. We need to have a lot more information about the mechanisms, particularly when we come to allocate fractions for the final seats. Would it not have been better to stick to the existing proportional representation system, which is accepted by all parties for all local elections in Northern Ireland and not to have allowed himself to have been blown off course by the unholy alliance of the Irish Government, the Social Democratic and Labour party and the Democratic Unionist party?

I welcome the clear statement by the Prime Minister on the Mitchell report on decommissioning, but will the reference in his statement to "at the beginning" really mean the beginning, with no other matter coming beforehand on 10 June? What arrangements will be made to ensure that the commitments to Mitchell will be honoured? That clear statement on Mitchell contrasts with the fudge in the paper on ground rules that was issued last Friday. Does the Prime Minister know of our concern about the duplicitous manner in which that paper emerged and on the need for greater openness and integrity about the way in which the Northern Ireland Office conducts its business?

The Prime Minister: Let me deal with the last point first. The paper that emerged on Friday was a paper for consultation, not a blueprint with decisions. It was published so that we could consult the hon. Gentleman and his party and the other parties in Northern Ireland. At the end of that consultation we will be able to make decisions.

I am grateful for the hon. Gentleman's welcome for elections. He is right to say that there is no precedent for the nature of the election that I am proposing. But I have to say that there is no precedent that I know for the circumstances and complexities that exist in Northern Ireland. If I had been able to find an easier compromise more familiar to people across Northern Ireland, I assure the House that I would have found and advanced such a compromise. In the absence of one, I have had to seek a system that I believe combines attractive features from the representations made to us, is simple and will provide a fair and representative outcome of the elections.

On the Mitchell report, I reiterate that, at the beginning of negotiations, all participants will need to make clear their absolute commitment to the Mitchell principles and progress on that is clearly vital, as the hon. Gentleman indicated. If I may return to the electoral system, I believe that, although the description of the electoral system and how it amasses its outcome seems complex, its mechanism—one single vote for one single party on one single occasion—could not be simpler.

Mr. Paddy Ashdown (Yeovil): I do not disagree with much of what the Prime Minister has said, except when he said that this was simple. I am not sure that people will see it that way. Is not the plain truth that this is a dog's breakfast, but that it is probably the only dog's breakfast on offer and may well be the best dog's breakfast that could have been arrived at, given the position that the Government found themselves in? In those circumstances, is it not a good thing that all parties should now get on with it and try to produce the maximum vote for those who want to negotiate peace and the minimum vote for those who want to continue with conflict?

The Prime Minister: I am grateful to the right hon. Gentleman for his last words and grateful for what he had to say about this being the best that might have been achieved. I might have preferred him to use a term other than "dog's breakfast", because I do not believe that to be true.

I believe that what we have here is a compromise to which all people should be able to subscribe. Its purpose is to make sure that we achieve the outcome that I think the people in Northern Ireland wish to see—to go through an election process and into negotiations. The election is the means to that end, and I am glad at least that the right hon. Member welcomed it in that spirit.

Mr. Seamus Mallon (Newry and Armagh): It is a matter of some regret that the Prime Minister was not able today to give a definitive answer to three important questions. The first relates to the referendums suggested by our party; the second to the transitional steps between elections and negotiations; and the third to the ground rules for all-party negotiations. Can I surmise that those questions are not yet to the liking of the Prime Minister's friends in the Ulster Unionist party, and that they are being given more time to nibble away at them as well? We will await those answers with interest, so that we can judge the package as a whole rather than piecemeal.

Can the Prime Minister confirm that, in the joint declaration of 28 February, the British and Irish Governments stated that any elective process must be broadly acceptable? In Northern Ireland terms, that means acceptable within the Unionist and nationalist communities. May I tell the Prime Minister again that a body of 110 people elected in the context of overall negotiations has no support within the nationalist community? It is seen as Unionist-inspired and

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Unionist-dominated. In effect it is a prototype of the Unionists' preferred structure for Northern Ireland, given to them and delivered to them even before negotiations begin. That will be done by sleight of hand and will pre-empt the negotiations.

The Prime Minister knows that there is no support for that elected body in the nationalist community. The Irish Government know that there is no support for it in the nationalist community. How can they then proceed with it, when it does not even meet their own criteria as stated on 28 February?

Will the Prime Minister also accept that there is no broad support within the nationalist community for the proposed elective process, which is seen as a sop to the Unionist parties, and judged divisive and nonsensical? It will distort and distract the real negotiations. How then can the Prime Minister claim broad support for that which can best be described as a monster raving loony election proposal? Was he not tempted to send for the men in the white suits when those proposals were put to him by his advisers?

The Prime Minister: I have known the hon. Gentleman for a long time, and he did himself no credit in the past two or three minutes. None the less, let me pick up each of the points that he raised.

On the referendums, there was no agreement among the parties we consulted about them. I have kept the option open, as I expressly stated a few moments ago, about whether there should be a referendum. At the moment, there is no agreement for one.

On the ground rules, as I have made perfectly clear, the paper on those rules has been published for consultation. The hon. Gentleman knows that—it has been published for consultation with him as well. There is no point in his making absurd charges when he knows that the paper has been published for consultation with him and with each and every other party.

As for the timetable for transition, the hon. Gentleman will find that that has been dealt with in the paper we published this afternoon. As for a broadly acceptable electoral system, if there had been one, I would have used it. One of the reasons why there was not one is that the hon. Gentleman's party blocked some of the proposals. The hon. Gentleman and his party were involved in ensuring that there was no broadly acceptable, satisfactory electoral system, as did some of the other political parties. If there had been one, I would readily have taken it up. The hon. Gentleman must take his share of the responsibility for the fact that there was not one. As he is an elected Member in Northern Ireland, that responsibility needs to be taken seriously.

Both the hon. Gentleman and I have a responsibility to the people of Northern Ireland. If the permanent settlement that I and the hon. Gentleman desire is to be achieved, it will be bound to involve some compromise. No one, not even the hon. Gentleman, will get all that he wants out of it. I am prepared to address the question of compromise and I have done so. The hon. Gentleman must also do the same, because if the peace process breaks down due to the intransigence of any one person or party, that person or party will have to defend himself or itself to the people of Northern Ireland. I could not defend any party that walked away from the best chance of peace that Northern Ireland has had for a generation—and I believe that the hon. Gentleman could not defend it either.

Mr. Peter Robinson (Belfast, East): Is it possible that the Prime Minister, having set himself the goal of finding an elective system that is most broadly acceptable, has found one that is most broadly unacceptable? Is it not the case that the Prime Minister is dancing on the head of a pin when he divides the second and the third elective systems as if they were two separate systems? They are both list systems. If they were taken to be one system, it would show that there was broad acceptance for a list system in Northern Ireland—acceptance by parties that gained about 70 per cent. of the vote at the last election in Northern Ireland, and acceptance by parties across the political and community divide. Instead, he has allowed himself to be blown off course by the whingeing and the electoral panic of the Ulster Unionist party.

Will the Prime Minister also indicate to hon. Members what he means when he refers to decommissioning as having to be "addressed"? What is the relationship between the negotiating teams and the elective body? Will the elective body have a role in determining whether there is sufficient consensus on proposals brought forward by the negotiating teams?

The Prime Minister: There are a variety of list systems, including the one that I have proposed. I refer to the hon. Gentleman's remarks about the Ulster Unionist party—not only did the Ulster Unionist party oppose it, but the Alliance party opposed it. Indeed, for almost every proposition that was put forward by one party, more than one party was prepared to oppose it. For every solution that I propose, I have no doubt that several parties will claim that it is being done solely in the interests of another party.

The reality is that I am trying to produce a compromise that not everyone may like, but that people will have to accept because the pressure of public opinion in Northern Ireland requires this process to move forward, as I believe it should.

The negotiating teams will be selected from the forum and, as I indicated a few moments ago, they will be masters of their own destiny as to how they carry out the negotiations. I will not reiterate what I said about decommissioning at the beginning of the process. In answer to the hon. Member for Upper Bann (Mr. Trimble), I made the point that progress on decommissioning is clearly vital.

Mr. Clive Soley (Hammersmith): Apart from selecting the negotiating teams, the main purpose of the forum thereafter seems, to some extent, to reflect the activities of the Forum for Peace and Reconciliation in Dublin, which has had some considerable success. Is it the intention of the Prime Minister that the forum should operate in a similar way in order to bring some reconciliation within the communities of Northern Ireland?

The Prime Minister: Yes, the forum will be similar. We see the forum as a body that will provide an opportunity for elected representatives to promote dialogue and mutual understanding. That, in Northern

Ireland, is a valuable task in itself. The forum will also provide an opportunity for individuals and for groups in the wider community to make their views known.

Sir Patrick Cormack (South Staffordshire): Is my right hon. Friend aware that, in the opinion of many people, he is a prime candidate for the Nobel prize for patience? Many people in this country, who have a deep desire to see the Union preserved, are beginning to feel a trifle impatient.

The Prime Minister: My hon. Friend is enigmatic, and I note his comments. I say to my hon. Friend and to all hon. Members: in terms of the difficulties that we face in Northern Ireland, patience may well be the mother and father of progress.

Mr. Robert McCartney (North Down): Will the Prime Minister confirm that no party—particularly not Sinn Fein—will be allowed to retain its weaponry right to the very end of any negotiations that take place? Many people in Northern Ireland who are committed to peace are concerned that the people in question will simply negotiate and if the ultimate bargain—if bargain there be—is not to their liking, they will use the weapons that they have retained and which the proposed agreement calls upon them only to "address"?

Does the Prime Minister recall that the whole purpose of the electoral body was to act as some sort of detoxifying chamber, in which representatives of Sinn Fein could meet elected representatives of democratic parties? In fact, the whole decommissioning issue has now been knocked on the head, and it would appear—I ask the Prime Minister to confirm this—that no final agreement will be reached while Sinn Fein-IRA retain their armaments.

The Prime Minister: Let me deal with the points that the hon. and learned Gentleman raised broadly in the order in which he raised them.

The question of decommissioning must be addressed at the beginning and progress must be made. There must be parallel decommissioning, as the Mitchell principle set out. As the talks proceed, the decommissioning must proceed in parallel with the talks. The precise manner of that is a matter to be determined at the beginning of the talks, as I previously indicated.

The second of the Mitchell principles—I believe from memory that it was the second—does refer, as the hon. and learned Gentleman rightly intimated, to the total decommissioning of weapons. That will obviously be a point that all the negotiators will wish to fix on at the beginning of the discussions.

Mr. James Couchman (Gillingham): My right hon. Friend has produced a most imaginative proposal—a proposal that should ensure that the widest possible representation is available for the talks when they begin. Can he tell me, however, whether there is in his proposals a safeguard to ensure that such electoral eccentrics as Screaming Lord Sutch and Sir James Goldsmith do not become involved in that election for their own curious purposes?

The Prime Minister: Democracy is a strange and curious thing, but I think the nature of Northern Ireland politics suggests that the specific candidates suggested by my hon. Friend would not be likely to obtain many votes. I think also that it is likely that the constitutional parties in Northern Ireland will be indicated on the face of the Bill that comes before the House. To the best of my knowledge, neither of the two parties headed by the two gentlemen mentioned by my hon. Friend is likely to feature in that Bill.

Mr. Harry Barnes (North-East Derbyshire): Many people dislike electoral systems in which they nevertheless participate. In this country, the Liberal Democrats dislike the fact that we do not have proportional representation and the Opposition parties dislike that fact that 3 million to 4 million people are missing from the electoral register, but we still all participate. The key thing now is that all the political parties in Northern Ireland, despite what they feel about that method, should tell us now that they intend to take a full part in the election to advance the peace process.

The Prime Minister: I am grateful to the hon. Gentleman and I entirely agree with every word he said.

Mr. Richard Spring (Bury St. Edmunds): Does my right hon. Friend agree that the elected forum should reflect the widest possible range of democratically mandated opinion in Northern Ireland? Will he welcome with me, therefore, the opportunity that has been given to the smaller political parties in Northern Ireland to be represented via the top-up of 20 members?

The Prime Minister: I am grateful to my hon. Friend. In the consultations we had with the parties, there was a wide desire to find a legitimate way to ensure that the smaller parties were represented, for without them the prospect of the negotiations making progress would have been greatly lessened. That is the purpose of the top-up provision—a novel constitutional element in the United Kingdom, I know, but one that is effective and will ensure the widest possible representation in the negotiations that lie ahead.

Mr. Ken Maginnis (Fermanagh and South Tyrone): The Prime Minister said that his Government remain to be convinced of the value of holding a referendum. Could it be that he has been encouraged in that attitude by the rapidly diminishing enthusiasm of the Irish Government for such a referendum since he proposed that we include, as a question in that referendum, part of question 10 of the Downing Street declaration—the part that alludes to a commitment to exclusively peaceful methods? Could it be that the Downing street declaration is not supported by the Irish Government as whole-heartedly as we had hoped? Could it be that they are adopting an attitude similar to that of the SDLP, whose members seem to have lost their enthusiasm for the consent of the people of Northern Ireland?

The Prime Minister: I forget whether I said that there was "no enthusiasm" for a referendum—I had in mind the constitutional parties in Northern Ireland rather than the Irish Government. I do not know whether the Irish

[The Prime Minister]

Government retain their enthusiasm for a referendum: I was referring to those consultations with the constitutional parties.

No case has yet been made, and I have not yet uncovered any likely agreement as to what precise question would be posed in the referendum. It is possible that such an agreement may be reached. I have not ruled out the prospect of holding a referendum on the same day as the elections, but at the moment it seems more unlikely than likely.

Mr. Nicholas Winterton (Macclesfield): I am sure that my right hon. Friend accepts that all hon. Members—whatever their position or party—want peace in Northern Ireland. My right hon. Friend has announced a very complicated package that will clearly need a great deal of study. However, he has not yet said why he believes that there are no grounds for declaring that a referendum could solve the problem. If we believe that the province of Ulster is part of the United Kingdom, why are we not prepared to put a straightforward proposition to the people of Northern Ireland: do they believe in the integration of Ulster, the province of Northern Ireland, within the United Kingdom? I believe that that is long overdue.

The Prime Minister: As my hon. Friend says, there is a place for referendums. I have said that, at the end of the negotiations, we shall put the outcome of those negotiations to the people of Northern Ireland. In my judgment, it is right that they should have the opportunity to decide on the outcome of those negotiations. That is the way in which we propose to operate: that referendum is certain.

Mr. Dennis Skinner (Bolsover): Is the Prime Minister aware that the new Rubik's cube-type election procedure that he has announced today could have been avoided, as everyone knows that the all-party talks could have taken place without any elections? We know also that, at the time of the Scott report, the Prime Minister and his colleagues made sure that the three votes of DUP Members were registered on his side by flying a kite that favoured them in order to save the Government.

Now that the Scott report is out of the way and the Prime Minister managed to secure victory by one vote, he must turn to the nine Ulster Unionists whose votes he needs in order to carry him for as long as possible through to the next election. That is why he has come up with this complicated procedure. He conned the DUP, and the chances are that he will con the Ulster Unionists before the day is out.

The Prime Minister: I am not entirely sure how the hon. Gentleman's thought processes work—in fact, I am not even sure whether the hon. Gentleman's thought processes do work. However, he has the unique gift of being 100 per cent. wrong in every assertion that he has made. The all-party talks could not have taken place without an election—as the hon. Gentleman would know if he had the first crumb of knowledge about what was happening in Ulster. The talks could not have taken place and the hon. Gentleman should acknowledge that fact. There was no agreement with the Democratic Unionist party.

Mr. Skinner: They thought so.

The Prime Minister: They did not think so. DUP Members know that there was no such agreement; the hon. Gentleman should ask them about it.

Mr. Barry Porter (Wirral, South): In view of the trenchant opposition to the proposals voiced by the somewhat strange alliance of the DUP and the SDLP—I do not know what to call it—does the Prime Minister agree that it seems to some entirely appropriate that the views of the major party in the province, which represents the majority of the population, should be taken very seriously?

The Prime Minister: We take very seriously the views of everyone in Northern Ireland. One of the great tragedies of Northern Ireland over the past 30 or so years is that a minority on any particular point has been able to bring whatever peace process existed to a juddering halt. That is why we need to take into account not only the views of the largest party but the views of smaller parties and the views of both traditions of Northern Ireland. Without that, no settlement could last.

Miss Kate Hoey (Vauxhall): The Prime Minister said that Sinn Fein-IRA would not be at the negotiations on 10 June unless there was what he called an unequivocal ceasefire. Will he clarify for the House and for the people of Northern Ireland how he will define such an unequivocal ceasefire?

The Prime Minister: We have made it clear that we want the restoration of the ceasefire of August 1994 and an indication that it is intended to be unequivocal. That is the point that we have made in the past, and it remains the position.

Business of the House

4.15 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): With permission, I should like to make a statement about the business for next week:

MONDAY 25 MARCH—Second Reading of the Family Law Bill *[Lords]*.

TUESDAY 26 MARCH—Opposition Day (8th allotted day). Until about 7 o'clock, there will be a debate entitled The Problems Presented by the Privatisation of Nuclear Power, followed by a debate entitled Government Cuts in Health and Safety Provision. Both debates will arise on Opposition motions.

WEDNESDAY 27 MARCH—Until 2 o'clock, there will be debates on the motion for the Adjournment of the House.

Progress on remaining stages of the Finance Bill.

THURSDAY 28 MARCH—Until about 7 o'clock, conclusion of remaining stages of the Finance Bill.

FRIDAY 29 MARCH—Private Members' Bills.

MONDAY 1 APRIL—Opposition Day (9th allotted day). There will be a debate on an Opposition motion. Subject to be announced.

I am not yet able to give details for Tuesday 2 April and Wednesday 3 April, but I expect that it will be necessary to take Government business on both days. The morning business on Wednesday 3 April will include the usual pre-recess three-hour general debate on the Adjournment. As previously announced, the House will rise for the Easter recess at the close of business that day until Tuesday 16 April.

The House will also wish to know that European Standing Committee B will meet at 10.30 am on Wednesday 27 March to consider European Community document No. 9674/95 relating to Border Controls.

[Wednesday 27 March: European Standing Committee B—European Community document: 9674/95, Border Controls. Relevant European Legislation Report: HC 70-xxvi (1994-95).]

Mrs. Ann Taylor (Dewsbury): I thank the Leader of the House for that information. First, he will know that yesterday the Secretary of State for Health said—the Prime Minister repeated it today—that the Government are awaiting further evidence from their advisory committee on the risks of eating beef products, and that that committee is meeting this weekend to consider the specific issue of giving advice to parents. Will the Leader of the House ensure that the House is kept fully informed on this matter, and, if necessary—it may well be necessary—will he make arrangements for a further statement to be made on Monday by the Secretary or State for Health so that questions can be asked about that further advice?

When does the Leader of the House expect to be able to find time for a full and informed debate on the latest information about bovine spongiform encephalopathy and what has happened in recent years, so that the issues explored briefly in questions on the statements yesterday can be given the full attention that they deserve and require?

Secondly, the Leader of the House announced that on Monday the House will debate the Second Reading of the Family Law Bill. There has been speculation as to how the Government might subsequently deal with that Bill—assuming, of course, that it is granted a Second Reading on Monday.

When will the Leader of the House be in a position to make an announcement about any steps that he intends to take in dealing with certain clauses of the Bill—its Committee stage—on the Floor of the House? The Government's attitude towards that might influence certain hon. Members when they come to vote on Second Reading. In particular, can the Leader of the House tell us what the Government propose to do about split pensions? It is a vital issue for thousands of women who are waiting to learn what the Government intend, given the vote in another place a short time ago.

Finally, as the House has not exactly been overwhelmed by the weight of business since Christmas, and as the Leader of the House said at the turn of year that he was willing to consider further the workings of Parliament, will he find time soon after the Easter recess to debate possible changes to our procedures, so as not only to make Parliament work more efficiently but to make it more effective?

Mr. Newton: Further advice from the Spongiform Encephalopathy Advisory Committee, as has been said on a number of occasions, is expected shortly after its meeting this weekend, and my right hon. Friend the Secretary of State for Health would expect to come to the House promptly to make a statement on it. It is a matter of observation that my right hon. Friend was here to make a statement yesterday at an early stage after previous advice was received.

I cannot be absolutely precise, but good faith has been shown by the way in which the Government have dealt with the matter. It would be premature for me to make a commitment to a debate, as the hon. Lady requested, at the Dispatch Box this afternoon, especially in advance of receiving further advice. I will bear the request in mind, and we may be able to discuss it further through the usual channels.

On the Family Law Bill, the hon. Lady will know that discussion on those matters is proceeding in the usual channels at the moment. The Government certainly expect to make provision for the discussion of appropriate clauses—the so-called conscience clauses—on the Floor of the House. On pension splitting, I cannot add to what I said last week about the Government having under consideration the amendment passed in another place, but my right hon. Friend the Chancellor of the Duchy of Lancaster would expect to make the position clear in his speech on Second Reading next week.

I continue to bear in mind the hon. Lady's request for a debate on parliamentary procedures and related matters. I have to say that, on my observation, we are not at all short of business. The hon. Lady may be thinking of a slack week that we had two or three weeks ago, but that was a pause before legislation started to arrive here from another place.

Mr. John Wilkinson (Ruislip-Northwood): My right hon. Friend will be aware that, halfway through the period for which he has announced the business, the

[Mr. John Wilkinson]

intergovernmental conference will open in Turin. Will my right hon. Friend and the Government ensure that the negotiating Ministers come back to report to the House and to give progress statements, to allow hon. Members to question them and to ensure that the Government are making progress in the direction of a Europe of nations?

Mr. Newton: As always, I will bear in mind what my hon. Friend says, but there will be a long and complex process and it would not facilitate that process—or be practicable—for full statements to be made every time there was some kind of meeting connected with the process.

Mr. John Austin-Walker (Woolwich): May I draw the attention of the Leader of the House to the use of bovine serum—that is, serum derived from cattle—in the production of vaccines for immunisation? I was advised this morning that the Department of Health stopped the use of bovine serum from British cattle in 1989, and that no vaccines have contained it since 1990. Will the Leader of the House make arrangements for the Secretary of State for Health to come to the House next week to say whether that is so, and, if it is so, what was the scientific advice available when the Department of Health took that decision?

Mr. Newton: I cannot comment on the scientific advice in relation to the point that the hon. Gentleman raises, but I will draw it to the attention of my right hon. Friend the Secretary of State for Health.

Mr. Jacques Arnold (Gravesham): Has my right hon. Friend noticed that it has become an odd practice of the House that, when we have motions for the Adjournment on subjects such as Europe and the Scott report, the House mysteriously divides with the intention of embarrassing the Government? Does the Leader of the House think that the reason why there will not be such a vote tonight is perhaps to cover up massive splits among Labour Members?

Mr. Newton: I hope, think and believe that the reason is that everyone is anxious to have a calm and constructive debate.

Mr. Harry Barnes (North-East Derbyshire): May we have a debate on the subject covered in a letter that I have just received from a nine-year-old constituent, Louise Orrill of Wingerworth? She is being taught in a class of 37 children, in accommodation intended for only 20. Her school, Hunloke primary, is due to lose another teacher as well, which will only add to the problem.

Why do these difficulties persist, when there was supposed to have been an improvement in the standard spending assessment? The problem is that it did not take account of the growth in the pupil population. That needs serious consideration, because the problem is widespread in Derbyshire and throughout the country.

Mr. Newton: The hon. Gentleman will know that I am not in a position to comment on a particular local authority's position, let alone on a particular school. He has, however, with characteristic ingenuity, found a way—fairly speedily—of making sure that his constituent's representation is drawn to the attention of the Education Secretary.

Mr. Edward Leigh (Gainsborough and Horncastle): With regard to the Family Law Bill, my right hon. Friend will be aware that many hon. Members feel strongly, as a matter of personal conscience—it has nothing to do with party political controversy—that the Bill is misguided, in that it introduces no-fault divorces, and the waiting period is too short. Does he accept our view that, on a matter of such enormous importance, all the contentious issues relating to no fault and the waiting period should be discussed on the Floor of the House? In that way, members of both parties, including Ministers, will be able to vote freely and exercise their consciences on a vital social matter.

Mr. Newton: I hope that my hon. Friend was here a moment ago when I said that it was the Government's intention to propose that what might be called the conscience clauses be debated on the Floor of the House. I cannot add to that, but I hope that what I have said will give my hon. Friend the sort of assurance that he seeks.

Mr. Roy Hughes (Newport, East): When will the order under the negative procedure relating to eyesight tests for heavy goods vehicle drivers be brought before the House? Have the Government had any change of attitude over this controversial measure, which is causing such concern throughout the country—especially to those immediately affected?

Mr. Newton: I cannot say anything about the timing at present.

Mrs. Alice Mahon (Halifax): Further to the question raised by my hon. Friend the Member for Woolwich (Mr. Austin-Walker) about bovine serum used in vaccines, may I help the Leader of the House by repeating the request for an early debate? I understand that the chief medical officer has issued a letter to the medical profession, reassuring its members that only foreign bovine serum has been used since 1989, so it is a matter of some urgency that we have a statement from the Secretary of State for Health.

Mr. Newton: I have already promised to draw the earlier question to my right hon. Friend's attention—and if I remember correctly, it was a request not for a debate but for further information.

TRIBUNALS OF INQUIRY (EVIDENCE) ACT 1921

Resolved,

That it is expedient that a Tribunal be established for inquiring into a definite matter of urgent public importance, that is to say, the incident at Dunblane Primary School on Wednesday 13th March 1996, which resulted in the deaths of 18 people.—*[Mr. Michael Forsyth.]*

Intergovernmental Conference

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Bates.]*

[Relevant documents: Minutes of Evidence taken before the Select Committee on European Legislation on 13th February (House of Commons Paper No. 226), the Commission Opinion on the holding of an Inter-Governmental Conference entitled "Reinforcing Political Union and Preparing for Enlargement", European Parliament resolution A4-0068/96 entitled "Report on (i) Parliament's opinion on the convening of the Inter-Governmental Conference (ii) Evaluation of the work of the Reflection group and definition of the political priorities of the European Parliament with a view to the Inter-Governmental Conference" and the Minutes of Evidence taken before the Foreign Affairs Committee on 18th March (House of Commons Paper No. 306-i).]

Madam Speaker: More than 50 Back Benchers have expressed a wish to speak in this debate, so I have limited all Back-Bench speeches to 10 minutes.

4.27 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Malcolm Rifkind): I am delighted that the House is to have this opportunity today to discuss the forthcoming intergovernmental conference, taking into account various papers, including the Government's White Paper entitled "A Partnership of Nations". The next few years will be as important as any in the European Union's 40-year history. The Union confronts a number of serious challenges.

First, we must tackle with vigour the urgent task of improving Europe's global competitiveness. Europe must be as successful as north America and the far east if we are to ensure high employment and growing prosperity. Secondly, we must promote the enlargement of the EU as a means to assist stability and to consolidate freedom and democracy in the countries of central Europe.

Thirdly, enlarging the European Union necessarily entails reforming its agricultural and structural policies if we are not to bankrupt the Community budget. Fourthly, we shall need to work out the arrangements for financing the EU after 1999.

Fifthly, the European Union will face hard choices on a single currency. Britain's position is, of course, protected by the opt-out negotiated by my right hon. Friend the Prime Minister.

The IGC, which begins on 29 March in Turin, is only one of a series of parallel negotiations within the European Union over the next few years; nor is it necessarily the most important. It is not likely to be the defining event for the European Union in the 1990s.

Generals and Ministries of Defence are sometimes accused of always preparing to fight the last war. Perhaps some commentators, in according such attention to the IGC, have been preparing for a re-run of Maastricht. If so, that is unwise. Maastricht had its origins in the project to create a single currency. Before that, the 1985 IGC, which negotiated the Single European Act, was inspired by the goal of a single market.

The next IGC—the one about to begin—unlike 1985 or Maastricht, has not been convened to negotiate a big idea. The conference that begins in Turin will essentially be an exercise in improving the effectiveness of the European Union's machinery before we tackle the bigger challenges that I have already mentioned. My intention in saying this is not to belittle the importance of the IGC, but I believe that the conference should be seen in its proper context.

Our White Paper, "A Partnership of Nations", sets out the overall British strategy for the conference. The Government are committed to making a success of Britain's membership of the European Union. We shall be positive in our approach and shall work for agreement with our European partners. We believe in partnership, because we remain convinced of the central importance of the nation state in our vision of Europe's future.

Our approach found an encouraging resonance last week, when the French Prime Minister, Alain Juppé, said:

"The nation state remain more than ever the essential, central place where the democratic contract, the social and political link between citizens and their elected representatives, is fulfilled".

The nation state remains as relevant as ever to today's Europe.

Mr. Peter Shore (Bethnal Green and Stepney): The Foreign Secretary is on to an absolutely central point about the integrity of the nation state and a European partnership of nations. Does he not think that the most convincing evidence that the House and the Government could give of their commitment to a Europe of nation states rather than to a federal Europe would be to say now, and clearly, that we have no intention of allowing the transfer of economic powers to European institutions that would be involved in economic and monetary union and a single currency? If he could clarify that and give us that firm assurance, his others words would carry greater conviction.

Mr. Rifkind: I recognise the importance of the issue that the right hon. Gentleman has raised, and it is for precisely that reason that the United Kingdom and Denmark were the two countries that refused to accept even the principle of a single currency during the Maastricht negotiation. That is not the view of the other members of the European Union, but the United Kingdom took that position—a rather lonely position but one that demonstrated our determination to protect the United Kingdom's interests and to ensure that no step would be taken that was contrary to our national interests.

Mr. Llew Smith (Blaenau Gwent): In the White Paper, the Government argue that they are against the erosion of national Parliaments. If we should become part of monetary union, will the Minister indicate what economic powers would be left in this Parliament and what economic powers would be with the European central bank?

Mr. Rifkind: These will indeed be issues that will need to be addressed fully, but they will not be relevant to the IGC, so I hope that the hon. Gentleman will forgive me if I do not get tempted along that alleyway on this occasion.

The nation state remains as relevant as ever to today's Europe and to its peoples. In each country, citizens can best express their concerns through their national democratic institutions. The European Union supranational institutions cannot deliver the same level of democratic accountability.

President Mitterrand said, in his moving final speech to the European Parliament in Strasbourg last year: "Nationalism is war." Chancellor Kohl echoed that fear.

[Mr. Rifkind]

saying that Europe has no desire to return to the nation state of old, and that nationalism has brought great suffering to our continent. Extreme nationalism and xenophobia are indeed poisons, but they will not be overcome by an internationalism that seeks to deny national consciousness, local differences and historical experience.

The German Chancellor is right to say that we do not want to return to the nationalism of the 1930s; but the nation states of western Europe have learnt the lessons of history. One of the great achievements of the European Union has been the replacement of the habit of conflict which dominated western Europe for centuries and which spawned two world wars in this century, with a habit of co-operation.

Every month, every week, every day, Europe's Ministers and officials are meeting, resolving differences, working together and building for the future. Any reversion to the habits of the past is literally inconceivable. That achievement has been entrenched by a reconciling of the unity of Europe with the diversity of its nations. To have striven for the former by ignoring the latter would have been fatal.

Mr. Hugh Dykes (Harrow, East): I realise that the Foreign Secretary is trying to establish the delicate balance between those factors. The Maastricht treaty, however, specifically upholds national identities, so there is no built-in problem there.

Paragraph 6 of the White Paper states that the Government are

"committed to the success of the European Union, and to playing a positive role in achieving that success."

Must that not include our paying attention to the requirements and aspirations of the other member states in the negotiations—without weakening our position—and accepting that they want to create a genuine European Union?

Mr. Rifkind: It certainly means that we must listen courteously to the views of others. It means that we must recognise that they are not enemies but partners, and that we must make a genuine and constructive effort to reach agreement.

My hon. Friend will acknowledge, however, that for each nation—not just the United Kingdom—there will be sticking points. There will be positions that are arrived at not simply out of a desire to be obstructive or out of bloody-mindedness, but because they reflect an honest perception of what the national interest of each country requires. When Britain—or, for that matter, any other country—identifies such a position, it is right and proper for it to be as firm as possible in ensuring that that position is respected.

Mr. Tony Banks (Newham, North-West): Will the Foreign Secretary give way?

Mr. Nigel Spearing (Newham, South): Will the Foreign Secretary give way?

Mr. Rifkind: I hope that the hon. Gentlemen will forgive me if I do not. I want to make some progress.

Over the years to come, the European Union may develop in three possible ways. We want it to be a partnership of nation states, co-operating freely in pursuit of their overall collective interests and using the institutions of the Union only when that is clearly necessary.

A second way would lead towards a federal Europe. The pressure for a United States of Europe still exists. Although it is not the declared policy of any of the member states' Governments, it is clearly the aim of the European Parliament and the Commission, judging by the maximalist opinions that they have submitted to the intergovernmental conference.

A possible third way in which the European Union might evolve is a multi-track Europe, as referred to in my right hon. Friend the Prime Minister's speech in Leiden two years ago. That could lead to a flexible Europe with different degrees of integration for different countries, which would be a different kind of partnership.

Mr. Bernard Jenkin (Colchester, North): If we, as a nation state, do not wish to be included in what my right hon. and learned Friend describes as a federal Europe, must we not as a House ensure that we no longer go along with the process of legal integration, which is gradually denuding Parliament of competence and transferring it to the institutions of the European Community? Is it not true that the Maastricht treaty has done nothing to halt that process?

Mr. Rifkind: I accept that certain changes may be required. I think that my hon. Friend is referring to the role of the European Court of Justice; I intend to deal with that later.

I was talking about the third possible way in which the European Union might evolve into neither a loose partnership of nations nor a federal Europe, but a Union that is more flexible and has multi-track characteristics. Those intent on a federal Union in Europe maintain that, if the European Union does not integrate more and more closely as it grows larger, it will inevitably dilute and will eventually collapse.

I understand that argument, which is sincerely advanced; but I reject it. It is true that, if the European Union is to fulfil its potential, there must be core disciplines and obligations. If nation states were free to erect barriers against each other, we could quickly slide back from the achievements of the single market. Europe, however, must allow and even encourage variety, especially as it enlarges. How is that paradox to be resolved?

Mr. Dennis Skinner (Bolsover): Not easily.

Mr. Rifkind: As is often the case, the hon. Gentleman is correct.

The Prime Minister's speech at Leiden began by arguing for tolerance of diversity and for suspicion of conformity for its own sake. The European Union must develop with the instincts of free peoples. That implies acceptance that some may wish to integrate more closely or more quickly in certain matters. Their national interest may require it, even if that of others does not.

The Prime Minister suggested three conditions that needed to be fulfilled for that purpose. First, such flexibility must not undermine the core of disciplines and

obligations on which the single market depends. Secondly, no member state should be excluded from an area of policy in which it is qualified and it wishes to participate—policies must be open to all.

Thirdly, there should be no inner and outer circles—no two-tier Europe. As the Prime Minister put it at Leiden:

"There is not, and there never should be, an exclusive hard core either of countries or of policies"

in which some member states lay claim to a privileged status. For 40 years, the European Union has worked to reduce divisions in Europe. No one wants such divisions to be reintroduced.

Mr. William Cash (Stafford): Will my right hon. and learned Friend note that paragraph 12 of the Government's White Paper says:

"If we were to press ideas which stand no chance of general acceptance, some others would seek to impose an integrationist agenda which would be equally unacceptable from our point of view"?

Does he not accept that that is a form of appeasement, that we will not press ideas if they are inconvenient or may not be generally accepted by other member states? Is that not a defeatist position for us to adopt?

Mr. Rifkind: We are about to enter into a negotiation, not a debate, so the Government and I must take account of the fact that, in that negotiation, we must set certain objectives. We are not excluding objectives in that negotiation simply because we might start as the only country expressing certain views. I have not the slightest doubt that we will start by being the only country advocating certain proposals and changes, some of which are referred to in the White Paper, but we cannot sensibly enter a negotiation if we judge that, not only at the beginning but at the end of it, there is unlikely to be any willingness to support our position.

The IGC will deal with one aspect of the work of the European Union. We will argue strongly for matters that are within the relevant competence of the IGC. If we make proposals that we believe are vital to the United Kingdom, we will argue them with all the vehemence at our disposal. We will not stop arguing them simply because there is not a measure of agreement.

Mr. Patrick Nicholls (Teignbridge): My right hon. and learned Friend's position will be overwhelmingly, although not unanimously, accepted by Conservative Members, but he seems to be saying that there is no sticking point in the negotiation. Are there any sicking points where, if he cannot get his way, he will say to our partners, "We will bring the temple down because this matters to us more than anything else"?

Mr. Rifkind: The IGC will not be a success unless its conclusions are accepted by all member states. I notice that, only yesterday, one of my French colleagues said that the IGC would fail if certain French interests were not properly taken into account. The same applies to the UK and to other member states.

Mr. Tony Marlow (Northampton, North): Will my right hon. and learned Friend give way?

Mr. Rifkind: May I make a bit of progress? I will then happily give way to my hon. Friend.

A further principle with regard to flexibility that I outlined a fortnight ago in my Paris speech is that policies using Community institutions and the Community budget should be undertaken by less than the full membership only when that is agreed by all. Policies agreed by some against the objections of others should not carry the imprimatur of the European Union, or use EU institutions or resources.

Two years ago, the Prime Minister's Leiden speech was considered heresy by some of our European partners. That is not so today. They increasingly accept that the development of the European Union may need to include a degree of flexibility, or, as it is sometimes called, "variable geometry". We welcome that, provided that the concept of flexibility is not misused, for example, to introduce obstacles into the single market or to enable some countries to pursue closer integration among themselves and still expect all member states to foot the bill. We are, however, alive to the risks. As the European Union enlarges, it will have to incorporate more flexibility, which may require some new mechanism in the treaty.

Mr. Nicholas Budgen (Wolverhampton, South-West): If the Government are in favour of variable geometry, why should that variable geometry not extend to allowing France, Germany and perhaps some countries surrounding Germany to enter a hard-core arrangement? If they think that that is to their advantage and we do not find anything wrong with it, why should they not get on with it?

Mr. Rifkind: If countries wish, on an intergovernmental basis outside the European Union, to enter into agreements between themselves, we cannot stop them—they do not need our agreement or our permission. That is what happened with the Schengen agreement. That is intergovernmental, was reached outside the European Union and does not require our consent. If, however, countries wish to integrate under the European Union, use its resources and be subject to the work of the European Court and of the European Commission, that requires the consent of all member states. That is a crucial requirement for us.

Several hon. Members *rose—*

Mr. Rifkind: I must make some progress. You said, Madam Speaker, that many hon. Members wish to take part in the debate. I will give way later.

Of course, some variable geometry exists. Not all countries participate in the Schengen agreement on frontiers. The UK has opted out of the social chapter. Britain and Denmark have not committed themselves to joining a single currency. As the Union enlarges, such variable geometry will be increasingly visible. The likelihood that a majority of existing members will not be able to participate in any single currency that might be created in 1999 is widely acknowledged.

One must add to those factors the new market economies of central and eastern Europe, nine of which have applied to join the European Union. It is unavoidable that most of those central and eastern European countries will be unable to join a single European currency possibly for a generation. The EU must get used to the idea that, if the single currency goes ahead, most of its member states will not be a part of it for the foreseeable future.

Sir Terence Higgins (Worthing): If that position exists, is it not clear that there is a two-speed Europe?

Mr. Rifkind: No, because a two-speed Europe implies that we are all going to the same destination, but that some may arrive at it later than others. That may be true with regard to some policies and some countries, but it is equally clear that some member states will not wish to move towards some forms of integration, even in the long term. That is why I referred to a multi-track rather than a multi-speed concept of European Union.

Several hon. Members *rose—*

Mr. Rifkind: I must make some progress.

The inclusion of the principle of subsidiarity in the European Union treaty was a British success at Maastricht. Since then, the principle has been developed further. The European Commission accepts that action at the level of the nation state should be the rule and Community action the exception. Some progress has been made. Since Maastricht, the number of legislative proposals from the Commission has fallen dramatically, but there is scope to do more. We shall seek to entrench subsidiarity further.

In 1992, the Edinburgh European Council adopted guidelines on how subsidiarity should work. We propose that those should be incorporated in a protocol to the treaty. Such a protocol would require that the Commission shall propose the

"simplest form of action possible".

The Commission would need to explain why Community action was chosen in preference to co-operation between member states. A new measure would have to satisfy the test that it minimises financial or administrative burdens, and leaves the maximum scope for national decision-making.

We shall vigorously defend the pillared structure of the treaty that was introduced at Maastricht. That acknowledges that Community procedures and institutions are inappropriate when it comes to foreign policy, defence policy and questions of home affairs such as policing. Those are issues that need to be handled intergovernmentally, because they go to the heart of national sovereignty.

Once again, France agrees with the United Kingdom. In his speech last week, the French Prime Minister said:

"The IGC should clearly limit the Commission's field of action to Community matters; the second and third pillars should fall to the exclusive competence of the Member States".

Much can be done in the IGC to improve the operation of the second and third pillars. Britain has already made proposals and we shall have more to make, but there can be no question of abandoning the intergovernmental nature of co-operation—for example, by introducing voting procedures more appropriate to the European Community.

I must confess to some dismay at the prospect of months and months of negotiation about decision-making procedures in common foreign and security policy. There are times when the European Union becomes a triumph of process over product.

My right hon. Friend the Member for Witney (Mr. Hurd) asked in his Churchill memorial lecture in Luxembourg last week whether the European Union was going to spend the next year discussing majority voting or the real issues confronting us, such as our policy towards Russia. He said:

"On present form there is a real danger that Ministers and politicians will spend precious time going to and fro over the arguments about machinery."

I hope that we can prove him wrong, for, as he went on to say, it is unreal to imagine that the European Union's contribution to foreign policy would be transformed by different decision-making procedures in CFSP. The more important priorities are for thorough joint analysis, sensible policy proposals and the machinery to implement our ideas quickly and well.

Mr. Marlow: I am grateful to my right hon. and learned Friend for giving way. This House is deeply exercised by the judgment by the Advocate General on the 48-hour week. This House was told, without any doubt, that it retained competence over social policy. If the Advocate General's judgment is sustained by the court as a whole, and if, as is likely, we do not get unanimity in the IGC to reverse that judgment, will my right hon. and learned Friend give the House an undertaking that he will not rule out the possible necessity of passing legislation to overcome that judgment?

Mr. Rifkind: I cannot anticipate now what we might or might not be determined to do a year from now if all other methods fail. I am not prepared to comment in that way. However, I can tell my hon. Friend that we intend not only to fight vigorously to get the court to make a judgment different from that of the Advocate General, but to raise the issue at the IGC—and we will view it as an important priority for this country to obtain the necessary changes.

Mr. Dykes: How does my right hon. and learned Friend's answer to my hon. Friend the Member for Northampton, North (Mr. Marlow) square with paragraph 36 of the White Paper, in which the Government emphatically say:

"The Government is committed to a strong, independent Court without which it would be impossible to ensure even application of Community law, and to prevent abuse of power by the Community institutions."

Further on in that paragraph, the Government say:

"The ECJ safeguards all Member States by ensuring that partners meet their Community obligations."

Is that not more important than giving my hon. Friend the Member for Northampton, North the impression that we might be flexible on those very fundamental matters?

Mr. Rifkind: The crucial problem with the 48-hour week was that the Commission, in the first instance, made what we believe to be an abuse of the legislation, and tried, on the spurious grounds of health and safety, to get around the United Kingdom's social chapter opt-out. The European Court's job is to interpret directives, and we believe that the interpretation it should make is one consistent with the clear intentions of Ministers when they originally considered the matter.

Mr. Denis MacShane (Rotherham): Is the right hon. and learned Gentleman aware that companies in my constituency want to gain access to European markets and want a strong European Court of Justice to make the

single market work? Britain's contempt for the law of Europe, of which the right hon. and learned Gentleman should be utterly ashamed, is causing great damage to our reputation as a law-abiding nation state.

Mr. Rifkind: With respect, the hon. Gentleman is talking through his hat. He well knows that we strongly support the role of the Court in ensuring the proper workings of the single market. If the hon. Gentleman discusses these matters with companies in his constituency, he will find that they are angry and frustrated by the attempt to impose a 48-hour week regardless of the circumstances of their companies and their discussions with their employees.

Mr. Budgen *rose—*

Mr. Rifkind: I must make progress, but I will give way again later.

In the defence area, too, there is a danger that discussion at the IGC may be hijacked by institutional architects more interested in decision-making algebra than real defence issues and the purposes of closer European defence co-operation. Britain, as a country with real defence interests and obligations, is less interested in blueprints and more concerned about how, collectively and consistent with our NATO responsibilities, we and our European partners can actually promote security and stability on this continent, on its periphery and beyond.

Britain is determined to play a leading role in the defence debate at the intergovernmental conference, but we are equally determined to ensure that the debate stays rooted in the real world. NATO is the bedrock of our security. Without the United States, the countries of western Europe would have to double their defence budgets to achieve comparable defence capability. Decisions to send service men and women to risk their lives must remain for national Governments, accountable to national Parliaments.

Defence is not the only area in which institution builders are in danger of losing sight of what people actually want. The truth is that some of the proposals to be put at the conference—the ideas, for example, which emerge from the Commission and the opinions of the European Parliament, which have been tagged to this debate today—are driven not so much by a desire to make practical progress or to respond to public demands as by an ideological mission to maintain the momentum of integration and centralisation in Europe.

A clear example of that relates to majority voting. I often hear the argument that retaining unanimity would bring an enlarged Community of 20 or more to a standstill. The Labour party consistently uses that argument; indeed, the hon. Member for Livingston (Mr. Cook) used it in reply to my statement last week. Superficially, that may sound persuasive, but it is bogus. It does not stand up to analysis.

First, almost all member states say that they recognise that majority voting is inappropriate for the most fundamental issues, however big the Union may become. There was broad agreement in the Reflection Group that

"unanimity should remain the rule for decisions on primary law",

such as treaty change, new accessions and the Community's overall revenue ceilings.

Equally, there is strong opposition to majority voting on issues such as taxation or big institutional questions such as the appointment of Commissioners. Reaching decisions by unanimity in such areas may not always be easy, but there is, in our view, no serious alternative. Member states will not allow themselves to be overruled on issues of such importance.

Secondly, the House should recall that majority voting already applies in those areas where regular decisions are needed to enable the Community to conduct its day-to-day business, such as the single market, agriculture and external trade. Some hon. Members have difficulty grasping that point. I lose count of the number of times I have heard the assertion that the Government are blocking serious agricultural reform by setting their face against further extension of QMV. I repeat that agriculture is already subject to QMV.

So what is left? The answer is some regional and environmental decisions; decisions on the locations of certain institutions of the Union; decisions on the shape and size of the research programme; and areas such as industrial policy and culture. Those are important issues. The Labour party will damage British interests by surrendering our national veto. But is anyone seriously saying that retention of unanimity in those few areas would render the Union unmanageable after enlargement? Of course not.

So why is there pressure for an extension of QMV? Partly, it is the desire to be seen to be doing something which can be presented, however erroneously, as a great leap forward. However, the real motive—this is my central point—of many who argue for more majority voting is ideological, not practical. They would like QMV for all decisions, but they know that that is non-negotiable at the present time—so they are seeking half a loaf now, hoping to secure the other half, the flour and the whole bakery, when they can.

That is the objective of the European Parliament, of the Commission and of a significant number of continental politicians. They want to extend QMV, as part of a long-term ambition of building a federal Europe. That is not a dishonourable goal, but it is disingenuous to pretend that, without more QMV, enlargement cannot succeed. The Government have not been against majority voting in the Community where there were good, practical arguments for it. That is why we supported the extension of QMV to the single market. No case has been made, however, for extending QMV further, and the Government will therefore oppose it.

Mrs. Edwina Currie (South Derbyshire): My right hon. and learned Friend should be aware that some Conservative Members are not nearly as frightened of QMV as the Government appear to be. If the vetoes are retained in their present form and the enlargement process brings in a number of small countries that would also have a veto, does he recognise that one of the fears of many of us on the Conservative Benches is that we would be told what to do by small countries, which are new to Europe?

Mr. Rifkind: My hon. Friend is putting forward a very democratic principle. If she shares the central philosophical belief of the Government that the European Union should be a partnership of nations, then small countries, as well as large countries, have a right to be

[Mr. Rifkind]

heard. It may be my hon. Friend's view that, as long as the large states can have their way, it does not matter what the smaller countries face, but I do not think that such a view would carry great resonance in a large number of EU countries. We believe that the principle of a partnership of nations applies to all nations—large and small.

Where I would, however, have some sympathy with my hon. Friend the Member for South Derbyshire (Mrs. Currie) and with many others, and where we agree with Germany, France and Italy, is that there are strong arguments for increasing the relative influence of the larger member states in the voting system. For example, the total population of Luxembourg, Ireland, Denmark, Finland, Sweden and Austria is 31 million—slightly more than half of Britain's. Yet those countries wield 19 votes between them in the Council, which is practically double the 10 votes of either Britain or France.

The current bias against the larger member states will become more pronounced with the accession of more, mainly small, states. The automatic extension of the current system on enlargement could allow a significant percentage of the EU's population, or the major net contributors as a group, to be outvoted. That would bring the Union's democratic credentials into disrepute.

Mr. John Butterfill (Bournemouth, West): Does my right hon. and learned Friend accept that QMV is excluded in some aspects of the single market? For example, article 223 excludes defence procurement. That is especially important to British defence industries, which are prevented by it from gaining access to some of our partners' defence procurement. Does he not think that we could extend QMV in that area, where it would benefit British industry?

Mr. Rifkind: No. The debate about that article is not about unanimity or QMV, but about whether defence procurement itself should be a matter for Commission competence and should come within the operation of the EU. We have looked at that very seriously from the point of view of British interest, but we did not conclude that it would be acceptable for article 223 to extend to defence procurement. Nor do we believe that it would be in the UK's interest.

Mr. Tony Banks (Newham, North-West) *rose—*

Mr. Rifkind: As an example of variable geometry, I shall give way to the hon. Gentleman.

Mr. Banks: How does the Secretary of State think that greater advantage could be given to nations that are larger, either in terms of population or contributory powers? Could we, for example, follow a process of block voting, in which he could hold up a card, like a great panjandrum national secretary, and cast a block vote on behalf of the country? Does he fancy something like that?

Mr. Rifkind: That policy has always seemed to go down well at Labour party conferences, but the rest of the world has not considered it appropriate. We clearly need to consider a system of weighted voting that reflects the respective populations of the EU countries—I do not necessarily mean in exact proportion. There is weighted voting at the moment, but it is not in any way reflective of the contributions of larger countries to the overall work of the EU. That needs to be corrected.

The desire for further centralisation is also clear in other areas. The need to create more jobs is one of Europe's highest priorities. The Labour party is arguing that we therefore need a treaty chapter on employment. Why? What would it achieve except employment for new armies of bureaucrats and trade unionists? Fine words in treaties do not create jobs; businesses create jobs, and they would be able to create more of them if they were left to get on with it without bright new initiatives either from Brussels or from the Labour party.

There are many areas in which it makes sense for the nations of Europe to combine forces through the European Union, and in which successive British Governments have accepted common European decision-making, because the benefits for British security, prosperity or the quality of life are so significant that they have justified some loss of unfettered national control.

We are not going to be driven into further centralisation for ideological reasons by those who maintain that the days of the nation state are over. We must look very carefully at the balance of the EU's legal order, to ensure that it permits a stable equilibrium and that we are not ratcheted by our obligations beyond what is sensible or publicly acceptable.

That is one reason why the IGC will need to look at the role of the European Court of Justice. The French, too, have concerns. I again refer to the speech made by the French Prime Minister last week, when he said that the European Court of Justice was

"becoming, little by little, a sort of European Supreme Court. This competence, if it were extended, could lead ineluctably to the acceptance of a federal type of European constitution. To avoid such an outcome, the Intergovernmental Conference should examine the issue, otherwise all the debates about the balance of power in the Union could become pointless".

I very much welcome the fact that the French Prime Minister, on behalf of his Government, has agreed with our judgment that the ECJ is a legitimate issue to be raised at the IGC, and that trends in the way in which the European Court is operating could point towards a federal structure in the EU, which France would also find an unattractive and unacceptable policy. We therefore look forward to hearing in greater detail French ideas on that important matter.

Mr. Iain Duncan Smith (Chingford): May I press my right hon. and learned Friend a little further on that point? He previously referred to the concept of subsidiarity, and he has just mentioned what we might do with regard to the European Court. He will be fully aware that one of the crucial doctrines of the European Court is that of the occupied field—when it moves competence into an area, it may never move out. Does he accept that subsidiarity and that doctrine are mutually opposed, and that, if he wants to proceed on the matter, he has to resolve that doctrine by the end of the IGC? Does he intend to make that an absolute?

Mr. Rifkind: I certainly agree with my hon. Friend that it is not acceptable to suggest that certain areas of competence, once agreed, are irreversible. We have a democratic European community of nations. If it is the

view of the people and Parliaments of the EU member states that some area that has previously been seen to be relevant to the competence of the Commission is unnecessary, and that it could much better be handled at the level of national Parliaments, I would see nothing wrong with such a proposition.

Indeed, I see it as unacceptable to suggest that such matters cannot be considered afresh in the light of circumstance and experience. It would be a denial of the democratic nature of our European family of nations to try to prevent such a discussion from taking place.

Mr. Budgen: The House understands that the Government's first objective will be to try to amend the treaty on the powers of the court, but we all know that that is very difficult. Is the Government's present position one of leaving open the possibility that they might in future refuse to obey one of the European Court's judgments?

Mr. Rifkind: This Government and this country have always been staunch upholders of the rule of law. I trust that my hon. Friend—*[Interruption.]* It is the law that this Parliament has indicated it believes to be the law to which we are subject. I do not believe that it would be the will of the British people to disobey the law. It is a quite different matter as to whether—

Several hon. Members *rose—*

Mr. Rifkind: If I may finish—

Mr. Marlow *rose—*

Mr. Rifkind: May I be allowed to finish what I was saying before I give way?

The proper course of action when one believes that a law is unreasonable or unjust is to change that law, not to ignore its legal force.

Sir Teddy Taylor (Southend, East): I fully accept the important point that the Foreign Secretary makes, but does he not accept that many of us believe that the wording of the Advocate General's judgment, or recommendation, is so wide that the whole social chapter will be applied to this country by majority voting through the Single European Act? If by any chance those who take that view happened to be correct, what would the Government do? What advice would they give?

I fully accept what my right hon. and learned Friend says about the sanctity of law, but if our exclusion is virtually written off and torn up because of the abuse of the European Court, surely we must do something.

Mr. Rifkind: Of course it follows that, if the vital interests of member states were ignored in the European Union, there would come a time when the Union would become unworkable, and would not be able to continue as a effective force for the peoples of Europe. Our view is that the proper course of action on aspects that we believe to be unattractive and undesirable is to seek a change.

As we have seen in the past, that can be achieved. The British budget rebate was a good example. Not surprisingly, Britain began without a single ally—but by tough and firm negotiations we achieved our objective in a most creditable way.

Several hon. Members *rose—*

Mr. Rifkind: May I make a few more remarks on that subject before I give way again?

Mr. Marlow *rose—*

Mr. Rifkind: I am still dealing with the same point.

Our proposals on the Court of Justice for the IGC will be contained in a detailed memorandum that we shall issue shortly. They focus on two areas, the first of which concerns improvements in the functioning of the Court.

The EU needs a strong independent Court to ensure the even application of Community laws and to prevent abuse of power by Community institutions. Britain's proposals will not be designed to reduce the Court's legitimate authority. Rather, we want to help to ensure that it avoids disproportionate judgments that threaten to bring its reputation into disrepute; and we are concerned that the Court's interpretations have sometimes gone beyond what Governments intended when laws were framed.

Secondly, there can be changes in the law itself. In many cases, it is not the Court that is at fault when things go wrong, but the law itself, which can be an ass. It is absurd, for example, that there should be fishing quotas designed to guarantee a reasonable return for local fishing communities, yet at the same time treaty provisions on non-discrimination that render such quotas unenforceable. It is wrong that the health and safety articles are so loosely drafted that they can be used to make social policy by the back door, evading the unanimity requirement.

Those are issues that we intend to address at the conference. We do not accept that directives, once approved, are irreversible. Treaty provisions are not to be seen as tablets of stone. If amendments are needed, they should be agreed.

Mr. Marlow: Will my right hon. and learned Friend give way?

Mr. Rifkind: No. May I continue?

It is important to understand that the IGC will not cover the whole waterfront. I do not expect, for example, that there will be substantive discussion of the common agricultural policy. The treaty provisions on the CAP do not present a legal barrier to the liberal, market-driven policy that we want. We shall pursue the necessary reforms vigorously outside the conference. They cannot be evaded, given the prospect of enlargement and the next round of World Trade Organisation agricultural negotiations, which will continue to require EU reform.

Mr. Michael Lord (Central Suffolk): The last time that we had such a conference, and discussions such as this, a package was brought back to the House that many of us found totally unacceptable, and into which we had had no input whatever. Will my right hon. and learned Friend assure the House today that, during the prolonged

[Mr. Michael Lord]

negotiations, he will report back to the House of Commons on a regular basis and tell us how things are going, so that the House can take a view of the whole business?

Mr. Rifkind: My hon. Friend has raised an important principle. At the moment, we are in some disagreement with the European Parliament, because the United Kingdom and France are refusing to allow it to become a party to the negotiations. We intend to insist on that, and I am delighted that France is again a strong supporter of the United Kingdom's position.

I entirely accept that national Parliaments and the European Parliament have a right to be kept informed on the progress of the negotiations. I can certainly assure the House that any opportunities given to the European Parliament must also be given to the national Parliaments, so as to ensure proper consideration.

Sir Peter Tapsell (East Lindsey): Does my right hon. and learned Friend realise that that reply is totally unacceptable, and that we will expect him to come regularly to the House and report on his negotiations? They are bound to drag on beyond the next general election; the serious negotiation will not start until then, because some may hope that after the election they will have a Labour Government to deal with.

Mr. Rifkind: I have no difficulty with what my hon. Friend says. In fact, that is exactly what I thought I was saying, and I am happy to reassure him and the House as a whole that we have every intention of reporting to the House on the progress of the negotiations on a regular basis. That is what I thought I was saying, but if it needs further clarification, I am happy to provide some.

Mr. Marlow *rose—*

Mr. Rifkind: The coming intergovernmental—

Mr. Marlow: My right hon. and learned Friend said that he would give way to me.

Mr. Rifkind: I did; it is true.

Mr. Marlow *rose—*

Hon. Members: That is the third time.

Mr. Marlow: No, the second.

My right hon. and learned Friend sets great store by the rule of law; we all do. But in this House we also set great store by democracy. If through democracy we cannot get what the British people want, how then can we achieve things?

Mr. Rifkind: I think that Parliament will always come to its own good judgment in time if it believes that the vital interests of the United Kingdom are not being properly respected. The final decision will be taken by this Parliament, as has happened in the past and as I am sure will continue to happen in the future.

Several hon. Members *rose—*

Mr. Rifkind: The coming intergovernmental conference needs to be kept in proportion. It will address some important issues. My main concern is that it should be used to strengthen the EU as a partnership of nations. As the Prime Minister put it at Leiden, the intergovernmental conference should be the anvil on which we forge a stronger Union.

Such a Union must develop a surer sense of the areas in which it can help to maximise Europe's potential, where the member states have shared purposes and common interests. It should also identify the areas in which it should choose to stand back, recognising the limits of its vocation. The intergovernmental conference will succeed if it helps to establish such a framework. The United Kingdom is determined to contribute to that success.

5.16 pm

Mr. Robin Cook (Livingston): It would be churlish to begin without congratulating the Foreign Secretary on the straight bat with which he has fielded so many helpful interventions from the Government Back Benches. However, the confidence that he has expressed in the Government's position would have been more convincing if the Government had acceded to the request that I believe was made by both Opposition parties, to table a motion supporting their White Paper, to which we could have tabled an amendment.

As I sat through the right hon. and learned Gentleman's speech over the past 40 minutes, I rather suspected that the reason why the Government did not table a motion was patently before us: it would have taxed even the skills of the Foreign Secretary to produce a motion that all Conservative Members could have voted for tonight.

Mr. Marlow: What about your side?

Mr. Cook: We offered to table an amendment if the Government would table a motion. Had we been able to table an amendment, I assure the hon. Gentleman that we would have divided the House on it.

One does not need to be a conspiracy theorist to suspect that the debate has been arranged for today, after such a major statement on Northern Ireland, precisely so that fewer Members will be able to take part, and fewer people outside will know what has been said to the Foreign Secretary in the House.

However, in the comparative privacy that the Government have given us for the debate, we can talk frankly to each other. Let me begin not with the Foreign Secretary's White Paper but with ours, which the Labour party presented to its conference six months ago and which, I am pleased to say, was passed unanimously. *[Laughter.]* I do not see why Conservative Members find that the least bit hilarious. I presented the White Paper to my conference and my conference passed it unanimously. I shall be extremely interested to see whether the Foreign Secretary dares to submit his White Paper to his conference—and, if he does, whether it gets a unanimous vote there.

Our starting point—

Mr. John Redwood (Wokingham) *rose—*

Mr. Cook: I shall give way to the right hon. Gentleman, of course.

Mr. Redwood: If the hon. Gentleman is so confident of the unity of the Labour party, why has he not tabled a motion in Labour party time so that we can see this fabled unity for ourselves?

Mr. Cook: We tabled a motion in our time last year and I would not rule out tabling another motion in our time this year. We look forward to the right hon. Gentleman giving his considered support should we choose to take his advice and table such a motion.

The starting point for our White Paper is that we are in the European Union and we are in to stay. We have no intention of seeing it develop into a supranational state. I would not go so far the Foreign Secretary when he addressed the House as a Back Bencher and said:

"directly elected membership of a European Assembly brings us one step nearer a United States of Europe. That may be a good thing, as I believe".—[*Official Report*, 7 July 1977; Vol. 934, c. 1503.]

I do not believe that with him.

We rule out, and always have ruled out, a United States of Europe. We believe that the peoples of Europe would rule that out. We want a Europe of nation states coming together of their own free will. We do not want to centralise more powers in Brussels. Indeed, it is the thrust of our policy to devolve power to the regions and nations of Britain, not to centralise powers up from Whitehall.

However, we must co-operate with our partners in Europe. Europe is our largest market. It is the largest reason for inward investment in Britain. When my right hon. Friend the Leader of the Opposition visited Japan and addressed the Japanese equivalent of the CBI, he did not receive a single question about the minimum wage or the social chapter—those King Charles's heads that Conservative Members like to kick around the Chamber. The questions that he received were all about the security of Britain's commitment to Europe, because it is on that that future Japanese investment in this country depends.

Such investment is a two-way flow, because, despite all the concerns of Conservative Members about how the social chapter on the continent diminishes competitiveness, since the social chapter was signed by the nations of the continent, investment by British companies in those countries with the social chapter has been at a record all-time high.

Mr. Edward Leigh (Gainsborough and Horncastle): Is it possible that the Leader of the Opposition received so many questions on the security of our membership of the European Community because the position of the Labour party on that issue changed at least five times?

Mr. Cook: The last change in the Labour party's policy was in 1983-84, when I was our last European affairs spokesman and indeed shadowed the Foreign Secretary. Since 1983-84, our position has been consistently in support of membership of the European Union, recognising, unlike Conservative Members, that if we are to remain a member of the European Union, the worst possible position is the one taken by the hon. Gentleman and his friends—to be in it and know that we cannot get out, but constantly to sound as if we wished that we were not in it.

Mr. Jenkin: Given that we are but one of 15 members of the European Union, why does the most reluctant nation in Europe attract such a huge proportion of inward investment?

Mr. Cook: The hon. Member puts his finger on precisely what he would put at risk. He knows perfectly well, and I know from visiting many companies that have invested from abroad, that they are in Britain precisely because we are one of 15 nations. Make us one nation in isolation and we will not have that investment. If he is hinting at the social chapter, I can tell him, having met many times the Japanese investors in my constituency, that not one of them would have the slightest difficulty in meeting any of the terms of the social chapter.

There is no prospect of the British economy succeeding if the economy on the continent is failing. Either we go down together or we succeed together. There is no magical escape from the ties that bind us to Europe by pretending, as some Conservative Members have sometimes done, that we do not really have that much in common with Europe and that, at heart, we are an Asian nation that has somehow come adrift from our true homeland on the Pacific rim.

It is vital that we get access to the new markets in the far east, but I note that when the Prime Minister went to Bangkok to deal with the Asian nations, he went as part of a European Union team—a team that gave him additional bargaining clout because it spoke for the largest market in the world. In a world that is increasingly coalescing into trading blocs, it is more, not less, important to secure our base in the largest trading bloc. We are much less likely to come to terms with the global economy if we start out by being as difficult as possible to our immediate neighbours.

That is the background against which we come to measure the Foreign Secretary's White Paper, which sets out the Government's benchmark for the IGC. It is difficult to measure that benchmark without a rubber ruler, because its enthusiasm for the European Union expands and contracts with each changing paragraph. If I were still a student of English literature, I would be tempted to say that the text was the work of two hands.

For example, I presumed that it was the Foreign Secretary, the repressed supporter of the European Union, who drafted paragraph 36 on the European Court of Justice which, quite properly, tells that we need

"a strong independent Court without which it would be impossible to ensure even application of Community law".

The Foreign Secretary is absolutely right. Since the annual reports on the European Court of Justice commenced in 1984, Britain has lost fewer cases in the European Court of Justice than any other major member. France and Germany have lost more cases than Britain. Belgium, never mind its alleged enthusiasm for Europe, has lost three times as many cases as Britain. Italy has lost six times as many cases.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will my hon. Friend give way?

Mr. Cook: I just want to put a question to the Foreign Secretary. He said that the Government were getting increasing support among the countries of the European continent for proposals to limit the powers of the

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European Court of Justice. If Italy says that it would like to support proposals to limit the powers of the European Court of Justice, would the Government be relieved to have that support or worried about why they were getting it?

Mrs. Dunwoody: I am interested in my hon. Friend's argument. Can he tell us how many times, when Italy has lost, it has implemented the decision of the European Court of Justice?

Mr. Cook: My hon. Friend argues that the European Court of Justice should have the powers to ensure that its rulings are carried out. That has to be the case for any court. If one respects the rule of law, there must be powers to impose it. I cannot understand the complaint of my hon. Friend and the Conservative Euro-sceptics that other countries do not play by the rules when they want to weaken the very court that enforces the rules.

Mr. Duncan Smith: May I press the hon. Gentleman on that point? He holds up the European Court of Justice as a shining paragon of judicial intervention. Does he support its ability to translate the treaties, which is called teleological interpretation, or would he seek to limit it to specific interpretation of the treaties as they stand and not reading them as it would wish?

Mr. Cook: There is no difficulty in replying to the hon. Gentleman, because the court's abilities come from the British system of law. The court should interpret the treaty and the law and not what it thinks about it. On that point, I agree with him.

We turn to paragraph 37—

Mr. Budgen: Will the hon. Gentleman give way?

Mr. Cook: If I may, I shall proceed with my point, but I shall ensure that the hon. Gentleman has an opportunity to make his.

Paragraph 37 is plainly by a quite different hand. Suddenly, the respect for the need for a strong, independent Court of Justice disappears. Until I heard the Foreign Secretary's speech, I had assumed that it had been hacked into the text after he had gone off to bed by the Minister of State, who emerges as a closet Euro-sceptic when the moon comes out. Paragraph 37 totally ignores paragraph 36 and proposes six different ways of limiting and weakening the powers of this independent court that is needed to enforce the even application of the rules.

As a result, the Foreign Secretary has ended up with negotiating objectives for the European Court of Justice flatly in contradiction with his own analysis. The truth is that, like so much else in the White Paper, the negotiating objectives are drawn up not on any calculation of the interests of the 56 million people of Britain but on a very fine calculation of what is necessary to fit the prejudice of a few dozen Tory Members—which is a perfect point on which to give way to one of them.

Mr. Budgen: To take up the hon. Gentleman's point about the rule of law, does he agree that one of the ideas behind the rule of law is that one has a legitimate way of changing the law if one disagrees with it? Does the hon. Gentleman agree that, in European law, the citizens of this country have no legitimate hope that anything they say to change the treaty will succeed? Any suggestions for amendment of any substance will be met by a veto from one of the nation states.

Mr. Cook: The hon. Gentleman seems to make a strong case against the Foreign Secretary's defence of the unanimity rule. Surely the hon. Gentleman is now in favour of qualified majority voting.

The Foreign Secretary is a better judge of the prejudices of his colleagues than myself. I cannot help the right hon. and learned Gentleman in that calculation, but the omens are not good that he has got those prejudices right.

Mr. Marlow: Why not answer the question from my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen)?

Mr. Cook: I can offer a judgement on the right hon. and learned Gentleman's White Paper against what we regard as Britain's interests in the IGC.

Mr. Marlow: The hon. Gentleman has not got an answer.

Mr. Cook: The hon. Member for Wolverhampton, South-West (Mr. Budgen) answered his own question by conceding that the veto was damaging to Britain's interests. I thought that that was a most interesting intervention, one to which we shall return on a number of occasions.

How will we measure the White Paper against the public interest? We can judge it against three criteria, and the hon. Member for Wolverhampton, South-West has anticipated one of them. First, are the objectives in the White Paper capable of negotiation? I can be brief about that, because I suspect that the Foreign Secretary is about to hear a succession of speeches telling him that those objectives are not capable of negotiation. That claim is, of course, correct. The general thrust of the White Paper will leave the Foreign Secretary out on a limb, on the sidelines of negotiation. That is not a good place from which to exert bargaining leverage.

I notice that the Government are the only major Government attending the IGC opposed to the reform of the European Parliament, presumably because they are, after all, the Government who have the greatest difficulty in getting their party elected to the European Parliament. I must tell the Foreign Secretary that I can see no British interest served by the Government's position on the European Parliament. Of course, Ministers who go to the Council of Ministers should be accountable to the House. In fact, the House should pay more attention to how it holds Ministers accountable for what they do in the Council of Ministers.

I see no national interest for Britain or any other member state blocking measures that would make bureaucrats in Brussels, who are effectively accountable to no one, more accountable to the European Parliament. I very much doubt whether the Foreign Secretary will be able to think of such an argument, which is one of the reasons he may have difficulty in negotiating on such an objective.

The Foreign Secretary will have noticed that some of his honourable colleagues and some members of the right-wing press are now pressing him to give an undertaking that he will veto the whole package if he does not deliver on his White Paper. Two days ago, a Mr. Boris Johnson, who I understand has aspirations to join the Conservative Benches—no doubt in order that he might better sustain the Foreign Secretary in his conduct of European relations—said that he was alarmed that the Foreign Secretary has not promised in advance to veto the outcome of the IGC.

The Foreign Secretary has my full sympathy for the delphic way in which he is refusing to give that commitment, because we both know that he has not a hope of delivering the full package of the White Paper. It is written for consumption in Southend and Stafford, not in Brussels and Strasbourg. It is very wise of him therefore not to tell in advance what he is going to do when the White Paper fails our first criteria of being capable of negotiation.

Our second criteria is whether—

Mrs. Currie: It is not criteria, but criterion.

Mr. Cook: I said criteria rather than criterion.

Mrs. Currie: No, it should be criterion.

Mr. Cook: In the spirit of unity, I will compromise: the second of our criteria is whether the White Paper equips the European Union to face the challenges of the 21st century. According to that measure, the White Paper is a glorious missed opportunity. It gives us a comprehensive tour of the footnotes of diplomacy, and even finds a place for a paragraph on the future development of comitology.

Mr. Cash: Does the hon. Gentleman agree with the hon. Member for Dunfermline, East (Mr. Brown), the Opposition spokesman on the economy, who says that the Labour party is committed to managed exchange rates and monetary union? Does the hon. Gentleman agree that, by saying that, his hon. Friend guarantees that the Labour party, if ever if were to achieve government, would be incapable of delivering its promises on all those matters relating to public expenditure that fall within the convergence criteria, including health, education and the attainment of jobs?

Mr. Cook: Of course I agree with my economic colleague. We share a place in the shadow Cabinet, and it is a condition of being there that we agree. Of course we agree fully and absolutely on every point relating to Europe. *[Interruption.]* If I may say so to the hon. Member for Stafford (Mr. Cash), the parent text of our policy on monetary union was debated at our party conference three years ago. It has remained consistent since then and has stood the test of time much better than anything put forward by the Government. Both my Treasury colleagues and I are united in our commitment that a single currency must first require convergence of Britain's real economic performance with that of the continent.

Mr. Marlow: Will the hon. Gentleman give way?

Mr. Cook: I will give way to the hon. Gentleman if he will strike a bargain kindly not to interrupt me from a sedentary position once I have allowed him to intervene.

Mr. Marlow: I will keep that side of the bargain. The hon. Gentleman has referred to the single currency. My right hon. and learned Friend the Chancellor of the Exchequer has said that he thinks that the probability that the single currency will go ahead is 60:40. What is the hon. Gentleman's prediction? Is it more likely to happen if the Labour party forms the next Government or the Conservative party forms the next Government? Perhaps he can give a straight answer to a straight question.

Mr. Cook: The answer to the hon. Gentleman's first point is that—let me take the second point first. *[Interruption.]* It seems sensible to work backwards. On the hon. Gentleman's second point, I am absolutely confident that the advent of a Labour Government will make it vastly more likely that Britain will achieve convergence according to real economic performance with the continent. In that happy event, we will increase the prospects for Britain joining a single currency. I must say to the hon. Gentleman—

Mr. Shore *rose—*

Hon. Members: Oh!

Mr. Cook: I will give way in a moment to my right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore). Although I hope that the hon. Member for Northampton, North (Mr. Marlow) will remain sedentary and silent during the rest of my speech, I think that the House must address the serious issues about the single currency which have been dodged by the White Paper.

Mr. Shore: I was rather alarmed by what my hon. Friend said a moment ago. I certainly expect and hope that a Labour Government will have success in the real economy, but is he implying that if, for whatever period, we did converge with other and, on the whole, more successful economies than our own, we would still find ourselves bound by the existing convergence criteria? That would involve restrictions on the borrowing requirement of a Labour Government and the transfer of the Bank of England into a subsidiary or a branch of the European central bank, and would require us to rejoin the exchange rate mechanism. Surely my hon. Friend is not even contemplating such nonsense.

Hon. Members: Hear, hear.

Mr. Cook: I must tell my right hon. Friend that we have repeatedly criticised the very convergence criteria that he listed. One of the reasons we have pressed the Government to support the Swedish proposal to put a commitment to employment into the Maastricht treaty is all the other convergence criteria that have already been accepted. The Foreign Secretary said in his speech—

Mr. Duncan Smith: Will the hon. Gentleman give way?

Mr. Cook: No. I have already given way to the hon. Gentleman.

The Foreign Secretary said that putting a commitment to employment into a treaty did not guarantee that one would achieve the increase in employment. I have a lot of sympathy with the Foreign Secretary's obvious logic on that point, but the Government agreed at Maastricht to

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put into the treaty targets on inflation, interest rates and Government deficits. The case for the Swedish commitment to employment as a target for the European Union is precisely that, if it is missing from that treaty, one has an unbalanced set of objectives for economic management within the European Union.

Mr. Barry Legg (Milton Keynes, South-West): Will the hon. Gentleman give way?

Mr. Cook: It is good of the hon. Gentleman to seek to help me, but I intend to return to my speech.

As I said earlier, the White Paper fails to tackle the real challenges facing the European Union in the 21st century. The Foreign Secretary said in his speech that enlargement was a central issue facing the European Union. In his White Paper, however, enlargement is relegated to a single paragraph in the introduction. I believe that enlargement is a much more urgent and central mission facing the European Union than suggested by the attention that it receives in the White Paper.

It is important that the European Union opens its doors to the new democracies of central and eastern Europe to provide stability in that region and to share with those countries our experience that bringing down barriers to trade provides a much better guarantee of security than putting up borders between us. I agree with the Government's objectives in their introduction, but I would have been more impressed with their commitment to enlargement if any consideration of it had surfaced anywhere else in the substance of the document that follows.

Mr. Christopher Gill (Ludlow): Obviously, we are interested in the Labour party's views on enlargement. However, the hon. Gentleman did not quite answer the last question from his right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore). Is the hon. Gentleman committing his party to renegotiating the treaty? If he is, this would be an appropriate time to spell it out so that hon. Members are in no doubt.

Mr. Cook: The hon. Gentleman need be in no doubt. The Labour party has repeatedly stressed its position for three years: we will not enter a single currency unless and until we have achieved convergence of real economic performance. There can be no doubt in the mind of the hon. Member—or in the mind of any other listener—as to the Labour party's position, because it has been repeatedly stated from the Dispatch Box by every member of the shadow Cabinet who has spoken on the subject.

I return to the issue of enlargement.

Mr. Tony Benn (Chesterfield): Will my hon. Friend give way?

Mr. Cook: Of course I shall give way to my right hon. Friend. However, I was about to say that the intervention of the hon. Member for Ludlow (Mr. Gill) showed the true lack of commitment to enlargement on the Conservative Benches. No Government Members wished to intervene in relation to enlargement; they intervened in relation to a single currency.

Mr. Benn: Given what my hon. Friend said about better convergence criteria—including employment and a more successful economy under a Labour Government—when it is achieved, what role will the British people have in the decision? My colleagues on the Front Bench are in favour of a referendum on Scottish devolution, in favour of a referendum north and south in Ireland and in favour of a referendum on proportional representation. This decision is fundamental. Will my hon. Friend give us a clear assurance that such a decision could be taken only after the consent of the British people at a referendum?

Mr. Cook: Yes, I give my right hon. Friend that commitment—it has been repeatedly stated by our leader. We believe that Britain could enter a single currency only with the consent of the British people. [HON. MEMBERS: "Ah!"] That is what my right hon. Friend asked, with the greatest of respect. If there is a general election in which there is a fair choice—choice would have to be available to the British public—that might be one way of establishing the consent of the British public for a single currency.

In the event that there is no such fair choice at a general election, a referendum would be one way to establish the consent of the British people. My right hon. Friend will know that Labour has an impressive track record on this point: after all, it was a Labour Government who gave the people of Britain a referendum on whether they should join the Common Market after a Conservative Government took them in, thus denying them that commitment.

Mr. Dykes *rose—*

Mr. Cook: I am addressing the issue of enlargement, and I am anxious that hon. Members should not lose sight of what is an important challenge to Europe.

Mr. Dykes: In respect of enlargement and of the other matter that we have just been discussing, will the hon. Gentleman try to answer the questions more accurately, as they are so important? Do not his evasive answers to interventions from his Labour colleagues show that the divisions in the Labour party on Europe are much greater than the divisions in the Conservative party?

Mr. Cook: There is no evasion in my replies. We are quite clear that Britain can join a single currency only with the consent of the British people; that that consent may be judged by a general election if it is fought on that issue and it is a fair choice for the British people —the hon. Gentleman would not dissent from that—and, if not, it could be established by a referendum. That is not an evasion: it is a perfectly clear statement of the position—and it is a much clearer statement of the position than he will get from his Front Bench on the issue.

Sir Michael Spicer (South Worcestershire) *rose—*

Mr. Charles Kennedy (Ross, Cromarty and Skye) *rose—*

Mr. Cook: I shall give way to the hon. Member for Ross, Cromarty and Skye.

Mr. Kennedy: I think the hon. Gentleman is characteristically trying to make a fair point, but will he clarify it a little more? If the next general election—at a time and in circumstances that none of us can predict—does not meet this pristine criteria of clarity of choice, will Labour, if it is in a position to so do, definitely offer a referendum? Would not that clarify it once and for all?

Mr. Cook: If the next general election does not provide a fair choice to the public, and if a subsequent Government join the single currency, a referendum would be a way of establishing that consent. Plainly, the decision on a referendum would follow a decision on whether we were joining the single currency.

I remind hon. Members that I am seeking to address an issue of immense importance to the countries of central and eastern Europe, the people of whom, were they listening to this debate, would be depressed by the little interest that is being shown in their application to join the European Union. I remind the Foreign Secretary that his enthusiasm for enlargement appeared to play no part in the position he has adopted on qualified majority voting—he has adopted a position of no surrender.

The Foreign Secretary was unfair to himself in saying that the Labour party had invented the idea that enlargement provides the case for expansion of qualified majority voting. It was not the Labour party, but the right hon. and learned Gentleman. In 1985—the last time the European Union was enlarged—he said to the House:

"With 10 member states it is not surprising that the Community takes a considerable time . . . to reach agreement . . . Clearly a Community of 12 member states will find it even more difficult to reach agreement on a wide range of issues.

The Government believe that it is desirable to encourage more majority voting within the Community."—[*Official Report*, 20 June 1985; Vol. 81, c. 470.]

Mr. Rifkind: If the hon. Gentleman were honest enough to read the rest of my speech, he would see that I was not suggesting that we should extend the area where qualified majority voting applies—I am positively against that. I said, as is quite clear from the speech, that where there is already QMV we will need to use it more often the larger the Community becomes.

Mr. Cook: The right hon. and learned Gentleman then sat in a Government who, at that very time, expanded qualified majority voting.

Mr. Rifkind: The hon. Gentleman might now have the decency to withdraw the original charge that he made, now that he recognises that—either deliberately or inadvertently—he was misleading the House.

Mr. Cook: I say to the right hon. and learned Gentleman that I have nothing to withdraw, except his words. I quoted his words to the House of Commons in 1985, at the time Spain and Portugal joined the European Union. It may be embarrassing for him to be reminded of those comments now, but they were his words. The Government expanded qualified majority voting at that time.

The right hon. and learned Gentleman also said during the course of his White Paper that we will have to amend the structural funds as part of the process of enlargement. He will know that voting on structural funds is a matter of unanimity. I put it to him that there is no prospect of getting serious reform of the structural funds if Spain and other countries retain a veto on the structural changes that will be necessary. It is also unlikely that the other countries of the European Union will admit countries such as Malta—which has a population that is one tenth of 1 per cent. of the European Union—on the basis on which Malta gets the full present range of the veto.

The reality is that, as the negotiations proceed, the Foreign Secretary will have to choose—either he will have to shift his position on qualified majority voting or he will have to drop his support for enlargement. There is no prospect of enlargement happening without expansion of qualified majority voting.

I now turn to the third of the criteria by which we judge the White Paper. Will it restore public legitimacy for the European Union by reconnecting the solutions offered by the Union to the problems faced by the peoples of Europe? It would be wrong to accuse the White Paper of failing in its answer to the question—it does not attempt to answer it. The major problems facing the peoples of Europe at this time are high unemployment and low job security. The White Paper recognises those problems. It says that the need to create more jobs is one of the highest priorities of Europe. However, the sole practical measure it offers to create more jobs is to keep Britain out of the social chapter.

Mr. Llew Smith: What likely job losses and cuts in public expenditure would have to come about for us to meet the convergence criteria?

Mr. Cook: My hon. Friend anticipates a point to which I shall come. If he is patient, I shall give way to him again when I reach that point, and I assure him that he will not be disappointed.

As I am sure that my hon. Friend would not like me to let the Government off the hook by allowing them to say that they will keep Britain out of the social chapter, may I tell the Government that, for purely party reasons, I have a sneaking welcome for the fact that the Government do not intend to sign up to the social chapter?

The Conservative party is lining up to fight the next general election, telling workers in Britain that they will have less right to know the future strategy of their company, and parents in Britain that they will have less right to unpaid leave to be with their newborn children, than workers on the Continent. That suits us fine. We will offer to help with the leaflets to communicate the fact at every workplace. In case the Conservatives fail to produce the leaflets, we will do it ourselves.

I will go further: I will keep a place in my diary so that the Foreign Secretary and I can tour the workplaces of GKN, Coats Viyella, United Biscuits and Marks and Spencer—all companies that have ignored the Government's opt-out and set up works councils under the social chapter—so that he may explain to those work forces why the Government wanted to deny them a legal right to measures which they have found helpful, which allow them to participate in the future of their company.

Mr. MacShane: Will my hon. Friend give way?

Mr. Cook: I think my hon. Friend has already intervened, so, if I may, I shall continue.

At this late stage in the Parliament, I say to the Foreign Secretary, I would request the Conservative party to keep opposing the social chapter and keep opposing better rights

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for working people, until working people have the chance to let the Conservatives know what they think of that position through the ballot box—but do spare us the humbug that deregulation is the only thing that creates jobs.

Several hon. Members *rose—*

Mr. Cook: I give way to the hon. Member for Dover.

Mr. David Shaw (Dover): Does the hon. Gentleman accept that, in Italy, non-wage labour costs are about £40 for every £100, that in Germany they are about £32 for every £100, but in Britain they are considerably less than that? Does he accept that every country in Europe that has higher non-wage labour costs than Britain has, as a result, higher unemployment?

Mr. Henry Bellingham (North-West Norfolk): That is right. How does one answer that?

Mr. Cook: I will answer that by referring to the Government's record. Since the Conservative party came to power, employment creation in Britain has been 1 per cent.; in Italy, 6 per cent.; in Germany, 7 per cent.; and in the Netherlands, 36 per cent. After a decade of deregulation from the Conservatives, we have a bigger trade deficit with the rest of Europe than any country except Greece, we are bottom of the investment table and we are third from the bottom in the skills table. How can Conservative Members possibly claim that that validates their case that deregulation makes us more competitive?

Several hon. Members *rose—*

Mr. Cook: I shall proceed, if I may.

Mr. Jenkin: Will the hon. Gentleman give way?

Mr. Cook: No.

If the authors of the White Paper had been able to lift their eyes above the Government's obsession with deregulation, they could have offered a positive response to initiatives in Europe to stimulate employment. They could have told us what the Government would do about dropping their opposition to the sale of Union bonds to finance major transport projects throughout Europe. They could have told us that they will not oppose President Santer's proposal to transfer surplus funds from the agricultural budget to spending on industry and on support for small and medium-sized enterprises—a proposal that will definitely be on the table in Turin. Or they could have told us how they reconcile the convergence criteria with the urgent need to create more employment in Europe.

I pick up the point made in an intervention by my hon. Friend the Member for Blaenau Gwent (Mr. Smith). The gaping hole in the White Paper is the absence of any discussion of the single currency. Paragraph 17 does say that the single currency is a "notable omission" from the IGC. It is certainly a notable omission from the White Paper. I can conceive of no other Government in Europe who would present to their Parliament a White Paper on Europe without a discussion on where they stood on the single currency.

The Foreign Secretary may be unaware of it, but a debate is raging on the continent about the link between the convergence criteria and employment levels. An election is being fought in Baden-Württemberg on that issue. The result may well prompt new thinking, even in the German Government, on the convergence criteria.

I find it negligent of the Government, at this crucial moment in the debate, to miss the opportunity of saying what they believe to be the way out of the problems created by the convergence criteria. Of course, I realise the problem for them in doing so. Whatever reservations they may have about the single currency, they signed up in full to the convergence criteria at Maastricht.

In the light of all that has happened since to the economies of Europe, was it right to adopt convergence criteria that have obliged many of the economies of Europe to deflate at the same time as one another? Is not the lesson of the past three years that any progress to a common currency in Europe can be stable and secure only if it is based on convergence to common economic performance of output, jobs, investment and unit costs—precisely the tests of convergence for which we have argued for three years? Judged by that standard, the White Paper's massive failure is its failure to propose a single European measure to stimulate investment, boost skills, develop technology or create jobs.

I know that the Foreign Secretary could not do anything so positive, because to do so he would need to appear enthusiastic about Europe. The Foreign Secretary's dilemma, which will not have been lost on him, is that he is seeking to produce a negotiating strategy for an international conference that would be acceptable to a nationalist party.

While the rest of the world builds regional alliances and is coming to terms with a global economy in which we are more interdependent than we are independent, the Conservative party is living on a planet of its own, demanding repatriation of even those powers that we have shared with our own regional alliance.

Mrs. Currie: Not all of us.

Mr. Cook: Not all of them. Some Conservative Members are still on the same planet as the rest of us—I concede that. Nevertheless, the hon. Lady must face the fact that her party is gearing up to fight the next election on the slogan "Bring back King Canute!" and is adopting, in constituencies throughout Britain, candidates about whom all we can learn is that they are little King Canutes, whose views are modelled on the inspiration not of the hon. Lady but of the hon. Member for Stafford.

Mr. Cash: Will the hon. Gentleman give way?

Mr. Cook: As I mentioned the hon. Gentleman, I will give way.

Mr. Cash: The hon. Gentleman refers to regional alliances and makes a comparison with the European Community. He knows that he is talking rubbish, because regional alliances being constructed elsewhere in the world have nothing to do with the legal framework that has been set up in the European Community.

Mr. Cook: The advantage of that legal framework is that it gives Europe a single market which is the largest market

in the world. If the hon. Gentleman does not understand the strength that that offers Britain in the new global economy, he does not understand where the prosperity of his constituents will come from in the 21st century.

That is why a party with views increasingly modelled by the influence of the hon. Member for Stafford cannot successfully represent Britain's interests abroad—because it will not command respect abroad. Shortly before the White Paper, the chairman of the Europe committee of the Confederation of British Industry warned:

"There is no credibility attached to the current British position in Europe."

Since he said it, the grudging, querulous tone of the White Paper and the grudging, querulous welcome to it from Conservative Back Benchers have confirmed that the Government cannot command credibility in Europe. The failure of the White Paper and the hon. Gentleman's Government to rise to any of the major strategic issues facing Europe is one of the many reasons why they cannot, and will not, regain credibility in Britain.

Madam Deputy Speaker (Dame Janet Fookes): Before I call the next hon. Member to speak, I remind the House that there will now be a limit of 10 minutes on speeches.

5.58 pm

Sir Edward Heath (Old Bexley and Sidcup): When Parliament debated this country's entry into the Community, it debated for 10 full days, and more than 360 of its Members took part in those debates. We are now about to begin what may be the most important conference since Messina—certainly the most important since Paris in 1972—which we are told may take a year and a half, two years or longer, and what do we have in a debate? Well, Back Benchers, if lucky, have three hours, at 10 minutes each.

Is that any way to handle something that everyone agrees is the most important point? How can the Leader of the House and the Foreign Secretary justify their actions? If their objective is to try to hide divisions in the party, it is—and will continue to be—a failure. Those who are prepared to support the Government must speak out and make their positions clear. We should not hold our peace in order to avoid the impression that there are differences inside the party.

I am interested in the whole White Paper, but an early sentence caught my eye. It says:

"it is crucial that national parliaments remain the central focus of democratic legitimacy".

Is "democratic legitimacy" what we have this evening: three hours in which to discuss a White Paper containing 10 vital subjects? It is not, and it is a disgrace to the House of Commons.

I must deal with a number of those important issues very quickly. The White Paper begins in a very positive way and my right hon. and learned Friend the Foreign Secretary also began his speech in a positive manner. However, the White Paper is riddled with schizophrenia—just as my right hon. and learned Friend has "schizophrenia" written all over him. He says something good in one paragraph and then cancels it out in the next paragraph.

There are those who say that it is a mistake to produce a White Paper of that kind, and I rather agree with them. It contradicts the Foreign Secretary's argument that he must have flexibility in negotiation. Each time he returns from a meeting and makes a statement to the House—if he is so foolish as to do that—people will say, "But that does not agree with what you said in paragraph X, Y, Z and in sentence so-and-so." I have lived through all of that: I lived through two years of it in 1961 and 1963 and through another 18 months of it in 1970-71.

If my right hon. and learned Friend tries to tie himself down to the specifics as to what he will or will not do, he may find that when negotiating he must have the flexibility to agree with others in the Union. The other member states are described in the White Paper as "our colleagues from the continent". It seems to have escaped the Foreign Office's notice that Britain is a part of Europe geographically: we are part of the European continent. However, the other countries of Europe are treated as being on the other side—which does not encourage them to be helpful to us.

We then turn to the question of qualified majority voting. I must give my right hon. and learned Friend another warning. The Government tried to change that system once: the Prime Minister took it in hand himself, and he was humiliated, because there was no support for his actions. I beg the Foreign Secretary not to advance down that path again unless he is sure of securing support to carry him through. If he does not have that support, he will face the most appalling humiliation.

We have heard a great deal about the remarks by the French Prime Minister. I am sure that he is an admirable fellow. However, President Chirac will stand with Germany through everything: France and Germany will stand together the whole time. If it meant President Chirac's sacrificing his Prime Minister, he would not mind. Therefore, I ask the Foreign Secretary to examine with the utmost care the many stories about those who want to support us.

We then turn to the problem of the smaller countries. The Community was successful in its early years because it gave a proper vote to the smaller countries—to Luxembourg in particular, but also to Belgium and Holland. The figures are cited in the White Paper. Other countries have followed the same route and they will not give up easily—they make that absolutely clear when one talks to their representatives. They made it plain at the earlier meetings when the proposal was first advanced that they feared that their position in the Union, their economic safety and their political future rests in their having a proper say. Therefore, my right hon. and learned Friend will change that arrangement only with the utmost difficulty.

That brings me to the other point of discussion: enlargement. The British have always placed an emphasis upon enlargement. It comes from that deep, hidden well of

"Wider still and wider shall thy bounds be set".

We have carried that attitude into the European Union. However, the plain fact is that the other members interpret it as being the British way of blocking any further development within the Union. That is why they oppose us so often.

The White Paper makes the point that people of Europe—using the general term—are dissatisfied with what the Community has done and that they want to see it do less. That is quite wrong: they are dissatisfied about

[Sir Edward Heath]

what has not been done to keep them in jobs and to deliver better living conditions and all of the things that they had to begin with and are expecting to have again.

When it comes to extension in Europe, I believe that we are quite wrong—and we are misleading the people in the countries concerned—to talk about membership. Association rights have always existed under section 4 of the treaty of Rome. Countries can be associated with the European Union and, through that association, can gain great advantages. Is the Foreign Secretary suggesting that countries in eastern Europe that were part of the Soviet system, that have a standard of living of only 20 per cent. of our own and that do not yet carry out their political activities democratically should be brought into the Union quickly? That is just not possible.

Mr. Andrew Mackinlay (Thurrock): What about central Europe? The Visegrad countries should come in soon.

Sir Edward Heath: The countries of central Europe have not reached the same level as the present members of the Community. That is crucial in relationships between member states. We should not run the risk of allowing countries like that to join the European Union—not because they are evil, but because their current stage of development does not allow it. We can help them to develop as associate members of the Union. That is the line that we should take in order to assist the countries of central Europe and what is left of the Soviet Union.

I beg my right hon. and learned Friend to recognise those facts of life and to deal with them realistically. We shall not get anywhere by trying to overlook them or by listening to gossip in the Lobbies and so on. The problems are very real and very great.

We should have a separate debate about the common currency—it should not be discussed as part of the intergovernmental conference. There is an urgent need for such a debate. The people of this country are disillusioned because they are given no information about the issue. There has been no debate in this place about the single currency. The public do not understand the issue.

Opposition Members have called for a referendum on the single currency, but I cannot think of anything more remote. Perhaps the hon. Member for Livingston (Mr. Cook) should remind his party that those Labour Members who demanded the last referendum never accepted the result—they still do not accept it. If there is a referendum on a common currency, people will vote according to their views about everything but a common currency because so few of them will understand the implications. They will base their votes on social and economic ills rather than on a common currency. I make those simple suggestions to my right hon. and learned Friend.

6.8 pm

Mr. Peter Shore (Bethnal Green and Stepney): Given the awful time constraints, I must support the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) in his complaint about the lack of serious attention that the House is able to give to the issue. This debate should not be conducted under such restricted circumstances. We do ourselves no good. It is not wholly the responsibility of the Government: my hon. Friends on the Front Bench must take the European issue much more seriously. They must ensure that time is found for a proper debate, with a motion and with an amendment. They may then press on with what they have tried to do previously.

I welcome this White Paper for one overwhelmingly good reason: it sets out what I believe are the real alternatives facing our people and the European Community. It also sets out clearly the option between advancing towards a centralised, supranational European state and a much more loosely agreed alliance with minimal treaty powers, which I think is favoured by the great majority of people in our country and by many hon. Members on both sides of the House.

We have to face clearly some very big problems. We have to accept and recognise that there is a most powerful drive towards the creation of a federal or quasi-federal state in Europe. It has rightly been pointed out that federal institutions such as the European Court of Justice, the European Parliament and, of course, the European Commission have been created under previous treaties. The weight of their influence is directed towards developing a centralised and federal Europe.

Let us not, however, forget the strong declared purpose and will of many of the leaders of the nation states of Europe. No one who has followed the statements made by Chancellor Kohl in recent weeks and months can have the slightest doubt that he is committed wholly and passionately to a political union, in which he sees economic and monetary union and a single currency as merely a stepping stone. He has almost conceded that a single currency does not make much sense economically, but it makes every sense politically, because it takes a giant step towards the federal political union that he wants.

Let us not ignore the fact that the leaders of the Benelux countries are also clearly pointing towards a federal Europe, as are those of Italy—or what is left of them after the collapse of its classe politique—because they believe that they are better governed in Brussels than they are in Rome.

Those are very powerful forces, and we have to face the fact that we will be isolated, virtually on our own, although we shall look for what allies we can find in the intergovernmental conference. I must tell my hon. Friends on the Labour Front Bench that, when they form the next Government, they will find themselves in virtually the same situation, because the real differences between Labour Front Benchers and Ministers are by no means as great as has been suggested. They have said that they will keep the veto on the crucial spheres of treaty change, taxation and budget contribution, and that is very important. They have also said that we will not abandon unanimity in pillars 2 or 3 of the treaty. They cannot, therefore, easily be pushed along in the direction that most European Governments wish to go.

If Labour Front Benchers mean what they say about economic and monetary union—that real convergence would be necessary, in the terms spelled out by my hon. Friend the Member for Livingston (Mr. Cook)—then, quite frankly, we can rest in our beds at night because we know very well that there will never be that convergence. Some of us will rejoice at that, because it means that we shall not become members of an economic and monetary union or a single currency.

A very interesting and most unusual test of opinion in Britain was conducted only a year ago. It was a very respectable survey, commissioned by the BBC and carried out by NOP. The people of our country, in weighted samples, were asked:

"How 'European' do you feel?"

That is basically a question on how much one feels part of a community and what is one's sense of national identity. The answers to the question are fascinating. People felt "European" as follows: "a great deal", 8 per cent.; "a fair amount", 15 per cent.; "a little", 25 per cent.; and "not at all", 49 per cent.

The reality is that the people of this country do not feel that the European Community is a community in the same sense that we are a community within the United Kingdom. Until that perception has changed, it is no good trying to force the British people into an arranged relationship with Europe that is fundamentally against their instincts and judgment.

One other question was asked that is worth reporting. People were asked:

"With which of these countries do you feel you have most in common?"

The responses to the European countries were as follows: France, 9 per cent.; Germany, 7 per cent.; and Spain, 5 per cent. When asked about three non-European countries, the responses were: the United States, 23 per cent.; Canada, 14 per cent.; and Australia, 15 per cent.

The majority of the British people feel that they are closer to the countries of the English-speaking world than they feel politically close to our geographical neighbours across the channel. That is another of the great realities of British life, and it should be part of the realities of British politics. I hope very much that we will sharpen up our views and our objections to the course of conduct that has been pursued in Europe towards the convergence of their currencies. That conduct is doing dreadful damage to Europe: virtually 20 million people are unemployed, and cuts in public expenditure and reductions in public borrowing are occurring all over Europe.

It is no good Labour Front Benchers hoping that, because the Swedes will make an attempt to insert something into the Maastricht treaty, first, that they will succeed or, secondly, that it will be in quantitative terms, because it will not. I have spoken to the Swedes, and I know that it will be purely declaratory. So long as the existing convergence criteria remain—they are flatly deflationary—there is no chance at all of European countries and the European Union pursuing a different policy.

No mention is made in the existing Maastricht treaty of employment and unemployment, yet the treaty was signed when the majority of European Union Governments had a socialist complexion. It was signed by Mitterrand, Gonzalez and Craxi, and it had the imprimatur of that wonderful ex-socialist, Mr. Delors. That is no longer the situation. We have no major allies of the Labour, social democratic persuasion left in Europe with any real weight, apart from the Swedes.

There is no point in wishful thinking. The Council of Ministers will not change at the IGC when a Labour Government arrive, and it will not add to or change the treaty. The time has come when we must face up to the truth about these matters and not continue to exist in a cloud-cuckoo-land.

I shall quote one last remark. My hon. Friend the Member for Gateshead, East (Ms Quin)—for whom I have great affection—has put out a little document. In it, she says:

"We want to see a successful EMU which helps to promote general European prosperity and does not have a deflationary or negative effect on economic performance."

I should tell my hon. Friend that one would have to rip up the Maastricht treaty completely to achieve that end, and there is not a hope of doing so.

6.17 pm

Mr. Douglas Hurd (Witney): This is an admirable White Paper and the Foreign Secretary has spoken admirably. I should love to follow the right hon. Member for Bethnal Green and Stepney (Mr. Shore), but I can make only three brisk three-minute points: referendum, court and foreign policy.

It is obviously much easier to be clear about the referendum from the Back Benches. I am not in favour of referendums as a general rule, but, for about 18 months now, I have made it clear that the question of a single currency, if it came about it, would be such a massive change—more massive than anything that Britain was committed to at the treaty of Maastricht—that it would require a referendum. That would be the case only if a British Government of the day decided that it was in British interests to join a single currency.

My view is that that would happen only if the single currency had gone ahead with other countries, including France and Germany, and we had begun to find that our economy was suffering, inward investment was falling away and jobs were being destroyed. Then, a British Government might come to that conclusion. They would need to have a referendum, but they would certainly need to hold to the doctrine of collective responsibility.

What happened in 1975, which the hon. Member for Livingston (Mr. Cook) held up as an impressive track record, was a disastrous example of weakness. I hope that we never see Conservative Ministers meandering up and down the country, from platform to platform, contradicting each other night after night. A Government have to decide, seek to persuade and then act if they are successful in persuading.

Secondly, as regards the European Court of Justice, I think that the White Paper has the balance right. I see no contradiction between the analysis in paragraph 36 and the proposals in paragraph 37. It is right about quota hopping. We have national quotas for fish—we do not have quotas for anything else that we produce or grow—and that is a special case. It is nonsense to apply to a policy of national quotas the general directive of a single market.

Britain uses the court and we often win in it. Lately, there have been three significant cases in which the court has followed the British Government's analysis of the treaty, although, of course, we never read about them.

Mr. Giles Radice (North Durham): They are not reported.

Mr. Hurd: Indeed; they are not reported.

At the moment, four major British companies are involved in actions before the Court, trying to resist protectionism and encourage competition—British

[Mr. Hurd]

Petroleum, British Steel, British Airways and Ladbroke. I have to tell my hon. Friend the Member for South-West Wolverhampton, (Mr. Budgen), who has left the Chamber, that if those companies win, they expect the judgments to stick. They do not expect their opponents to follow the lawless advice that my hon. Friend gave a few minutes ago.

Finally, in negotiations before Maastricht and in public, I have always strongly opposed the idea of majority voting on substantial matters of foreign and common policy. From my experience, it is clear to me that it would not work. We do not need majority voting or endless arguments about procedure; what is needed is agreement among Europeans, when and where it can be found.

My right hon. and learned Friend the Foreign Secretary pushed forward excellent ideas in Paris—some are in the White Paper—on how the chances of agreement can be improved. Agreement on eastern Europe and Russia is needed now, not later, once the IGC has been ratified. It would be vain for Germany, for example, to suppose that it can pursue a German foreign policy towards Russia that we opposed or that we could pursue a British foreign policy towards Russia that the Germans opposed. That is nugatory.

My worry—my right hon. and learned Friend mentioned this—is that he will be compelled to scratch around on secondary matters, month after month, while the scene in eastern Europe and Russian darkens this year. My right hon. and learned Friend has always been strong and wise on this particular subject, as well as on others. I hope that he will ensure that the work in hand in Europe on these matters is completed and that we soon have a clear, agreed policy so that we can be valid partners with the United States on the most important foreign policy issue of the day.

6.22 pm

Mr. Charles Kennedy (Ross, Cromarty and Skye): If there is one issue on which there has been broad agreement—there has not been agreement on much else—it is the point raised by the former Prime Minister: that to shoehorn this debate into one Thursday evening, following a very important statement on Northern Ireland, is a ludicrous way to go about our business.

It was interesting that, under pressure from some of his Back Benchers, and in a way that had perhaps not been considered by the Leader of the House or the Foreign Office, the Foreign Secretary buckled and promised that he would give us a full account of the negotiations as they proceeded. That might be disastrous for him from a political point of view and as a negotiating tactic, but, now that he has made that concession, I hope that we shall hear from the Minister of State when he winds up what shape and form that reporting back will take—whether there will be an oral statement every so often in the House or whether there will be a Government-initiated debate such as this to take note of progress in the negotiations. From a personal point of view, he may live to regret the commitment he gave, but, since he has given it, the House will be eager to take advantage of it, no matter from which side of the argument we approach the issue.

The Harold Wilson phrase about a week being a long time in politics is certainly true for the Government's IGC White Paper. It was Janus-faced when it was produced, and it has been exposed as Janus-faced in this debate. As we know from the Chancellor, who is about as far away from the Government as he can physically get at the moment, discussions inside the Cabinet are no happier than the debate within the broader parliamentary Conservative party itself.

To sum up the Foreign Secretary's strategy as outlined this afternoon, it seems to be a case of, "Goodbye Helmut, hello Jacques". The former Prime Minister is correct—the Foreign Secretary will find that, when the chips are down, the President of France will stand shoulder to shoulder with Germany on key constitutional aspects relating to the development of Europe, and that we will be isolated. I have to say that I would be slightly worried if I were a Tory Back Bencher watching the Foreign Secretary this afternoon. He buckled under a bit of constructive pressure when asked to what extent he was willing to be accountable to the House in the next 18 months. If he buckles to the same extent in the IGC negotiations, the White Paper will not be worth the paper on which it is printed in terms of the assurances that it seeks to offer.

The Foreign Secretary used the word "disingenuous". If ever a word could be applied to the Government's performance, that is it. It is surely disingenuous to erect these Aunt Sallies and proceed to knock them down when they are not seriously on the negotiating table. For example, there is in fact agreement among the three political parties about the type of issues to which a national veto should pertain and on which it should be maintained—troop deployment, immigration policy, own resources and tax.

Mr. Radice: As the reflection group said.

Mr. Kennedy: As the hon. Gentleman says from a sedentary position, the reflection group made that clear.

There is a broad consensus on these issues across the political divide in this country and among member states. It is frankly disingenuous of the Foreign Secretary to say that he will be battling against such things when they are not on the agenda and not up for discussion. He will find that echoed in the Labour party's policy document and in the policy document that we produced last week.

It would improve the tenor of the debate if, instead of creating myths to tilt against for the purpose of assuaging those from his own side who, I fear, from his point of view, are not to be bought off, the Secretary of State was honest and constructive and dealt with the agenda that is before the IGC rather than with a mythical one, which is doing no good in the eyes of his own Back Benchers and doing no good for this country's credibility in the rest of Europe.

The Foreign Secretary's strategic objectives, of which there appear to be two in the White Paper, are ones with which no one would disagree. He wants a better deal for animal rights and he wants enlargement. He does not want social or human rights for workers in this country, but he wants a better deal on animal rights, something with which no one would seriously disagree. Nor would anyone seriously disagree with enlargement, but I doubt that his aim to deliver enlargement is going to be achieved by his apparently setting his face against any extension of qualified majority voting.

The hon. Member for Livingston (Mr. Cook) is surely right. Can the Foreign Secretary provide some clarification? He appeared to avoid it in the "Newsnight"

interview that he gave last week after he had made a statement to the House. Is he saying that there is to be no extension whatsoever of QMV? Is he willing to sacrifice the cause of enlargement for a compromise on QMV over, for example, research and development? Is that the position? Is he saying that, if enlargement goes to the wall, so be it—if QMV did not apply in any other sphere?

Mr. Rifkind: If the hon. Gentleman reads the report of what I said in my opening speech today, he will find that I explained fully why I believe that enlargement does not depend on an extension of QMV, and that the arguments that suggest it does are bogus. I went into some detail as to why I believe that to be the case.

Mr. Kennedy: The right hon. and learned Gentleman did indeed do so, but that does not answer the question. He may well believe that, but he has to negotiate with a number of other member states. If his interpretation does not hold sway, he will have to make a decision at some point down the track about what the trade-off between QMV and enlargement is going to be. That is the issue that he will not face and to which he did not respond in that intervention.

Secondly, the confusion of the White Paper is best summed up by one quotation, which is supposed to be a ringing statement of the British Government's position with regard to the approaching set of crucial discussions. The Foreign Secretary says, in the White Paper:

"As the European Union matures it needs a clearer sense of what it is, and of what it should never aspire to be."

That is hardly the visionary stuff of politics, if ever we heard it.

The Government are trapped in the headlights of the views of their Back Benchers on this subject. They cannot give leadership or enunciate a vision, because whatever they do will deepen the chasm behind them. That will be bad news for this country, not just for our contribution to the IGC but for what comes out of the IGC and what should be a more democratic and decentralised European Union. Ultimately, I fear, we will have to have a referendum on these matters, and it would be better if the Government endorsed that position now and got on with an honest and open negotiation.

Mr. Julian Brazier (Canterbury): What question would you ask?

Mr. Kennedy: I would ask, first and foremost, for a public endorsement of the outcome of the IGC, if it has constitutional implications, in the same way as I voted for a referendum on the outcome of Maastricht. We could have had a referendum on that, too. There will have to be a referendum and it would be better if the Government were to embrace one positively now rather than being forced into that position later. We could then get on with a more vigorous debate outside this place, because it is clear that the Government will not give us an opportunity for one inside.

6.30 pm

Mr. Norman Lamont (Kingston upon Thames): I congratulate my right hon. and learned Friend the Foreign Secretary on the skill with which he handled so many questions, but the number of questions indicated how strongly my right hon. and hon. Friends feel about the issues. I am sure that those questions reflect public opinion in this country. I wish my right hon. and learned Friend well. I, of all people, know how difficult his task will be.

The test of the White Paper is not what it says. Its tone is, dare I say it, Euro-sceptical. It certainly strikes the right notes, but that is not the real test. The real test is whether it provides an effective bulwark against the federalist ambitions of other European countries.

The Prime Minister stated the Government's position on page 1:

"The bedrock of the European Union is the independent, democratic nation state."

However, as the right hon. Member for Bethnal Green and Stepney (Mr. Shore) pointed out, that is simply not compatible with the view of the German Chancellor, who told us last month at Louvain:

"However much some European politicians may regret it, the day of the nation state is over."

The threat of creeping federalism is not something that exists only in the fevered imagination of a few Euro-sceptics. A few years ago, my right hon. Friend the Deputy Prime Minister wrote:

"We have federalism by stealth, whether because national electorates cannot be told the truth, or not trusted to understand it, or because their elected leaders have failed to comprehend . . . There is no escaping the fact that a fledgling federalism is emerging".

I agree with every word of that. So can we believe that other countries in Europe will settle for a partnership of nation states?

The whole idea of a directly elected European Parliament might be thought to be inconsistent with the idea of a Europe of nation states. We have already sold the pass there. If we had wanted a Europe in touch with public opinion and politics in individual countries, we would have continued with an indirectly elected assembly, not a Parliament.

The White Paper takes a minimalist approach. In a section to which my hon. Friend the Member for Stafford (Mr. Cash) referred, it suggests that, if we do not press hard for Britain's agenda, others might not try to impose an integrationist agenda on us. That is wishful thinking. Whatever we say or do, others will push for the next great leap forward.

In the whole long year of the Maastricht negotiations, it became clearer and clearer to me that our partners have and always will have a completely different view of the future of Europe from ours. They mean what they say when they express their wish for European unification. This is not windy Euro-rhetoric. Too often, British politicians are whistling in the wind when they say that we are winning the argument in Europe.

One can quibble about definitions, but Europe is amassing powers that will soon give it the characteristics of a state. At that point, Britain will cease to be an independent, self-governing country. The people in this country have not been consulted about that. The Europe of today has little resemblance to the Europe for which people voted in the referendum of 1975. They do not want to live in a European state, but that is the way we are going. It must be right to hold a referendum if the Government want to move to monetary union, but there is also a case for a wider referendum, not just on the single currency but on the whole future of Europe and the question of political integration in Europe.

[Mr. Norman Lamont]

We are creating a monster machine that is remote, insensitive and pushing out a mass of unwanted, often ludicrous, paper. Mr. Andrew Roberts, the distinguished historian, recently wrote a novel, set in the next century, called "The Aachen Memorandum", in which he described a situation in which civil unrest started in this country when the people found that they were unable to change the laws of this country in their own interests. That is fiction and perhaps fanciful, but I believe it is a warning.

Democracy should not be a one-way street. As my hon. Friend the Member for Colchester, North (Mr. Jenkin) and others have pointed out, the whole principle of the acquis communautaire is that once something becomes a European responsibility it should remain a European responsibility permanently. In this country, in our elections, citizens can choose whether they want bigger government or smaller government, but once power is transferred to the centre in Europe it is transferred, if not permanently, at least until the rather improbable event of 15 Governments unanimously deciding to repatriate it.

The answer to the problem should be subsidiarity. I was one of its strongest supporters, but what I had in mind in 1990 was very different from how it has turned out. Subsidiarity should be about the repatriation of the common fisheries policy, not about zoos. We all know that subsidiarity has been a complete failure.

The White Paper takes comfort from Chancellor Kohl's assurances that his country does not seek a centralised state. It is a limited comfort, because the Germans do not consider their state a centralised one. It is, after all, a federal republic. In Chancellor Kohl's mind, Britain's place in Europe should be similar to that of Bavaria in Germany.

No one in Europe is seriously interested in whether money achieves the objectives for which it has been voted or whether it gives value for money. Any money the Community can get its hands on is used to expand the influence of Europe and to buy loyalty to the European idea. Money is spent wastefully and as conspicuously as possible in the regions to weaken ties with national Governments and to increase loyalty to the European idea. It would be an outrage, but all too typical, if the European Union were to use taxpayers' money to launch a campaign to explain the alleged benefits of a single currency.

My right hon. and learned Friend the Foreign Secretary wants more powers for the European Parliament to supervise the spending of money. Unfortunately, the European Parliament is itself a propaganda vehicle for the European idea. It would be much better if the equivalent of the Public Accounts Select Committee in every national Parliament examined how European money was spent in each and every country. Then we would have a real check on the effectiveness of money.

Public opinion is moving and the debate is moving. A recent poll in the *Sunday Times* showed that a majority of people in this country think that European Union membership has been bad for Britain. Some 37 per cent. thought it had been good for other countries. Perhaps the 37 per cent. is the surprise.

Europe's obsession with a single currency has made the continent the high unemployment zone of the world. What a strange obsession it is. Far from increasing trade, the drive to a single currency will slow down growth and thus reduce trade between European countries. It is nonsense to say that EMU is necessary for the single market. No one suggests that Canada, Mexico and the United States have to merge their currencies to complete the North American Free Trade Agreement.

In the 1960s and 1970s, the European Union played a role in liberalising world trade, but today its importance has been overtaken by the general agreement on tariffs and trade. One does not need to be a member of the EU to gain access to European industrial markets or to attract inward investment to sell into Europe. It is neither in Europe's power nor in its interests to shut us off from its markets. Switzerland, Japan and the United States have all increased trade quickly with the EU. The economic benefits of our membership are finely balanced, but the political price is high and rising.

Do we need this political integration? We do not need it. It is for advocates of our continued membership to demonstrate that membership is compatible with being an independent, self-governing nation state, able to make our own laws and administer our own justice.

My right hon. and learned Friend has a very difficult task. It seems to me that Britain is heading for a clash with Europe. We have fundamentally different views, and if they cannot be reconciled the time will eventually come when Britain has to consider much more radical alternatives.

6.39 pm

Mr. Giles Radice (North Durham): By no stretch of the imagination can the White Paper on Britain's approach to the IGC be called a great state paper. At best, it is a holding statement designed mainly for internal party reasons. I accept that it says nice things about Britain's membership of the European Union, although that is not music to the ears of some Conservative Members. Unfortunately, however, a positive introduction is contradicted and undermined by the detailed proposals set out later in the document.

In particular, paragraph 27 says that the Government will oppose any further extension of qualified majority voting. I believe that to be a great mistake, because, as the White Paper admits, the creation of a single market needed qualified majority voting to work. Indeed, the second banking directive was passed against German opposition by QMV.

So those who go on about the need to retain the United Kingdom's veto in all remaining aspects of policy forget that what is sauce for the goose is also sauce for the gander. The vetoes of other countries can block the progress of EU policies that are in Britain's interests—a point that those who oppose the extension of QMV seem to ignore. Action against fraud, progress on the environment, structural funds, research and development and the extension of membership are all cases in point.

Similarly, the White Paper says that Britain will block any new powers for the European Parliament, apparently on the basis that that Parliament has used the Maastricht co-decision powers irresponsibly. That is plain wrong. The fact is that the European Parliament has agreed with the Council of Ministers 48 times out of 50 under its co-decision powers. Perhaps the White Paper should have pointed that out.

There is now a grave danger that Britain will be isolated and excluded from some of the major decisions taken in Europe. By opposing the extension of majority voting and any increase in powers for the European Parliament, Britain is putting a lock on our European partners which they will not in the end accept. They are already opening the way for France and Germany to go it alone—hence the talk in France and Germany about a so-called flexibility clause allowing countries that want to go ahead on certain issues to do so. The White Paper is too inflexible; it creates the danger that a hard core of countries will want to go ahead if they believe that we are blocking their progress.

If my party wins the next election, it will face a grave responsibility. Certain of my hon. Friends might care to reflect on the fact that our party conference unanimously passed an excellent document called "The Future of the European Union". It proposed extensions of qualified majority voting where that is in the British interest—on industrial and regional matters, and on the environment and social policy too. At the same time, it argued for an extension of the powers of the European Parliament where decisions on legislation are taken by QMV. That seems only logical.

I believe that this general approach is supported not just by the vast majority of Labour Members but also by members of the other Opposition parties—and by Conservative Members.

Mrs. Currie: Some of them.

Mr. Radice: It all adds up to a majority in this House that is perhaps not reflected in the attendance at this debate.

Mr. Duncan Smith: Why not?

Mr. Radice: We shall have to see.

If Britain is not to be isolated or excluded from these decisions, and is to play a leading and constructive role in Europe, we shall need to mobilise that majority in this House, across party lines if need be. That is one reason why I happen to believe that the European Movement is important. I am fortunate enough to be its chair, and the hon. Member for South Derbyshire (Mrs. Currie) is a vice-chair, as is the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy). Our views represent a majority in this Parliament, and, I believe, in the country at large.

We are arguing for sensible, moderate proposals for future integration where that is in Britain's and Europe's interests. That approach ought to commend itself to the House.

6.45 pm

Mr. Tim Renton (Mid-Sussex): I like the general thrust of the White Paper—the partnership of nations is a good phrase, and I have heard it echoed in France, Germany and Italy on my recent travels.

But I would ask the House to think a generation ahead, and to consider the likely vitality and strength of the Chinese and Indian economies at that time. We should also consider the ambitions for international investment of Argentina and Brazil and the high technology pouring out of the south-east Asian tigers of which my right hon. Friend the Member for Guildford (Mr. Howell) often speaks.

We should think of the many options available to Japanese and American capital as to where, internationally, they build their large new factories. Will we look back with pride at these years when we decided not to be a part of the further integration of European markets and institutions? I very much doubt that we will.

Will we look back with pride if we are determined to build a Europe that suits only our national prejudices and neuroses, à la William Rees-Mogg? Or will we be reminded of Sam Brittan's words in the *Financial Times* of 29 January 1996:

> "The whole record of Britain's dealing with the European Union is first to stay out at each stage, and then to complain about the rules when it tries to join later".

We must not repeat the procrastinations and mistakes of the past.

We know very well—the Foreign Secretary said it this afternoon—that a host of decisions face the European Union between now and the year 2000. The IGC is just one of them—not even one of the most important. Those decisions will lay out the future course of the EU. I am sure that Britain has to play a leading role in them, and this Conservative Government are well placed to do just that.

But we must be a team player; we must not go on keeping the ball in the scrum when everyone else wants to pass it out to the three-quarters. In doing so, our responsibility in this House is to convince the British people of the wisdom of what we are doing. That requires wise leadership, not just listening to every silly tale about European directives—of the "Snails have to be moisturised in transit" sort and so on. Usually those tales turn out later to be incorrect.

If we do not take this line, and if Europe does not integrate further to provide greater economies of scale, more efficient decision making and more jobs at reasonable wages, we and other Europeans will pay a harsh economic and social price.

Every European country wishes to preserve its national identity; I can find no country in Europe that does not want to do that. But we seem to be the only country that thinks that, by accepting more integration to make Europe work more efficiently—perhaps more powers for the European Parliament and more QMV—we would be "giving away our country", in the extraordinary hyperbolic phrase that is used by hon. Members on both sides of the House.

This year, Austria celebrates its 1,000th year as a country. France is an older country than ours. Spain, which goes back to the kingdoms of Aragon and Castile, is just about as old as us. None of those countries wishes to give up its national identity.

Mr. Jenkin: Will my right hon. Friend give way?

Mr. Renton: No, I have only a few minutes.

Not long ago, my right hon. Friend the Member for Epsom and Ewell (Sir A. Hamilton), my hon. Friend the Member for Wycombe (Mr. Whitney) and I—between the three of us, our views on Europe could be quite different—went to Paris at the invitation of some members of Mr. Chirac's party, the RPR, or Rassemblement pour la République. We had a day of discussion.

[Mr. Renton]

During that day, we were told by all but one of those members—Gaullists—that they wanted to see the monnaie unique, the single currency, come about. They wanted closer integration of defence forces, and talked about moves towards a common foreign policy. At the end of the day, as we left, we were all given a medal, which I have with me, on which is the profile of de Gaulle. Written on the reverse are the words, of which I shall give a loose translation:

"To all men and women this coin is dedicated whose foremost wish is to see to it that France remains true to herself."

Many of us would see an extraordinary paradox in that Gaullist combination of coin and philosophy, but other European nations do not. We should look at our neighbours and ask ourselves why it is such a problem for us when it is not such a problem for other proud, independent nations that intend to stay independent within the European Union. Perhaps geography helps them to feel more European than we do. They accept that retaining their nationhood while giving up some sovereignty for a shared European sovereignty is worth while, particularly for long-term economic benefit. That is a lesson that we must learn.

The right hon. Member for Bethnal Green and Stepney (Mr. Shore) took the view that we should accept the fact that most Britons do not feel European, and that we should, as it were, then run away from the problem. I say that the challenge is entirely the opposite, because it is in the European Union that so much of our trade, our future, lies, and therefore there is surely a responsibility on us to put over to our constituents the virtues not only of what is happening in the European Union but the fact that, ineluctably, it is where our economic and trade future lies.

One point of difference between myself and my right hon. and learned Friend the Foreign Secretary is that I think that, without an extension of qualified majority voting, we will not get the enlargement or the institutional change about which the White Paper speaks, both of which I very much favour. Surely the Luxembourg compromise showed that a system based on unanimity cannot make progress. The single financial services market, which would have been of great benefit to this country, was vetoed by Germany. There would have been no single market in trade without qualified majority voting.

My right hon. and learned Friend said that there is already QMV in agriculture, but, of course, it is rarely if ever used, because a blocking minority is not available. But surely that makes the point that we do not have to be that frightened of an extension of QMV. I agree with my hon. Friend the Member for South Derbyshire (Mrs. Currie), who asked whether we would really be happy if plans, for example, for the control of environmental pollution were blocked by a veto of Cyprus or Slovenia because of some other deal that they wanted to make.

Sir Francis Drake once said—I remember quoting these words at a Conservative conference on the European Common Market more than 20 years ago—

"It is not in the beginning of a great adventure but in the continuation thereof that the true glory lies."

He said those words when he was about to go out and defeat the Spanish armada, but we still have to remember them in this immensely difficult task of promoting a partnership of nations in Europe.

6.54 pm

Mr. Tony Benn (Chesterfield): We are, of course, having the oldest discussion in our history. Julius Caesar came and established a single currency, which we still use. The iron lady, then known as Boadicea, led the men of Essex, who were called the Iceni, to try to stop it.

This story will go on long after the Prime Minister has taken his seat in the House of Lords as Lord Huntingdon, and my right hon. Friend the Leader of the Opposition, after a long period as Prime Minister, has taken his seat as Lord Sedgefield. I shall be 100 then, and shall try to absent myself from the current political argument. But please, I say to my hon. Friend the Member for Livingston (Mr. Cook), do not tell the public that there is unanimity in the Labour party on this matter, because that is not true.

It is not an argument between those who love Europe and those who hate it. We are all Europeans. I lost an uncle in the first world war and a brother and many friends in the second. I understand the speeches of the former Prime Minister, the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) in battling for peace in Europe, but there are other ways of looking at it. There are other views about the future of Europe that we should keep in mind.

The truth is that hardly any reference whatever has been made to the relationship between the House and the people who sent us here. It has all been experts on currency and trade. That is the weakness, because we are the stewards of the people's rights. That is the other question that has to be addressed. There is the idea that we would feel a bit different if we were part of a single currency. Every individual has his or her own identity. It is not about identity; it is about democracy, and it is to that question that I want to turn.

I do not believe that any Member of Parliament has any moral or legal authority to hand to others powers that have been lent to him or her by his or her constituents on polling day. It is no good me going back to Chesterfield and saying, "You voted for me, but I'm awfully sorry: I've handed over your powers to somebody else in Frankfurt, who will decide whether you can have schools, jobs or a home."

If we do not confront that argument, we would not be talking about the real future of Europe, because if I were a German or Italian I would feel the same. If I were a Spaniard, I would not want to be governed from Frankfurt; I would want to be governed from Madrid. It is absurd to suggest that this means being pro or anti-Europe.

Mrs. Currie: Will the right hon. Gentleman give way?

Mr. Benn: No.

We have to remember that the history of this country is not only about the history of our relations with Europe—Julius Caesar, William the Conqueror, William of Orange and so on. It is about the struggle of people in this country to have any control over the Government of their country. It is vital that we maintain a democratic link between a grievance and a remedy. That is what democracy is about.

If people have a grievance, they can do something about it at the polling station and the ballot box. They can go to the polling station and remove a Chancellor,

get another one and hope to get a better deal. If we broke the link between the ballot box and the statute book, we would betray our trust and would destroy this House.

I am amazed at the House. We pride ourselves on being the mother of Parliaments, but many hon. Members seem to be content with signing an early-day motion, raising a point of order or going over to No. 4 Millbank for a soundbite, by courtesy of Jim Naughtie, and not recognise that we were elected to safeguard the interests of the people who sent us to this place. It would subvert democracy.

Once the link between the ballot box and the statute book has been destroyed, why bother to vote? Indeed, why not take more direct action? Our history books never like to remind us of it, but throughout our history, when people have been disfranchised, those with a grievance have drawn attention to it by rioting, and rioting is not the best way of handling problems. It leads to a lot of trouble.

Mr. Dykes: Will the right hon. Gentleman give way?

Mr. Benn: No. I have only 10 minutes in which to speak. It is disgraceful that the debate should be curtailed in this way; 25 years ago, we had a 10-day debate on Europe, in which I spoke from the Front Bench.

Once people are allowed to see a quicker and better way of putting things right than voting, democracy will have been destroyed in Britain—and democracy cannot be built in Europe on the basis of the destruction of democracy in this country.

Perhaps the most important point of all relates to globalisation. My hon. Friend the Member for Livingston speaks as if it were a requirement for us to fit in with globalisation, but globalisation means that the world is run by that very powerful Welshman. Everyone knows who I mean: Mr. Dow Jones. When we are in bed, Mr. Dow Jones's industrial averages are giving marching orders to every Government in the world. When the Chancellor of the Exchequer meets the Governor of the Bank of England, the Governor says that he thinks that unemployment is not quite high enough, and that he wants interest rates to be high; the Chancellor wants them to be lowered again; and Mr. Dow Jones arbitrates.

Are we really going to accept a world in which we are required to do what the global gamblers want us to do? The ballot box is a rival to wealth as a way of controlling power. I think that globalism will stimulate the very nationalism that it was supposed to end.

I believe that the moment will come when this European Union will mean that, instead of blaming the Maastricht treaty and the treaty of Rome, we may blame the Germans. Indeed, there is already a good deal of anti-German feeling around. I am not anti-German: I think that the German people suffered under Hitler more than we did, and, with 4 million unemployed, they are suffering under the present arrangements. That is not what *The Sun* will say, however. After all, it was *The Sun* that said "Up yours, Delors", demonstrating the intellectual strength that we expect of it.

If we hand over power to determine our own laws, before we know where we are people will look to the Spanish fishermen, or to the French farmers who will not have our beef, rather than recognising that we have given up the right to govern ourselves. Let me put it more simply still: communism run by commissars from Moscow did not work, and nor will capitalism run by Commissioners in Brussels. Both deny people their right to develop in their own way.

We should have a new vision of Europe. The other day, I introduced a Bill, the Commonwealth of Europe Bill, in which I listed all the 47 countries. We should co-operate and harmonise, but at our own pace and with the consent of our individual Parliaments. That should include the countries of eastern Europe which were dismissed by the right hon. Member for Old Bexley and Sidcup. If the former Yugoslavia had been part of a commonwealth of Europe, the Bosnian war might never have developed: there would have been a framework in which that country could have lived.

I believe that, given the importance of this issue, there must be a referendum on it. People say that we are a representative democracy, but we shall not be if we go into a single currency under a central bank. The case for a referendum is that it would preserve representative democracy. We have so many rules. One is that no Parliament can bind its successor, but that would be abandoned if we joined a single currency. Tom Paine said that the dead could not bind the living, and he was right.

All that I can do now—for I do not expect to have any impact on the thinking of those who take a contrary view—is repeat what I said a few days ago at a meeting in my constituency which dealt with this subject. I said:

> "I want tonight to give a clear personal and solemn pledge to my constituents here in Chesterfield that while I remain a Member of Parliament for this town I will never vote in Parliament to take Britain into a federal European Union and will oppose it in every way I can by speaking and voting against."

Even if I were in favour of such a Union, I would have no right to vote for it. As I said some years ago, it would be a theft of public rights. We have no right to do that. We shall see how to resolve the problem when we discuss it.

I suspect that the White Paper was drafted to cater for those who are described as Euro-sceptics—those with doubts. If there were a Conservative Government after the next election, however, I think that the pressure of international business would take that Government into a federal Union, and I think that the same would apply to a Labour Government. I have seen it happen before. We would be told, "You cannot be left out." We would be told that the pound would fall, and that all sorts of other things would happen.

In a sense, both Front-Bench speeches were pre-election cautionary exercises in a bid not to lose support. We would do better to take a principled stand, and to talk about a Europe that we could really believe in—a Europe that would work, develop and co-operate.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. The right hon. Gentleman's time is up.

7.4 pm

Sir Michael Spicer (South Worcestershire): Like others who have spoken, I do not accept for a moment that the federal process is cracking up. On the contrary—with the exception of public opinion—all the forces are moving in the other direction, as has been said several times.

There are two obvious forces. Following the Maastricht treaty—as those who opposed it tried to point out at the time—there is now a set date for monetary union,

[Sir Michael Spicer]

1 January 1999, towards which all concerned are working. We are not gathered here to discuss monetary union, but it is clearly a massive force, which has the backing of the treaty of Rome, which is moving us in a federalist direction.

The second major force, which has been mentioned tonight and which is very much on our agenda, is the role of the European Court of Justice. It has four specific federalist features. Since the Defreme case of 1976, the Court has been able to make law; since the Factortame case of 1991, that law has had the makings of being superior to the law passed by the House of Commons. Because of the principle of direct applicability, the European Court's law may bypass the national institutions of each country and directly affect its citizens. Because of the fourth principle of acquis communautaire, that superior law compounds itself and occupies territory from which it cannot be dislodged: there is a compounding one-way process towards federalism.

The problem is that a Government who no longer control their law and who no longer control their money are no longer in control of the nation. That is why whether we join the single currency is not just a matter of expediency to be determined, as the phrase goes, "in the light of events"; it is a matter of the profoundest possible principle. That is one of the reasons why I do not agree with my right hon. and learned Friend the Chancellor of the Exchequer about the issue.

What is to be done to turn the rhetoric in the White Paper—which, on balance, is in the right direction—into practical reality? We must, of course, reject the idea of joining a single currency as a matter of principle, but if that is not on offer, a commitment to holding a referendum on the issue is a second, albeit poor, alternative. It is certainly inconceivable that any British Government would give up control over our money, and hence control of our taxation policy, without directly consulting the people.

I was interested to hear what Labour's position would be. If Labour Members are saying that the issue would be determined by a general election, logic suggests that they must also be saying that anyone who opposes the single currency—including the right hon. Member for Chesterfield (Mr. Benn)—should vote Conservative to put the matter properly to the test, and that everyone who is in favour of the currency should vote Labour.

The Government's recent pronouncements of intent in regard to the European Court—especially those of the Foreign Secretary today and those of the Prime Minister earlier this week—are, in themselves, admirable. In particular, the Government have accepted that henceforth the Court shall be stopped from making law. There is only one way in which to do that: re-establishing in the treaty the supremacy of national Parliaments.

The tactics and the means of achieving that are now important. Some Conservative Members have said that they think negotiation on such matters is impossible. I do not agree. What is involved is the bartering between what we want and what other countries apparently require. We want a retrieval of powers. Apparently, other countries want more federalism—usually, nowadays, against the interests and wishes of their people. Let them have it. Under article N, they need unanimous support to change the treaty. Give it to them, but, in return, they must give back to this Parliament sovereignty over all key matters of national policy.

The Government must make up their mind on that important point. Do they really believe in what has come to be called variable geometry, as they say they do in the White Paper? If so, why does my right hon. and learned Friend the Foreign Secretary fear a hard core of other countries going ahead with federalism, as was stated earlier? The Government cannot have it both ways. They must develop a clear position and a firm, positive and coherent negotiating stance. Just to say no to what others propose, for instance, about the removal of the pillars on defence and foreign affairs, however important that intrinsically is, is not publicly attractive.

A positive position must be adopted at an early stage in the negotiation. Its aim, above all, must be to reclaim powers for this Parliament that have been progressively eroded since the debacle of the Merchant Shipping Act 1988. The powers must be enshrined not only in the treaty, but in statute in this Parliament.

Mr. Nicholls: Does my hon. Friend agree that that is why it is so important that the Government admit that there are certain irreducible demands on which they will insist, if necessary via legislation in this Parliament? The alternative is to tell our partners in advance that, ultimately, if they overrule us, we will accept it.

Sir Michael Spicer: I could not agree more with my hon. Friend. There must be a clear statement of those demands. The only matter on which I take issue with the Government is that the demands are couched in terms of saying no to matters that they think will arise at the intergovernmental conference. The Government should make a positive statement that we want to retrieve powers, in return for which we are prepared to consider what others may do within the context of variable geometry. That would be a positive negotiating position.

In their White Paper, the Government make a good start—dare I say a "fresh start"? As my hon. Friend the Member for Teignbridge (Mr. Nicholls) says, we now need detailed policies, confidently presented to back up the White Paper.

7.12 pm

Mr. Denzil Davies (Llanelli): In the 10 minutes available to me, I intend to deal with the European Court of Justice, on which we are apparently to receive another memorandum, so the time has come to consider fundamental reform of its structures and procedures.

The court is 36 years old. It was set up as part of the authoritarian European Coal and Steel Community and it drew most of its procedures from the authoritarian and state-dominated French legal system. We have a European Community of 15 countries, and in a few years' time it will probably be more. Many of them—not just Britain—have legal systems that are different from the French system. The European Court is a state court which serves an increasingly centralised European state. It is a supreme court. From time to time, it has declared Acts of Parliament—not just of this Parliament, but of Parliaments throughout the 15 nation states—unconstitutional, and it will do so again.

We should not be surprised about that. We have signed a treaty which declares the ever closer union of European nation states and the submergence, in effect, of their sovereignty. Presumably that is why we have such a court, but the problem for this debate is that the European Court is not fair. Its structures and procedures mean that it cannot be even-handed in litigation between a nation state and a Community institution or when a party seeks to invoke treaties against the nation state. It cannot be even-handed, because its legal bureaucracy and structure is aimed towards ever closer union.

The European Court is not like courts in Britain. It is located in a large, impressive building in Luxembourg. It has 800 staff, many of whom are highly qualified lawyers, although they are described as legal secretaries. Each of the 15 judges has a highly qualified cabinet that would turn a United States supreme court justice green with envy.

One of the problems is that the European Court is bureaucratic. When a party hands in pleadings at Luxembourg, the first person he meets on the court house steps is the judge rapporteur—it is always a rapporteur. He is a proper judge. With other judges, he will decide the case. He takes the case over. After that, the case belongs not to the parties, but to the court of legal bureaucracy.

The judge rapporteur considers the pleadings. He decides what facts must be proved and, in secret, how those facts are to be proved. That is an enormous power. He decides on the procedures—within, of course, the general procedure of the court—and takes over the whole case.

After a few years of written pleadings going back and forth, before the oral hearing, which is perfunctory and lasts for only half an hour or an hour—most of the work is done in writing—the judge rapporteur writes a report about the case for all his fellow judges. It probably forms the basis of the first draft of the court's opinion. Apparently—so I am told—the judge rapporteur often writes the judgment as well. We therefore have a complete legal bureaucracy.

The judge rapporteur may be an important fellow, but the top cat is our friend the Advocate General. He is an extraordinary fellow. He is both a judge and an advocate. If any young lawyer wants to have it both ways, he should become an Advocate General. With his friend the judge rapporteur, the Advocate General also considers the case from the beginning. There is nothing in the British legal system—or, I suspect, in the legal systems of most other countries—to compare with the Advocate General. Again, the concept comes from the French legal system. There is a mirror image in the Conseil d'Etat—the French state court. If I may translate the French, he is known as the commissar of Government. The Advocate General is the commissar of the European Court, and he has enormous influence.

The Advocate General's moment comes at the end. He sits with the judges listening to the oral argument of the poor advocates, who get only half an hour each. Once they have finished, down from the judges' bench comes the Advocate General and he becomes an advocate. He addresses the court and reads out what he calls his opinion—we have heard about his notorious opinion on health and safety and the 48-hour week. It is his speech to the court. He is impressive and intellectually brilliant in many ways, reviewing the whole case because he is the Cerberus of the acquis communautaire—the guardian of the treaty.

That is the end of the matter. The Advocate General has the last word. Every advocate knows that the last word is precious. Some time ago, a silk to the chancery Bar apparently tried to ensure that he lost in the Court of Appeal 2-1 so that he could open in the House of Lords and have the last word. I do not know whether that is true, but the advocates in the European Court of Justice cannot reopen the case after the Advocate General. As we all know, the Advocate General's opinion, although it is not always followed, is influential with the court.

There are 15 judges in the court, but they deliver only one judgment. I do not know whether hon. Members have read such judgments, but they are a disgrace. Except to the aficionados who practise law, they are usually almost completely incomprehensible, even to most lawyers. Yet this is a court whose judgment can make an Act of Parliament unconstitutional. The judgment is merely a series of propositions with a conclusion: there is no attempt at reasoning—no attempt to make it flow so that people can read and understand it.

There is no dissenting judgment, of course, because no one can dissent in the European Union. People cannot dissent in the Commission—anyone who is against a single currency gets the sack. It should be remembered that in the United States supreme court, dissenting judgments have often been the most important judgments. So why in the Europe Union cannot there be one proper judgment from the judges and one—we are not asking for more—dissenting judgment? The current procedures do not allow that.

I want to offer the Minister a few suggestions to take with him when he goes back into that terrible room and finds that he is one against 14. First, there needs to be a fundamental review of the procedures of the court, the way it operates, the way evidence is called and the way facts are decided. Secondly, the judges should be told to write a proper opinion, which people can read and understand. One dissenting judgment should be allowed, if one is wanted. Finally, we should get rid of the Advocate General, because we do not need him.

The Minister, in his paper, should suggest abolishing the Advocate General. People may think that that is a radical suggestion, but it is already happening in the court of first instance, which deals with most anti-trust cases, competition and monopoly. I am told—although I have not seen it in writing—that the court of first instance is dispensing with the services of its extraordinary commissar, the Advocate General. The Minister now has a precedent—lawyers can always find a precedent if they are asked to do so. Proper judgments, dissenting judgments, reform of the procedure and abolition of the Advocate General might provide a better, more modern and less authoritarian European Court to suit the needs of 15 nation states.

7.22 pm

Sir Cranley Onslow (Woking): Since the Government published their White Paper, I have had one letter from my constituents on the subject. I do not know why I have not had more. I am sure that people are interested in Europe. Perhaps they hesitate to enter into a debate where such appalling terms as "subsidiarity", "variable geometry" and "acquis communautaire" are common change.

[Sir Cranley Onslow]

I want to leave all the technical stuff and quote from that one letter, which is of some interest. My constituent writes:

"I don't think that there should be a referendum on whether we join the EU single currency if one does come about. It is far too technical a subject for the man in the street to cope with. My wife says that if there is a referendum on the single currency the electorate need to be told far more about the pros and cons. What we both feel very strongly about is the dreadful way the EU interferes in the general running of our country. They are succeeding in doing something that the Kaiser, Mussolini and Hitler failed to do in this century, as did all others in the seven previous centuries, namely conquer us, overrule our Parliament and the judiciary, laws, fishing rights, etc. etc. Give us a referendum on this and we will gladly let you know where we stand."

I note that some of my hon. Friends are nodding in agreement with that letter. I received it with some regret because it shows the extent to which the problems are not understood and the extent to which we need to move forward. It would not be a misleading summary to say that many people in this country feel about the EC like someone who has bought a fine new car, found that it has four good forward gears that work well, that the brakes are a bit dodgy, that neutral is all right, but that there is no reverse gear—so when he finds himself in a position where he does not want to be, there is no way to get out of it. That is something that we cannot ignore.

I agree with the right hon. Member for Chesterfield (Mr. Benn), who has left the Chamber, that the one issue that the intergovernmental conference should address is the grievance that many people feel. Without any evidence that something is being done about that, confidence in the EC as an institution and in the treaties that we have signed will continue to wither on the vine. There is a job to be done, which is to deal with areas that we find so unsatisfactory—such as the common fisheries policy. We do not have to be Euro-sceptics to be furious about the way that the Spaniards get away with things; we do not have to be Euro-sceptics to boil over when we learn how other countries cheat on the enforcement of their quotas; we do not have to be Euro-sceptics to be infuriated by the European Court of Justice and the extraordinary conclusions it reaches. My right hon. Friend the Prime Minister has made his feeling clear on that.

I and my constituents feel that Britain did not join the European Union to be saddled with Eurojudge-made law. Something must be done about that and the IGC provides an opportunity to do it. The Government's approach in the White Paper is commendable and we hope that real results come from that. Most of our constituents will welcome the Government's pledge on qualified majority voting, the number of Commissioners and the powers and procedures of the European Parliament—a body which, though elected, still has a serious credibility problem which it might do something to solve if it actually began to use the powers that the Maastricht treaty gave it. I find it difficult to understand why that has not happened already. It may have something to do with the in-built socialist majority in that so-called democratic body.

The Government's line on foreign and defence policies is also right. NATO must be the bulwark of our defence. Our vital national interests cannot be overridden. It is absolutely unthinkable that British forces could be committed to operations in or out of Europe against the will of this House. It is equally unacceptable that, while recruitment to our armed forces is voluntary, another European Court should be able to degrade the efficiency of our fighting services by compelling them to retain homosexuals in uniform. People want to be assured that, at the IGC, Britain will try to redress grievances rather than plough on blindly.

I wholly agree with what the Government say in the White Paper about the social chapter, especially in paragraph 60. We hear a great deal about conditions in Germany. Anyone with a close relative working in a German firm will know at first hand how extraordinary the loss of work ethic has been in German society, how the German work force has saddled itself through self-indulgence with social benefits to an extent that has made it so uncompetitive that even in high-tech industries such as the automobile industry jobs are leaching from Germany to Britain—and a good thing, too, for us. I do not mind BMW, Mercedes or Bosch coming here; but let us not hear those on the Opposition Front Bench saying that it has nothing to do with the fact that we have not saddled ourselves and our workers with the burdens of the social chapter in the way that the Germans have done.

I want finally to refer to the question of a referendum on a single currency, which my constituent opposed in his letter. I believe that there must be a referendum, as there is no other way of obtaining the consent of the British electorate. It should be based on a question set by the Government of the day, which will not be this Government, on a question decided by the Parliament of the day, which will not be this Parliament, with everyone given an opportunity to show how far they have confidence in the system, how much they believe that the EU works to our advantage, and how much they believe that it is genuinely a democratic body.

I was somewhat depressed by the equivocating responses of the hon. Member for Livingston (Mr. Cook) when he was pressed on that point. It was clear that, in effect, he was saying that, if the Labour party should gain a sufficient majority to form a Government, there would not be any nonsense like a referendum. That will not stand Labour in good stead when the general election comes and I hope that we will make more of that.

If there is to be a referendum, it follows that it must be mandatory—the Government of the day must be bound by the result or go to the country with a general election on the single issue of what should happen. We cannot lump in that issue with all the other issues at a general election. However, there has been no reassurance on that matter and I hope that the House will take note of that.

I hope that at the intergovernmental conference the Government will carry through the determination that they have shown in their White Paper. I wish my right hon. Friend the Prime Minister and his colleagues the best of luck.

7.29 pm

Mr. Terry Davis (Birmingham, Hodge Hill): The right hon. Member for Woking (Sir C. Onslow) began his speech by expressing surprise that his constituents had so little interest in the intergovernmental conference and our proceedings on the matter. He answered his own point. People are not interested in the IGC, or indeed the European Union, because they do not feel that the EU has any relevance to their personal and pressing problems. The EU is not seen as being relevant to problems of

unemployment, standards of living, or the quality of life of people in any of our constituencies. The European Union's answer to that has been to spend money on propaganda to try to convince people in some mysterious way that it is relevant rather than tackling the bread and butter issues.

The right hon. Member for Woking went on to give a quite misleading description of the position taken by my hon. Friend the Member for Livingston (Mr. Cook). My hon. Friend did not say that a Labour Government with a large majority would not hold a referendum. He said—I have some reservations about the position taken by my hon. Friends on the Front Bench—that the question would be put in either a general election or a referendum.

I want a referendum. Unlike the right hon. Member for Woking, I have always voted for a referendum. I am not sure that I have ever seen him in the Lobby voting for a referendum. Some Conservative Members—I see them here tonight—joined us in the Lobby when we voted on an amendment calling for a referendum on the Single European Act and the Maastricht treaty, but I did not see the right hon. Gentleman on either of those occasions. Perhaps I have done him an injustice, and if I have, perhaps he will correct me.

Other misleading points have been made, particularly by Conservative Members. The right hon. Member for Mid-Sussex (Mr. Renton) made a misleading point at some length when he described his discussion with the French Gaullists. He said that other nations in Europe were different from the British and that they were wholehearted—he did not use that word, but that was the impression that he gave—in their acceptance that there was no inconsistency between, on the one hand, a sense of identity, and on the other, integration in the EU. He is clearly wrong.

Several other countries held referendums on the Maastricht treaty. It was very clear, especially in France, that substantial numbers of people did not agree with integration in the EU. I say especially in France because a majority there were narrowly in favour of the Maastricht treaty, and because leading figures in the campaign against the Maastricht treaty were leading figures in the French Gaullist party. The right hon. Member for Mid-Sussex misled the House—I am sure unintentionally—on that point.

That was not the only misleading point made by Conservative Members. There has been a tendency in the debate to suggest that the options are either integration or isolation, but there is a third option, which the Government are not expressing clearly, and certainly not with any enthusiasm. That is because the debate—it was very clear from the Foreign Secretary's speech—is seen by the Government as a debate within their own party. That was apparent from the Foreign Secretary's unwillingness to give way to my hon. Friends when they wanted to intervene, and the fact that he gave way to every one of his hon. Friends.

The whole business of isolation or integration is very misleading. There is an alternative vision for Europe: co-operation, partnership and working together. Of course we must work with neighbouring countries and people in other political parties in other countries. There is nothing weak or wet about that approach. It takes self-confidence to work in partnership with other people. Such a vision does not come through in the White Paper, which is a mistake and an omission—but not the only omission.

My hon. Friend the Member for Livingston pointed out the virtual total omission of any reference to the single currency. I would have liked the White Paper to begin with recognition of the fact that for the first time in the history of Europe, there is not a single dictatorship. In the past 60 years, we have seen off the fascist dictatorships of Germany, Austria and Italy; we have seen come and go the colonels in Greece; we have seen the fascists of Spain and Portugal disappear in the 1970s; and, more recently, in the 1980s and 1990s, we have seen the countries of eastern and central Europe become democracies. Some recognition of the fact that democracy has swept like a tide through Europe would have been very welcome in the White Paper as a background to the idea of partnership, co-operation and working together.

Another glaring omission in the White Paper is that there is no reference to other European institutions. If only by implication, the IGC will affect the working arrangements of the Council of Europe. The White Paper refers to the European convention on human rights, but makes no reference to the Council of Europe. The White Paper refers to the European Court of Human Rights, but makes no reference to the Council of Europe. That glaring omission is significant since the whole basis of the Council of Europe is co-operation and the idea of working together, which is what many of my hon. Friends, and I think many Conservative Members too, would advocate. We are not anti-European; we are part of Europe. We are not averse to other countries. We are not hostile to Germans or French and people in other countries; we want to work with them. That means working together—co-operation not integration.

When the Foreign Secretary said that no other Government in Europe favoured integration, he too was—undoubtedly unintentionally—misleading the House of Commons. The Belgian Government believe in integration, the Netherlands Government believe in integration, and so do the Luxembourg Government. Luxembourg might be only a small country, but its Government have a vote almost equivalent to that of the United Kingdom's. The German Government clearly believe in integration. One has only to read the comments of Chancellor Kohl to realise that. The Italian Government believe in integration—and such a belief does not stop there. Not only do Members of the European Parliament believe in integration; from my experience, many Members of Parliaments in other countries believe in it too. The question that we should face is what to do about it.

I do not understand the Foreign Secretary's distinction between multi-track and multi-speed. He said that he was opposed to multi-speed because it implied that everyone would arrive at the same terminus but at different times, and then said that he was in favour of multi-track. I do not know whether he envisages multi-tracks going in different directions. I thought that the whole point of multi-tracks was that they went to the same destination. I could not understand his ruling out multi-track any more than I could understand him ruling out outer and inner circles. I find such language slightly offensive.

If Parliaments of other countries want to integrate, we should not say no to that desire. We should accept that they are entitled to their point of view. We should not try to veto or stop them; we should make it clear that, although we do not want to be part of such integration, we are willing to co-operate with them in partnership and

[Mr. Terry Davis]

peace to achieve common objectives and ends. We should not try to sabotage their wishes. Such lack of vision and clarity damages us in Europe.

7.37 pm

Mr. William Cash (Stafford): The Maastricht treaty did not work and is not working. It is a complete failure and the problem that we have tonight is assessing what the White Paper does to redress the problems with which the Maastricht treaty presented us.

For me, the White Paper is more like a whited sepulchre than a White Paper. It is attractive on the outside in tone, but dead on the inside. The issues themselves have been buried by the procedural device of a one-line Whip, agreed between the two Front-Bench teams, in order to ensure that the issues will not receive the appropriate attention, and Members will not be given the opportunity to exploit them.

In my pamphlet, "Blue Paper", which I published yesterday, I replied to the White Paper. It was published by the European Foundation. I very much hope that a number of Members on both sides of the argument will be good enough to consider its contents, because it would certainly take me a lot longer to describe all my complaints. They are all set out, line by line, for anybody to read if they wish to do so.

I was intrigued by the speech by my right hon. Friend the Member for Witney (Mr. Hurd), because he was of course the Foreign Secretary when the Maastricht treaty went through the House. He was good enough to ask me in those heady days when I was chairman of the Back-Bench committee on European affairs if I would write the paper on the future of Europe for the Conservative manifesto committee. I offered my observations, since published in a book called "Visions of Europe", and clearly said that, if we did not veto monetary union then, we would end up in a German-dominated Europe in which we would be marginalised because we would be on the outer rim of a two-tier arrangement.

The present Foreign Secretary addressed that point in his speech, and emphatically ruled out a two-tier Europe, but the problem is that the concentric circles plan and the hard core arrangement—the very developments that I had advised the previous Foreign Secretary to ensure did not happen—did come about, through the Maastricht treaty.

We are indeed trapped in a two-tier Europe, unless we have and use the political will to remove that problem from the British people. How do we do it? We must reduce the powers that have been conferred on the European institutions and return them to the United Kingdom. That means that at the summit we must take on in forceful debate, person to person, if necessary, the Germans and the French, and explain to them exactly why we will not accept the bullying and hectoring tone of so many of their recent speeches. I am thinking in particular of Chancellor Kohl's speech in Louvain on 2 February.

To deal with the question we shall also have to produce some legislation to enforce our parliamentary supremacy. I raised the matter with Madam Speaker on 7 March, when I asked her for a ruling on the Court of Justice's judgment on the fishing issue. Right at the heart of that judgment lay another question—not on fishing alone, but having to do with the system of the treaty. If member states were to contravene the system of the treaty, they would be acting illegally.

As soon as I read the judgment, it immediately raised in my mind the question of the European Communities Act 1972. Could we amend it? In a nutshell, the answer is that we must. Madam Speaker declined to rule from the Chair on my question, but she has written to me saying that she realises and appreciates the seriousness of the point that I made, although she says that it is primarily a political question.

That political question will have to be resolved by legislation. The House will have to assert that Parliament retains the right and the authority to enact provisions that have full effect, notwithstanding anything in the 1972 Act or the treaties mentioned in it.

In the White Paper, how do the Government address those thorny questions, that cul-de-sac and trap to which they have referred? They do not tackle them at all. Indeed, they do not even want to tackle them. They say:

> "If we were to press ideas which stand no chance of general acceptance, some others would seek to impose an integrationist agenda which would be equally unacceptable from our point of view".

As I said in an intervention, that is nothing short of appeasement. That is defeatism. We are not even to consider whether to give the House the opportunity to retrieve the powers that have been given away and prevent the slide further down the glacier. We shall not even allow the other member states to consider and discuss the question of monetary union in the intergovernmental conference. If we are not even to discuss those issues, by any standards that must be utter irresponsibility.

The Conservative party can win the next general election if we take a sufficiently robust, realistic, down-to-earth view on the matters that we are discussing today. If we unbundle the European Union policies, and use the fact that those on the Labour Front Bench have committed themselves to managed exchange rates and monetary union, we can turn it against them, because we know that they will not be able to deliver their promises on health, education, public expenditure or jobs.

When the Labour party is confronted with that, we shall be able to explain to the British people why our credibility, which we lost over the exchange rate mechanism, has been restored and reinvigorated as a result of our more Euro-realistic position.

Mr. Stuart Randall (Kingston upon Hull, West): Will the hon. Gentleman give way?

Mr. Cash: No, I have only a few minutes left.

In order to achieve that position we must renegotiate the treaty, and say that we shall not accept monetary union. Not merely on the opt-out, but during the intergovernmental conference and before the general election—in other words, in our manifesto—we must state that we shall not go down the route of monetary union. That is the logic of the position. And in doing that we shall be able to wrong-foot the Labour party in the general election.

We have been trampled on by the European institutions, and we shall not tolerate it. Our sense of pride and our nationhood have been infringed over and over again, and we shall put up with it no longer. It is time for the House and for the Conservative party, which, as Disraeli said,

"is a national party or it is nothing",

to put an end to the dishonour heaped upon us by the federalism that is permeating throughout the European Union.

7.46 pm

Mr. Tony Banks (Newham, North-West): Anyone walking into the Chamber and seeing the hon. Member for Stafford (Mr. Cash) on his feet would know precisely what issue is being discussed. I suspect that, regrettably, anyone who came in here and saw the usual suspects lining up on either side would know what subject we were debating.

If the hon. Gentleman really thinks that the issues surrounding the European Union will win the election for the Conservative party, he deceives himself. I do not want to sound complacent, but frankly, I doubt whether even if the Archangel Gabriel declared for the Conservative cause at the moment it would assist the Tories much in saving the general election—but be that as it may.

The debate has been fascinating, for several reasons, one of which is the fact that we seem to be driving everyone out. If we cannot even raise enough interest in the House in discussing the issue, how on earth are we to arouse people's interest outside in the country? Both sides have locked horns over the issue and the area has become sterile, as has the whole debate. Indeed, one could hardly describe it as a debate in the true sense.

I find the debate fascinating, partly because of the attendance levels. There are more Members on the Government Benches than on the Opposition Benches, and it is clear—the way in which the Foreign Secretary dealt with interventions showed that he recognises it too—that the European Union is revealing the deepest divisions that I have ever seen in the Conservative party.

The interesting thing is that the divisions are ideological—not simply matters of opinion, but ideological. The right wing opposes the Government's policy on the EU, and the left wing of the Conservative party is attempting to support the Government, although, if I may say so, not very vocally or successfully. That is the Conservative party's fundamental problem. Most Conservatives who oppose the Government's policies on the European Union are also politically opposed to the Prime Minister. That adds to the problems. The Tory party is deeply divided. If the European Union is going to influence the general election, it will not be through discussion, or its absence, of the issue but through the divisions in the Conservative party, which people will recognise.

Of course, Labour has its differences of opinion. The right hon. Member for Wokingham (Mr. Redwood) laughs, but our differences are more like differences of opinion. They are not ideological divisions.

Mr. Redwood *indicated dissent.*

Mr. Banks: The right hon. Gentleman must allow that I know far more about the ideology and divisions of my party than him. If he honestly thinks that there is an ideological linkage between Bolsover, Chesterfield, Stepney and Newham, South he is an idiot and does not at all understand ideology. Our divisions are more generational than ideological. Our discussions do not pose any problems for the Labour party, either in opposition or in government.

I listened to the Secretary of State with great care when he said that the days of the nation state are not over. I agree—but they are numbered. Nationalism and religion have together been responsible for nearly every war in Europe and the rest of the world, and that remains so.

Mr. Cash: What absolute nonsense.

Mr. Banks: I defer to the hon. Gentleman because he is an expert on nonsense. Perhaps he could consider my speech, write to me and identify all the wars through history that have not had nationalism or religion as their root cause. That will remain so in future. The break-up of Yugoslavia was the result of a combination of nationalism and religion. The purpose of supranational bodies such as the European Union is to move us away from the narrow nationalism that has been the cause of so much suffering in Europe over the generations.

The Secretary of State also gave us his vision of three ways in which Europe could develop. First, he said that it could be a free association of nation states—the market concept. That is what the Conservative right wants—a loose market association of free nation states coming together to carve up the markets between them, with no further economic or monetary union or integration.

The rest of Europe is not prepared to accept that model. The Government can carry on whistling in the dark. They can wish, but it will not happen. Wishing is no way to achieve things. We are being left out of developments in Europe and they are laughing at us. We are becoming immaterial and insignificant in respect of events in Europe. It is the fault of the Conservative Government that we are not punching our weight in the European Union.

The Foreign Secretary talked about the federal Europe, which is the big bogey of the Conservative party. The definition of federalism in the Tory party lexicon is totally different from that in German politics. After all, federal Germany has a strong central state Government and strong local government though its lander. Britain is the most centralised state in Europe. I go further: we are the last fully functioning mediaeval state in Europe. We do not need lectures from the Conservative party, which has centralised our Government, criticising Germany or France and saying that they want a federal Europe that means more centralisation. We have centralisation: it is called the British state and it needs to be broken up. We need the sort of freedoms that they have in Germany through regional government and devolution. We do not have that and we desperately need it.

The last possibility mentioned by the Foreign Secretary was that of a multi-track Europe. Again that is nonsense, like our opt-outs, which are being proved to be nonsense. They were the fig leaves that the Prime Minister brought back to try to cover his embarrassment and the divisions in the Conservative party, and everyone knows that they are not working. They are not worth a bucket of cold spit or the paper on which they happen to be written. Most sensible people understand that.

A multi-track Europe cannot avoid being a two-tier, first and second class Europe. That is exactly what will happen. The right hon. Member for Old Bexley and Sidcup (Sir E. Heath) summed it up. When France, Germany and the Benelux countries start to decide, we can either go with them or stand outside wringing our

[Mr. Banks]

hands. Those are our only options. We have lost our sovereignty, but we are not prepared to acknowledge it and try to do something about the institutions of the European Union, where we can claim back sovereignty through the international bodies.

Conservative Members talk about the European Union as if it were imposed on us from Mars. Throughout their speeches, they denigrate the directly elected, accountable European Parliament. We try weakly, stupidly and ineffectively to defend our fast-disappearing parliamentary sovereignty. At the same time, we refuse to allow the European Parliament the power to exercise democratic control and influence over European Union institutions. It is the French and the Germans that want to give more power to the democratically elected European Parliament. While we in this Parliament complain that we are losing our powers, we are not prepared to give any additional powers to the European Union to try to claim back democratic accountability over European Union institutions. It is self-defeating nonsense.

I have a specific request that I had hoped to make to the Minister. He is not here and I will have to address my remarks to the Whip, the hon. Member for City of Chester (Mr. Brandreth). I am sure that he will communicate them to the Minister. Can we use the IGC to secure a change in the treaty of Rome to give a new status to animals? At present, animals are classified as goods or agricultural products. If they were recognised as sentient beings, they could be accepted as living creatures capable of feeling pain and suffering. That change would enable us to extend animal welfare provisions throughout the European Union. Animal lovers and animal welfare movements want that. Will it be possible to get such changes at the IGC?

7.47 pm

Sir Terence Higgins (Worthing): I welcome the White Paper, which, in its way, is an interesting and helpful document, but I join those who have complained, not least my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath), about the lack of time for debate. Several hon. Members have abandoned hope of being called. On the point made by the hon. Member for Newham, North-West (Mr. Banks), with television being relayed to Members' rooms, attendance has steadily declined. Members come up to one after a speech and say that they agreed or disagreed with it when the Chamber appeared to be empty.

I would have liked to have sufficient time to address in detail the points made by the right hon. Member for Chesterfield (Mr. Benn) who, in a way, epitomised the arguments on a referendum. I can only refer hon. Members to column 702 of *Hansard* on 13 February 1995, when I sought to rebut his arguments.

As I have other matters to cover, I shall make only three brief points on a referendum. First, the position that the Government have taken hitherto—that the question of a single currency will not arise for a long time and that, while there may or may not be a case for a referendum, the issue can be appropriately addressed at that time—is entirely sensible. Although I am fundamentally opposed to referendums, I was prepared to go along with it. I hope that, following the consideration that Cabinet is giving to the issue, they none the less will maintain that common-sense point of view.

I disagree with the views of the right hon. Member for Chesterfield. Fundamentally, we are in a representative democracy. A crucial element of that democracy is the right of our constituents to express to us their views on the single currency or anything else. They have every opportunity to do so, be it on an interview night, or whatever. It is then up to us, having heard all the arguments put to us and read those in the press, to weigh them up and vote accordingly on the extremely complex issue of the single currency. The referendum is the antithesis of that system of representative democracy.

Some European countries do not even have constituencies, let alone constituents. One can then see that there might be a case for holding a referendum. That is not the case here and it would be unfortunate if we were to opt for a referendum.

Mr. Nicholas Winterton (Macclesfield): Will my right hon. Friend give way?

Sir Terence Higgins: No. I have only 10 minutes.

I should like to pick up on one of the arguments used last week by my right hon. Friend the Member for Wokingham (Mr. Redwood), who is in favour of holding a referendum. It is inevitable that such a referendum would be preceded by a major campaign on the issue. The result cannot be binding on the House, because, at the end of the day, it will decide what happens, whatever the result of that referendum. The crucial point is that the result will be binding on the Government, who will have analysed carefully all the arguments, discussed them in great depth and put forward their case.

What happens if the result of the referendum goes against their views? If I understood my right hon. Friend the Member for Wokingham correctly, he suggested that the Government would simply have to accept the result of the referendum. That seems completely absurd. The Government could not campaign on one argument, lose the referendum and then say, "We have suddenly decided that all the arguments we put forward were wrong. We will change our mind." In the circumstances, the Government could do only one possible thing—resign. That is what would happen. Before opting for a referendum we need to consider carefully the implications. I could deploy other arguments against the use of the referendum, but I do not have time.

I should like to dwell on the single currency, about which I am extremely sceptical. I do not think a single currency will be introduced even across the existing European Union by the next general election, the one after that or even the one after that. What may happen is that a core currency will be created, effectively a deutschmark bloc. If a referendum were held, the relevant question would not be, "Do you want to join a single currency?" but, "Do you want to join a deutschmark bloc?" I am very doubtful whether it would be in the interests of this country to join such a bloc. It would create a situation in which the Union would cease to be a Union because in an essential respect there would be a difference between the inner core and the others. In that sense, the Union would be fragmented.

It is not just the single currency and the possible fragmentation of the Union that are dangerous, but the speed and passion with which other EU countries and this country are pushing forward on the convergence criteria.

The fundamental aim is to reduce Government deficits, and that policy is deflationary. What we are witnessing across Europe is a conspiracy to deflate. That policy has not been dictated by any normal reason of economic management given the state of the economic cycle in this country or another.

It appears that countries are determined to rush forward, according to a tight timetable, to meet a requirement to reduce their deficits. The welfare and unemployment implications would be extremely serious. That needs to be taken into account.

I noticed a short time ago that Mr. Lamfalussy, the president of the European Monetary Institute, was reported as rejecting

"the idea that Europe is heading for a recession that would jeopardise the European monetary union."

I believe that the drive for European monetary union is in danger of causing a Europe-wide recession. That is an extremely dangerous situation, which one should consider carefully.

The urge is to meet the criteria at a specific moment in time. The idea is that we will say, "Goodness, we have managed to meet the convergence criteria. 'Snap!' We will join." Total disregard will be paid to whether the country is in any sense in economic equilibrium. If a country joined the single currency, it would give up for all time the major means of adjusting for differential movements in prices and costs. That would have the consequence of endemic unemployment, and the need for subsidies across national boundaries within the Community. It may be that a country would be totally unconverged; all that it would have managed to achieve would be a false convergence at a particular moment in time.

If that happens and two or three countries or more were to join a single currency, the danger to the future economic prosperity of Europe would be great. Whatever the jargon—two-tier, two-speed—a drive towards a single currency would certainly not create a European Union. One would have the "ins" and the "outs". I believe it may be better to be out rather than in the inner core.

About four months ago, the National Institute of Economic and Social Research published a good report on that very problem in its journal. It is a complicated issue, and the idea that the public understands it is just not so. That is why any such decision on a single currency should be taken in the House of Commons. We need to analyse all the factors involved and, in particular, the Select Committees need to analyse them before we move forward on the single currency.

Many proposals in the White Paper deserve comment, but in the time available, I shall refer to one. On page 11, it proposes

"the automatic withdrawal of Commission proposals if not adopted within a certain deadline."

I am glad that Ministers have taken on board the importance of that point. The problem for British industry has not been that proposals become time-expired but that we implement them before anyone else does. That has a damaging effect on British industry. Not only do we often implement such proposals well before anyone else, but often in a more extreme form than that set down in the requirements. We should establish a system under which no directive becomes operational until all the countries are ready to sign up to it.

8.7 pm

Mr. Roger Berry (Kingswood): I am one of those who supports many European proposals. I support action to protect the environment, to tackle discrimination at work and to improve employment practices. I am, however, opposed to the deflationary economics of Maastricht. For some people that appears to be an odd position to take. There are those who think that, if one is pro-Europe, one must support the Maastricht road to the single currency. That is bit like saying that, if one appreciates stand-up comedy, one must like Bernard Manning. The opposite is the case. Such confusion often arises on European issues, not least because they represent a wide range of issues. I should like to deal specifically with the economic element of the debate.

Last week the Secretary of State said in his statement that the IGC will not consider economic matters. The White Paper has confirmed, however, that nothing is off the agenda. Recently, the President of the Commission, Jacques Santer, said that he would put forward a specific proposal at the meeting in Turin next week on how to use the savings from the common agricultural policy to support investment in Europe.

With respect to those right hon. and hon. Members who have already spoken, the one issue above all about which most people are concerned is that which affects them most directly—the crucial economic issue of unemployment and job insecurity. That is the issue on which people want Europe to deliver. That is the issue on which people will judge whether the European Union is doing useful things or doing unhelpful things.

In Europe, 18 million people are officially unemployed and many more are seeking paid employment but cannot secure it; more than half of those people are long-term unemployed—that is, they have been unemployed for more than 12 months; and 5 million people under the age of 25 are unemployed. All hon. Members would agree that unemployment is the most serious issue for the European Union and for its member states to address. Talk about some of the niceties of constitutional arrangements pales into insignificance when compared with the issue of what we in Europe are going to do about unemployment.

We cannot talk about political arrangements at the IGC without some kind of economic context. Unless we know clearly how economic policy in Europe will develop, we cannot sensibly determine the appropriate political institutions to deal with it. For example, the question whether there will be a single currency influences the kinds of political arrangements that we might wish to put in place. It is my view that the Maastricht road to a single currency is so deflationary and will increase unemployment so significantly in Europe that it will put the very existence of the European Union at risk, as other hon. Members have said.

There is a political cost involved with economic policy, as well as potential benefits. Therefore, for the IGC to say that it is simply going to talk about so-called political matters—and to leave the difficult economics of the single currency and of deflation or reflation off the agenda—is not very sensible. Unemployment is the European problem. I reject the view of those who suggest that there is little that national Governments can do to tackle unemployment—because there is a lot that national governments can do—but it is clear that there are European initiatives to create jobs that have significant advantages.

[Mr. Roger Berry]

The case for co-ordinated reflation in Europe, given the high degree of economic integration, is overwhelming. That would be the most effective way of reducing unemployment. However, the tragedy is that, at the moment, the economic agenda on Europe is not co-ordinated reflation but is co-ordinated deflation. That is explicit in the Maastricht approach to a single currency. My complaint in this context is not that the fiscal constraints are arbitrary and they have no economic basis whatsoever—although both those statements are true—but that that package is, beyond a shadow of doubt, severely deflationary.

I am genuinely delighted that Conservative Members of Parliament—who on other occasions have not been too enthusiastic about demand management and who have not felt that macro-economic policy had a significant effect on jobs—are now, because they are opposed to Maastricht or opposed to Europe, saying that Maastricht is terrible because it is deflationary and that deflation creates unemployment. I think that they are right when they say that deflation creates unemployment, but I wish that they would apply that argument to Government economic policy in this country as well.

If we were to introduce a single currency in Europe, the Maastricht approach is a good example of how not to do it. If we were to go down the deflationary road to a single currency, if we were to reject—as my hon. Friend the Member for Livingston (Mr. Cook) indicated this afternoon—the notion of real convergence, and to simply concentrate on the Maastricht criteria, I have no doubt that the evidence that we are already seeing in Europe of increased social division, and of growing nationalism and racism, would be exacerbated. Unemployment is a breeding ground for social division and racism.

Mr. Jacques Arnold (Gravesham): So would be accession to the single currency.

Mr. Berry: Indeed.

There is much evidence that those parts of the European Union where unemployment is high are precisely the parts of the Union where extreme right political organisations are gaining electoral support. All hon. Members, not least given the history of Europe, should be mindful of the effect of inflicting deflationary economics on the European Community and of the impact that has in unemployment and social division. It is not an exaggeration to suggest that the Maastricht road to single currency could put the existence of the European Union in jeopardy.

We desperately need a new economic agenda for Europe, and we have to be clear that it cannot be the economic agenda as laid down in the Maastricht treaty. We must have an economic agenda that gives priority to jobs.

Mr. Dykes: I agree entirely with the hon. Member. Was it not a pity that the Delors plan for jobs, growth and employment was all too small and modest in terms of the investment money injected into the system because they were all worried about the existing deficit?

Mr. Berry: Yes, indeed. There is a delightful irony here that the Delors White Paper was put forward not least because it was appreciated that the Maastricht strategy was deflationary. I hope that there are other Government Members who, like us in the Labour party, would support Delors-type programmes for economic expansion. That is the only effective way to tackle the problem of unemployment in Europe.

We desperately need the kinds of measures that were in the Delors White Paper. We need a European recovery fund that will invest in economic recovery. We need to develop trans-European networks, which Jacques Santer spoke about again yesterday. It is this kind of investment across Europe that will tackle the unemployment nightmare—it is a nightmare and it is a social disaster.

I very much regret that it appears that a lot of the talk at the IGC will not be about unemployment. Frankly, most of the talk will be about constitutional minutiae that most people in this country and in the rest of Europe will regard as not addressing their key problem: job insecurity.

8.16 pm

Mr. John Redwood (Wokingham): I welcome the aims of the Government's White Paper. Like the Government, I wish to see a partnership of nations, I believe that we have strong interests in Europe and I believe that we must influence it for the better. I wish us to be in Europe, to trade there, to have friends there, to co-operate where we can and where it is in our interests to do so. We are European—that is an accident of geography and a fact of history, and one with which we must live. We must influence Europe for the better.

Where I find the analysis of the White Paper less convincing is where the Foreign and Commonwealth Office would have us believe that the German Chancellor is now an advocate of just such a Europe of nations. That is a serious misreading of the German intentions. It is also a misreading of the intentions of the all-too-powerful Franco-German alliance, which is driving the federal scheme that is insisting that we go ever deeper into a federal union.

The German Chancellor wants a Europe with one passport, one anthem, one supreme court, one currency, one interest rate, one common foreign policy, one common defence policy, and one common home and justice policy. What is that if it is not one state called Europe with one government? I urge my right hon. and hon. Friends in the Government to take the Franco-German scheme very seriously.

I urge them to offer Europe a choice: to put Britain at the forefront of the debate, to say that Britain is going to offer Europe a better way—a way that works, a way that brings us more jobs, a way that brings us friendship and peace, and a way that does not intrude on our ways of life as individual nations—with our own languages, histories, cultures, flags and passports, of which we are rightly proud.

I understand why some people do not take France and Germany seriously. When we look for the arguments of substance that might support this historic task on which they are embarked, we find little there. Instead of big arguments and well thought through blueprints, we see a series of tired metaphors.

The latest tired metaphor telling us why we must go ever deeper into European Union is that of the bicycle. We are told that the 15 member states are all pedalling on the same bike. I do not understand why we cannot each afford our own bike and go cycling together when we wish. We are told that, if we do not carry on pedalling, we shall fall off and that would be a disaster.

I confess I do not cycle very much these days, but I do remember a little about bicycling, and when I wanted to pause or stop pedalling, all I did was put my foot down. I urge the Government now to put their foot down in Europe and say that we do not have to pedal restlessly in the way that our partners are saying. It is time we offered Europe the chance to go to the pub, have a drink, rest and enjoy the club.

I do not want to belong to a club where all we do is discuss the club rules. I want us to be in a club where we trade together, we are friends together and we do things together when we feel like it, but we do not have to closet ourselves in darkened rooms and argue the toss about how many more rules we shall change and be told that we are bad boys in the club if we do not consent to all those rule changes.

The big issue, which has rightly been highlighted in this debate, concerns the powers of the European Court of Justice—a little-loved institution in a faraway place, whose powers have become excessive and whose powers now need to be cut back if this high court of Parliament is to do its job and is to speak for the British people. I do not urge my right hon. and hon. Friends in the Government to do anything that the German state has not already done, but I do urge them to take immediate action to roll back the excessive powers of the ECJ.

The German Federal Constitutional Court has said that there are occasions when things that the ECJ does are against the German constitution. It rules accordingly, and German law will prevail.

We have the advantage of an unwritten constitution; a constitution fashioned over many centuries through struggles and debates; a constitution that does uphold the liberties of the British people, because they elect Members to this place and we speak for them unless and until they decide that we no longer speak well enough, in which case they choose other representatives. That is what we must do in this case; we must assert the right of Parliament above the European Court where that court conflicts with our constitution.

Two clear constitutional principles of the United Kingdom are these. First, we believe that an Act of Parliament is sovereign; the only thing that can change an Act of Parliament is another Act of Parliament or an amendment or repeal of that Act of Parliament. So by what right does the European Court overturn an Act of Parliament, and when will this great Parliament assert its right that those Acts will be supreme? By all means let the ECJ advise us if it believes that one of our Acts is ill-judged; by all means let us debate that or vote again on it, but we should not let the ECJ have the right to overturn an Act of Parliament.

The second constitutional principle that we hold dear is that the House does not usually invent a new law applying five or 10 years ago and then condemn people for not obeying it. That, however, is exactly what the European Court of Justice is now doing—changing the law that prevailed some years ago and then imposing compensation on us.

If we look in our constitutional history, we shall see that there have been occasions when this High Court of Parliament has had to assert our rights. There has been a direct parallel with the question of a foreign court. In 1533, this Parliament passed an Act that meant that the Roman courts no longer had jurisdiction in England and Wales. That was a bold move. It did, I confess, result in a papal bull. I am delighted that our predecessors were not scared of that papal bull. I am delighted that they took that papal bull by the horns and as a result created our sovereign jurisprudence through our court system in this country.

There is another parallel for what is going on in the case of compensation for Spanish fishermen. It is almost unbelievable—it is a sketch that Jeffrey Archer would never have dared to write—that a European court can now say not merely that Spanish fishing boats can come and plunder our waters, but that those boats that did not come and plunder our waters should then have money from British taxpayers.

In the 1630s, this Parliament had to assert its right against the Crown when the Crown tried to levy ship money when it was not approved by Parliament. The European Court is now trying to levy its own type of ship money on the British people, and this Parliament must say no. The Government must take action; the Government must assert our constitutional rights.

The issue of the single currency has been much debated, although, as the Government point out, it is not yet formally part of the agenda of the conference. I am quite sure that, either at the conference or in parallel, it will be a very important item discussed with our partners. It will be important because the Madrid conclusions left the single currency in an uncertain position. We are told that the ecu is to be abolished and the euro is to be invented, but many loose ends have been left, which business men and the markets need tied up or answered quickly.

I am certain that the European Community will have to introduce new legislation—indeed, it should undertake treaty amendment—to make the euro legal. It is by no means clear that it is possible, simply by agreement among the member states without formal treaty amendment, to move from the ecu, a currency which exists in the form of bank accounts and bond instruments and which has a quoted value, to the euro, a currency which does not exist at all and whose composition or characteristics will be determined at a later date by people as yet unknown, and certainly unelected. I therefore trust that our Government will say no to the automatic transfer from ecu to euro and will insist on the strict interpretation of the Maastricht treaty for the progress to monetary union.

It will come as no surprise to Members of the House to know that I am not entirely enamoured of the idea of the single currency anyway, but I believe that Britain's contribution to the debate, for our partners' sake, should be to say that those treaty conditions were well meant at the time but that they are the bare minimum that should be insisted on to give any participating economy or currency a chance of getting it right or making progress. We should strengthen the position by saying to our partners and friends in Europe that, if we were they, we should have more restrictions than the treaty suggests.

Mr. Deputy Speaker: Order.

8.26 pm

Mr. Stuart Randall (Kingston upon Hull, West): I have a feeling that tonight's debate and this period in our parliamentary history will be remembered as a dark age of nationalism. We have heard many speeches tonight, and it is frightening that there is still such strong nationalistic feeling in the country.

The people of this country are not as Euro-sceptic as the press—certainly this Parliament—suggests. Last week, when I spoke at a townswomen's guilds conference in Sheffield, we conducted a poll, whose results accurately mirrored those of national polls. It showed that people are not Euro-sceptic. They feel ignorant about Europe and its future development but, most important, they want to learn about Europe.

This debate, the White Paper and the IGC are all about change. We have been going through the change from empire to Commonwealth and from Commonwealth to Europe. That is the path we are on. In addition, we have been experiencing an immense change in our industrial, commercial and economic structures.

The word "globalisation" was used several times earlier. Before I came to the House, I was in business and industry for 25 years. I have witnessed some of those developments, and they are extraordinary. Businesses are restructuring in Europe at a high rate. They do not even recognise national boundaries any more. We must follow the example of the banking industry, trade associations and trade unions, which, like other institutions, are becoming global. The governance of Europe must become global—I cannot conceive of its being out of touch with current economic structures and developments.

In addition to those changes—which I believe we must address as politicians—there is the matter of peace, because peace and prosperity go hand in hand. There is a great prize to be gained from European union and co-operation. In the next 10 years, I believe that we shall see the European Union develop into the most powerful bloc in the world. It will be probably twice the size of America, and I believe that the World bank will be forced to relocate from that country to Europe.

We have no alternative but to respond to the irresistible globalising forces. The Government have prepared a White Paper for the Turin intergovernmental conference which I would call a standstill paper: it does nothing other than bind the Conservative party together. I do not believe for a moment—I am not pleased to say it—that the paper will be taken seriously by our fellow European Union members.

The Foreign Secretary referred today to the strong link between Her Majesty's Government and the French Government, but I do not believe that it exists. Hours after the White Paper was published, the French Prime Minister, Alain Juppé, attended a conference in Paris and told the 40 right-wing parties in attendance that he expected to see a two-speed Europe that was dominated by a restricted circle of member states who supported the French-German position on future directions and developments in Europe. He raised the same point in the French National Assembly, where France's policy enjoys a broad consensus.

The paradox is that the French and German position presents the Government with two options: either they must move away from their static position as stated in the White Paper or they must become more progressive. If they do not do that, the Government will be left behind in a two-speed Europe. I cannot conceive how that would be in the national interest, and I ask the Minister to confirm that the Government do not want that to occur.

I want Britain to take the lead in the IGC. We have heard about the relationship between France and Germany; I believe that we should get in between and play a stronger role in the interests of Europe and of this nation. Germany's prime concern is to set in concrete the timetable for a single currency. Germany is facing rising unemployment—the figure is approaching 5 million—and Helmut Kohl views the single currency, which will bring great benefits, as a way of reducing unemployment considerably: there is talk of a 2 million decrease by the end of the decade. The deutschmark is a haven for speculators, which increases its value and makes it difficult for Germany to export easily.

I want to raise a few points about the single currency in the short time left. I believe that the single market—the relevant legislation was introduced by the Conservative Government in 1986—has proved very successful. The growth rates are quite staggering. In 1992 the growth rate was 6 per cent.—I have only rough figures—the year after it was 9 or 10 per cent., and now it is 16 per cent. I refer hon. Members to the survey conducted by Andersen Consulting, which found immense support for the single currency in the business community. They are the people who will generate the growth in this country to finance our social policy. The funding of social policies is a key issue for all western Governments—it was the cause of the unrest in France in December.

As to making the EU work better, we must address the problem of ignorance and ensure that people are far more informed about and involved in the process. That did not occur with Maastricht. I believe that the European institutions should work better and that the Commission should become more accountable. I am happy for more powers to go to the European Parliament. We need to work on the Council of Ministers, but I believe that there is a joint role for the European and national Parliaments.

The IGC must address the jobs issue and I ask the Minister to respond on that point. In the next three years, the common agricultural policy will produce a surplus of £3.6 billion as a result of the general agreement on tariffs and trade, steps taken by the EU and world prices. Will the Minister suggest to the IGC that that money should be spent creating jobs rather than funding tax cuts?

8.36 pm

Mr. Michael Carttiss (Great Yarmouth): I agree with my right hon. Friend the Member for Wokingham (Mr. Redwood). The White Paper devotes only 11 lines to the common fisheries policy. As the only Conservative Member who voted in December against accepting the European Commission's quota document—the Government lost that vote—I believe that it will be no surprise to hon. Members to learn that, although I wish to talk about a number of issues in the White Paper, I shall focus upon those lines in the document about quota hopping.

The White Paper states:

"'Quota-hopping' has been a particular problem, not least because it prevents fishing communities from enjoying a secure benefit from national quotas, thereby undermining the whole intention of the quotas".

Hon. Members referred to that statement earlier in the debate, and I agree with it 100 per cent. It concludes:

"If Treaty changes are needed, we shall seek them".

What does it mean by that? Of course the treaty should be changed in order to reform the common fisheries policy. The Prime Minister of the United Kingdom was reduced—perhaps that is not a very nice word to use—to the level of the average saloon bar commentator—perhaps such commentators would not like me to use the word "reduced" either—when he described the decision of the European Court of Justice on the Spanish quota hoppers as "ludicrous". What will the Prime Minister do about it? What can he do, unless there are changes to the treaty?

The White Paper is deficient in several respects, but particularly when it says:

"If Treaty changes are needed, we shall seek them".

Those changes must occur. It is not simply a matter for the European Court of Justice. Many hon. Members have referred to that body, and the Government have stated their intention to seek some changes to it. If they succeed, I am sure that those changes would be very welcome.

I do not agree with some of my Eurosceptic colleagues who suggest that the decisions of the European Court of Justice should be ignored in this country.

No one can stand up in this Parliament and suggest that we should ignore laws that have been implemented as a result of international obligations into which we have entered. This Parliament, however, should decide that the treaties and our laws must be changed to enable us to avoid implementing decisions that we find have not been reached in accordance with what has been determined by the Council of Ministers. That is the point at issue, as the Minister of State knows only too well.

An hon. Member said that he did not take this White Paper seriously.

Mr. Nirj Joseph Deva (Brentford and Isleworth): Is it not correct that the people of this country should be governed by laws passed in this House, the other place and the Queen in Council? If the European Court's laws infringe on those laws, the sovereignty of Parliament should take precedence.

Mr. Carttiss: As I said, that is a matter that we must deal with in making changes in the treaties that have imposed those responsibilities on us. People talk as if the European Court of Justice existed of its own accord, but hon. Members have agreed in this Parliament to its jurisdiction. We are now discovering that the court is interpreting its jurisdiction in a manner that we never thought it would. That issue needs to be debated at length, but, at the end of it, I do not think that my hon. Friend and I would find ourselves far apart on the issues.

It is not for this Parliament to connive and acquiesce in a decision to let the European Court of Justice continue but to ignore its decisions. We must take action, as my hon. Friend the Member for Chingford (Mr. Duncan Smith) said, by passing a one-line Bill to change it.

Let us not forget the European Commission's adjudication on how the other European countries have failed to implement the fisheries policy. The European Commission report on fisheries policy says that Spain

"does not yet appear capable of meeting the challenges it should and will face in terms of enforcement."

The monitoring of trawlers and catch sizes presents

"considerable long-running difficulties"

and direct checks on catches

"have not always been Spain's strong point."

The report says of France:

"Strict enforcement of community rules is not perceived to be a priority of all the agencies involved."

Reporting on Greece and Italy's application of the fishing policy, the European Commission said that they do not appear to have

"fully integrated into the control system".

This country is held up as the one that obeys the rules according to the standards of the European Commission.

What will the Government do in Turin to address those problems? I have no confidence in statements in the report that seek to identify a problem and then say:

"If Treaty changes are needed, we shall seek them."

Treaty changes are needed, and they must be sought.

There has been a lot of depression on this side of the House, and also among Opposition Members who do not share the view that we want an integrated Europe. The depression is related to the power of Germany and France.

The hon. Member for Newham, North-West (Mr. Banks) said that the French Government do not want to limit the powers of the European Parliament, but my understanding is that they are quite unequivocal in joining the British Government in limiting the powers of the European Parliament, letting it deal with the Commission, and preventing it from interfering with matters that should be dealt with in national Parliaments. I agree with the Government on that matter, and I have been convinced by my friends in the Gaullist party—who campaigned to vote no to Maastricht, incidentally—that France takes the same line on that issue as we do.

I am not too depressed, because, although we must not express an opinion on an election in a friendly country—but the European Union is becoming more integrated, and the partnership of our countries is becoming stronger—I feel able to express a view on the outcome of elections in member states, and to campaign in those countries for the election of candidates who hold views about their country's position in Europe that are similar to my views about the United Kingdom's position.

I look forward very much to the success of Mr. Lafontaine's Social Democrat party this weekend, when a quarter of the German population vote in regional elections. It appears that Mr. Lafontaine's party has captured a strain of opinion by which people are increasingly sceptical of the single currency, and Chancellor Kohl's determination to integrate us all in his vision of Europe. He is entitled to his opinion. He is entitled to express the view that Germany's future will be better—in terms of controlling the elements that in past times have been a focus for nationalism—if they are integrated into Europe.

That has not been our problem. We have not had the problem of a nationalism that has dictated that we go to war with our neighbours, but we are being told what to do by Brussels. We now have to show speed limits in kilometres, for example, on the Norfolk broads. That should not matter to Brussels. There are a hundred and one matters on which we ought not to be told what to do by Europe, but this Government slavishly follow those directions.

[Mr. Carttiss]

I think it was the right hon. Member for Bethnal Green and Stepney (Mr. Shore) who said that there is not much difference between Ministers and Labour Front Benchers. To me, there is not enough difference between hon. Members sitting on the two Front Benches.

The Minister of State, Foreign and Commonwealth Office (Mr. David Davis): No, it was not him.

Mr. Carttiss: He did not? My time is up, so I cannot pursue that point. I wish the Government well in their endeavours, but I look for more action and less rhetoric when they get to Turin.

8.46 pm

Mr. Ray Whitney (Wycombe): I shall not pursue the thoughts of my hon. Friend the Member for Great Yarmouth (Mr. Carttiss), except to say that I hope that he will spare a thought, in his enthusiasm for taking part in elections in other European countries, for the prospects of a certain Anglo-French billionaire who is taking an active interest in our politics.

I welcome the thrust of the White Paper, particularly the Prime Minister's forward, in which he reminds us that the United Kingdom has to be

"at the heart of the debate".

In paragraph 11, we are told:

"The United Kingdom's role as a leading member of the European Union is vital to our national interests."

We are then told—it is very important for some hon. Members on both sides of the House:

"If we were to press ideas which stand no chance of general acceptance, some others would seek to impose an integrationist agenda which would be equally unacceptable from our point of view. We would do better, therefore, to concentrate on achieving sensible amendments in the areas which have been identified for review."

I think that that is extremely important, and I hope that my hon. Friends, in particular, will bear that admirable objective in mind.

Finally, just to mention the remaining bones of the White Paper that I think deserve approval, we are reminded that the IGC is

"expected to last many months. It would plainly be wrong in such an exercise for any Government to tie its hands rigidly at the outset. Rather, we shall form a considered view, as the negotiations progress, of what outcome would best serve the overall interests of the United Kingdom."

That "considered view" causes concern to those of us who are conscious that Britain must play a constructive part in Europe, because considered views—the cold, honest intellectual approach to this issue—have, sadly, for two or three years been singularly absent from our debates.

Those of us who are old stagers feel that this matter is like a classical Japanese Noh play, in which we all play our symbolic roles. Several of my hon. Friends and I play a symbolic role as the voice of reason and moderation, while the voice we hear from below the gangway is, sadly, not a clear one.

In politics, it is important to use words frankly and honestly. To me and to most people, the word "sceptic" implies doubt, uncertainty and questioning. From what we have heard today and from similar previous jousts, there seems to be no doubt at all, only a determination that Europe is not for us. Of course, I reject that point of view. The vast majority of hon. Members reject it, and I believe that the vast majority of the population will reject it, as and when and if it is put to them fairly. I ask my colleagues to face up to the implications of what they are saying.

I am sure that it was inadvertent, but my right hon. Friend the Member for Kingston upon Thames (Mr. Lamont) misled the House on at least one point, if not many more. He referred to the speech made by Chancellor Kohl of West Germany at the university of Louvain on 2 February. My right hon. Friend quoted the Chancellor as saying:

"the day of the nation state is over."

I searched through the English text—I do not have the German text, and my German is not that good—but there is nothing in the statement that coincides in any way with the quotation attributed to the Chancellor by my right hon. Friend.

In fact, the German Chancellor, according to the English translation—said:

"No one wants a centralised superstate. It does not and never will exist."

We might not believe what Chancellor Kohl says, but he says it in virtually every speech he makes. He is deeply conscious of the dangers of nationalism—who should not and would not be?

Chancellor Kohl has a point when he says that we should not take it for granted that the peace that has obtained in Europe for 50 years will last for ever. The example of Yugoslavia ought to remind us of the potential dangers. We too glibly accept the wonderful blessing that we have enjoyed since 1945 and, increasingly, since the European Community was created.

There are many points at which German and British interests coincide. Likewise, there are points at which French and British interests coincide. My right hon. and learned Friend the foreign Secretary and others referred to what Alain Juppé said. They said that it represented only one French position and that it could change, but the point is that, essentially, the French approach in many important spheres coincides with the instinctive British approach.

For example, in his speech last week, Mr. Juppé emphasised that the nation state was the basis on which the European Union should proceed. That coincides entirely with the title of the White Paper, "A Partnership of Nations". I therefore appeal to the anti-Europeans—not the Euro-sceptics—to have much more courage. There are many more points of view on the continent of Europe which echo and respond to our natural instincts than they seem to believe. That is certainly the case in the newer member countries such as Sweden. My message to the anti-Europeans is, "Trust yourselves, and trust us."

Buried just under the surface of what the right hon. Members for Bethnal Green and Stepney (Mr. Shore) and for Chesterfield (Mr. Benn), and what my right hon. Friend the Member for Wokingham (Mr. Redwood), said is a fear of Germany and a belief that we can never live with Germany, never look it in the eye and never compete with it, and that only by devaluation can we live in the same ball park. I reject that, and our economic success over the past 10 or 15 years shows that we can have faith in ourselves.

There is work to be done, and there are huge gains to be made. For centuries, the essence of Europe has been, and it will continue to be, the balance between the three nations of Germany, France and Britain. Who could deny that there is a collaboration between Germany and France, but, if we have enough faith and belief in ourselves, the British can get in the ring. There will be times when Bonn or Berlin and London are together, and there will be times when London and Paris are together, but we can and should be involved. We owe it to our people to be there. The Prime Minister was right to say:

"The United Kingdom has to be at the heart of the debate".

My right hon. Friend the Member for Wokingham made a powerful but deeply misguided speech as far as the question of a single currency is concerned. Everyone knows that the decision on a single currency is not to be taken yet. We can argue about whether it will be taken in two years or five years, although I think that it will be sooner rather than later. We do not have to take the decision yet, but we have to stay in the ring so that British interests are protected.

My right hon. Friend the Member for Wokingham told the *Daily Mail* that there will be a

"£10 billion tax bill for a single currency".

That claim is wholly unjustified by any studies that have been undertaken, because the savings to the European nations as a whole will be in the order of $20 billion or $30 billion, and we shall benefit from lower interest rates. Above all, our own currency will not be vulnerable to raids from Mr. George Soros and other international financiers. Such stability will be of enormous benefit to our nation.

I know that many other hon. Members wish to speak, and I am grateful for having had the opportunity to do so. Let us have done with the painful two years of sloganising—

Mr. Deputy Speaker (Mr. Michael Morris): Order.

8.56 pm

Mr. Denis MacShane (Rotherham): This debate has been marked by perhaps the worst outburst of nationalism—from both sides of the House, let it be said—that I have heard in my two years as a Member of Parliament. It is a reflection of the tone set, alas, by the Government. If one reads the White Paper carefully, the verb that continually springs from the page is "oppose". If we are to play any part in any international body, a responsible British Government must have a positive, constructive agenda to offer. But, in a sense, a country that faces the problems that Britain faces—unemployment, social exclusion and great insecurity in so many sectors of its society and economy—will always produce that tinge of xenophobic or nationalist reaction. It has existed for hundreds of years. Daniel Defoe acknowledged it at the beginning of the 18th century when he said:

"These are the Heroes who despise the Dutch, And rail at new-come Foreigners so much."

Exactly that language, from 300 years ago, is to be heard from Conservative Members today.

The problem that Britain faces is that it is not ready to acknowledge fully the modernisation that its institutions, economy and society require. The only positive suggestion that I could find in the entire White Paper was that of a clause that would enhance protection for animals. My hon. Friend the Member for Newham, North-West (Mr. Banks) is not in his place, but I support his suggestion that we should have more protection for animals in any future European treaty. I would also like—and I am clear about this—more protection for workers. The 20 million unemployed, who have had hardly a look-in in this debate, need some consideration. If Britain in the past 15 years had been a model country for employment, social justice and economic growth, the anti-Europeans would have a better case, but they and their ex-Ministers have presided over so much wanton destruction and have caused discord and disharmony in our society.

I was pleased that we heard the beginning of some honesty today. The right hon. Member for South Thanet (Mr. Aitken), when he greeted the Foreign Secretary's White Paper last week, used the "W" word—withdrawal. I also detected at the end of the speech of the right hon. Member for Kingston upon Thames (Mr. Lamont) the suggestion that he thought that other arrangements might have to be made. I would respect those who are anti-European if they came out of the closet and said, "Let's get out of Europe." They would find some elderly support—rhetorical and powerfully vocal support—from two or three Labour Members. That case can be made and I can make it intellectually, but I would like the British people to judge it. I invite the Europhobes and xenophobes on the Conservative Benches to make that case much more clearly.

The only four-letter word in the White Paper is "veto". A foreign policy based on a veto is not a foreign policy worthy of Britain or likely to have any real impact in international affairs. Last September, the Foreign Secretary made a speech at Chatham house to the Royal Institute of International Affairs. He said:

"occasionally, it may be appropriate to accept a loss of influence if that is the only way we can protect our interests".

That is a new doctrine emerging from the Foreign Office. In the past, the task of a Foreign Secretary was to protect British influence and safeguard British interests. Indeed, the one followed consequentially from the other. A loss of influence meant a threat to British interests. If that doctrine, which I believe still holds true, is now overturned by the Administration, we need a new Foreign Secretary able to restore British influence and to protect British interests in Europe and in the heart of the world.

Germany has been the Banquo of the debate tonight. I am concerned because I know Germany. I like the country and its people, and I know something of its history. If that new super-nation state—with a gross domestic product twice that of Britain's and a population 20 per cent. bigger, with its satellite states and its maquiladoras in the cheap-labour countries to the east—is not fully integrated with Britain, France and the other member states of the European Union, it will go it alone. Germany is a democracy and the men who write about the fourth Reich in *The Daily Telegraph* and the *Daily Mail* should be ashamed of themselves. But Germany is also a nation state with its own economic, trade and foreign policy and, in due course, may have its own defence policy. I put it to the House that a state of that size and power, alone and disconnected in Europe, would be a danger.

[Mr. Denis MacShane]

British interest for 300 or 400 years has been based on having a stake in Europe. We have called it a balance of power. After 1815, we had a concert of nations and we have had other alliances. But we have never isolated ourselves from Europe—except, of course, in the 1920s and 1930s, and the descendants of those Tory politics of isolationism are, alas, growing in strength in the Conservative party today. That is why I feel passionately about this issue. The new isolationism is just another form of political protectionism, and there is one ineluctable consequence of political protectionism: economic protectionism.

There are voices in Europe saying that Britain is simply an offshore assembly plant for Japanese and Asian goods made by companies which come here thanks to our devalued pound, our very low wages and our nine laws which have taken away trade union rights. Why, those voices ask, should their jobs and economic interests be threatened? In the past two weeks, Korean and Taiwanese plants have opened in my constituency—I am glad of that connection between Rotherham and Asia—and those plants are there to sell to Europe.

Britain is continually obstructive and negative and has nothing constructive to offer Europe. I enjoyed the speeches of the hon. Member for Wycombe (Mr. Whitney) and the right hon. Member for Mid-Sussex (Mr. Renton), but the dominant voice in the Conservative party continues to be that of nationalism and anti-Europeanism.

It is not so much a question of Britain's role in Europe as of Europe's impact and influence on Britain. Let those who want to cut this country off from Europe come out and say so. Let them have the intellectual honesty to advance their arguments. I believe that they are wrong. The British people will think they are wrong, too, while remaining profoundly British and proud of this Parliament. They know, however, that it is only by pooling, co-operating and sharing sovereignty, economies and the rule of law that we shall secure justice and jobs and safeguard democracy for people here and on the rest of the continent.

9.6 pm

Mr. Michael Lord (Central Suffolk): It was interesting to hear the hon. Member for Rotherham (Mr. MacShane) talking about Conservative extremists since he is clearly a man of great extremes himself. He seems to think that one can only be either a federalist or in favour of leaving Europe all together. Federalism was implicit in everything he said; he agreed with the two Conservative speakers who agree with him.

There is another course between the two extremes. There is no doubt that what I would call the European experiment is failing and beginning to disintegrate. Its total disintegration may not be far away. That does not surprise me, as one who campaigned and voted against Europe in 1975. I did not understand in those days how there could be one set of rules for so many different nations, temperaments, cultures and climates. So I shall not be surprised if the experiment does not ultimately succeed.

The question really is how Europe will change. If it is going to break up, will it break up chaotically or in an orderly fashion? The great difficulty is in persuading the people who are determined to press on towards a federal Europe that the game is finally up. Until now, this country and this Government have not quite known how to cope with Europe. We have tried a war of attrition to get our way; at other times we have been like Mr. Micawber, hoping that something would turn up.

The problem is hugely exacerbated by the fact that while we talk about reining in some of the European institutions and about subsidiarity, the truth is that the whole mad machine of federalism is grinding on as fast as ever. We really must distinguish between fact and fantasy, between reality and wishful thinking, between what we would like Europe to look like and what is actually happening to our constituents.

The common fisheries policy is a running sore. The common agricultural policy makes less sense every day. Only last week we learned that 2.5 million tonnes of fresh vegetables had been destroyed to keep prices artificially high. In our constituencies our work is continually frustrated by the interventions of Brussels. Nitrate-vulnerable zones are being forced on my farmers by a Brussels directive, although I do not have time to go into that this evening. Heavy goods vehicle drivers who wear glasses are told that they must lose their licences. I was amazed to get a letter from my hon. Friend the Minister for Transport in London—if anyone would call a spade a shovel, he would—telling me that the effect of this measure has been somewhat overestimated and that it will cost only 3,000 jobs.

The House might be interested to hear that I tabled a question the other day to my hon. Friend the Minister who is on the Front Bench tonight. I said to him, "You would think, would you not, that the countries which normally have embassies or missions in different countries would be nation states." I asked him how many embassies and missions the European Union had established to date. The House will be intrigued to know that the European Union has established 118 embassies or missions throughout the world. I have the list here, which I shall read into *Hansard*. From Bangladesh to Barbados, from Brazil to Cape Verde, on and on it goes, and it costs about £151 million a year—about £60 million in salaries and about £90 million in non-staff-related costs.

If that is not evidence of an organisation that believes that it is already a state, I do not know what is. I do not know who sanctioned all those embassies and all that spending. I trust that it was not my hon. Friend the Under-Secretary of State, whose views I suspect are not far removed from my own, and who I am sure will find it difficult to respond to today's debate in the way that I would wish.

More seriously, Chancellor Kohl warns of war if he does not get his own way. Yet most people now know that his federal dream is as dead as the dodo. Most people in this country are fed up to the back teeth with European interference. The challenge is to decide where we go now. The question, "If you don't want a federal Europe, what kind of Europe do you want?" is fair, and we should address it.

I welcome the White Paper, although I do not think that it goes far enough. I believe that it is an opportunity missed. I believe that the United Kingdom should now take the lead and spell out the Europe that we want for the future. There is no time for me to deal with all of that tonight, even if I knew all the answers—which I do not.

Many suggestions have been made. My hon. Friend the Member for South Worcestershire (Sir M. Spicer) talked about the European research group and its ideas. Opposition Members talked about the Council of Europe with variations. I believe that there is a way to share trade and to have a common market without binding ourselves politically in the way in which we are starting to do.

Hon. Members will agree that calls in their constituencies for total withdrawal are growing. If those calls are not to become irresistible, we have to do something about it. We talk about being at the heart of Europe, but this country has never been at the heart of Europe in the way in which some people mean. We have always been on the fringe, not just geographically but in other ways. Caring for Europe? Yes. I am very anxious for its future. In a sense, we are looking after it. We have had to help it from time to time. I do not believe that we are part of Europe in the way in which some people pretend, but this is a golden opportunity, from our relatively separate position, to take a lead and to say that this is the way in which we should go—not federal, not out, but a new way with which we can all be comfortable.

I listened with interest to the right hon. Member for Chesterfield (Mr. Benn). I agreed with every word that he said about our responsibilities to our constituents and how important—I believe that it is almost sacred—that relationship is and how it cannot be given away without a referendum to ask the people whether that is the right thing to do.

Hon. Members say that we cannot do this or we cannot do that because the issues are hugely complex. I have come to the conclusion that almost all the great issues that the House faces are probably very simple at the end of the day, but we make them complicated, I suspect, simply because we do not want—or do not have the courage—to face them. This issue is all about the sovereignty of the House of Commons, about who governs this country and about the role that Back Benchers play on behalf of the constituents whom we look after.

As other hon. Members have said, I believe that it is high time, in whatever form, that the House of Commons reasserted its authority and right to look after the people of this country. If that means that we have to tackle the European institutions head on in a tough but fair way, I hope that we shall have the courage to do so.

9.14 pm

Mr. Iain Duncan Smith (Chingford): I did not expect to speak in the debate, and I assure both Front-Bench spokesmen that I will stick to the agreed time. I have only a few points to make.

The debate is supposed to be about the White Paper, but much of it has involved not the White Paper but the bandying of prejudices across the Chamber. One example is the speech of the hon. Member for Rotherham (Mr. MacShane), whose speeches I normally enjoy—but I shall not be tempted to follow him.

I welcome the principle of producing a White Paper. I think that those who say, like my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath) that the White Paper was a mistake are wrong. After all, what is democracy if it is not discussing what Governments plan, and then discussing what they do after attempting to implement their plans? I congratulate the Government on seeing this through.

Although I enjoyed the main rhetorical thrust of the White Paper, however, I feel that what is not in it may be more important than what is. The section dealing with home affairs includes a lengthy restatement of the intergovernmentalism that was supposedly established by the Maastricht treaty. The Government set great store by that, but nothing in the White Paper leads me to believe that the border controls declaration of exemption from the Single European Act will be sorted out and bound into the treaty at the intergovernmental conference to give it some force of law.

I think that my hon. Friend the Minister will accept that that is vital, given some of the propositions advanced by the European Parliament and even the Commission in connection with getting rid of the declaration. Perhaps, as the White Paper suggests, we fear that our proposal would "stand no chance of . . . acceptance".

I ask my right hon. and hon. Friends to stand a bit straighter, and to approach the IGC with determination.

As for foreign affairs, we have again stressed the intergovernmentalism of the whole approach; yet quietly, almost subliminally, we are told that there is to be a spokesman on European common foreign policy. I understand why the Germans might ask for that: their position has been clear and explicit. I only ask why we have agreed to it. It strikes me as yet another ratchet towards the institutions gaining control over much of the decision-making. Why have we gone first in one direction and then in another?

The fishing issue is interesting. We have had a big row about that, and much concern was caused by the judgment of the European Court. Incidentally, I do not know why hon. Members were surprised; we have known that the judgment was on its way for the past few years. We say that we will adopt a robust stance—that we will take on our partners—but we do not say what we will do if they tell us that they do not agree with us. It seems that we are not going to send a message saying that we mean business, although I suspect that France and Germany might do just that.

Why do we not enact a two-clause Bill restating the position, and stating our belief that the judgment will lead to a waste of taxpayers' money? Why do we not say that we are politically determined to sort the matter out at the IGC but that, until then, the European Court should not implement its judgment under direct applicability, because the matter is political and we will deal with it politically? Such a message would be understood by the Germans and the French, and respected, because they understand the force of argument backed up by their own institutions.

The White Paper does not deal properly with two important issues. The first is the whole issue of European law and the European Court of Justice, which runs through the body of the European Union like a backbone. The second, which hangs there like a shadow, is the issue of European currency union and the eventual single currency. It is strange that a White Paper presenting a Government position for which we hoped does not specify the Government's real approach, or set out what they hope for in regard to the rest of Europe, which will be advanced at the IGC. We are often accused of standing back or of being negative, but we have an opportunity to be positive and to say that there is an alternative to what is clearly not working. If we do not take that opportunity, we shall have wasted it.

[Mr. Iain Duncan Smith]

The right hon. Member for Llanelli (Mr. Davies), as always, set out the position fluently and clearly with regard to the European Court of Justice and I commend him for that. I made a similar speech on 24 March 1993 and on 20 January 1993, in which I pointed out that the social chapter opt-out was non-existent because the treaty contains all the social chapter provisions to implement everything that the European Court would wish. Right hon. and hon. Members have been surprised at the recent decision on the working time directive, but I am not surprised, because that is an inevitable progression. The court will always find in that direction.

We ask ourselves what we can do about it and we seem to agree, somehow, that we can resolve this matter at the IGC. Yet as my hon. Friend the Member for Great Yarmouth (Mr. Carttiss) said, we gave the European Court the powers. We agreed the competences under successive treaty amendments, so we have acquiesced in that. We should not be surprised about it, but we should understand it. The court legislates on the move—we accepted that fact when we joined in 1972—and it is political because it takes a view on the political intentions of treaties and their amendments. It will always let one phrase ride when there is doubt: ever closer union between the peoples of Europe. It will always read things in that direction.

We cannot deal with that by saying simply that we will take the court on or ignore its judgments. We should not ignore them: if we believe in the rule of law, that would be wrong. We are saying that Parliament should reassert its position with regard to this country's courts and to the way in which divisional courts strike down Acts of Parliament without even a referral to the court. We need an Act of Parliament.

Most of all, clearly, if we pass to the European Union competences on which the European Court of Justice will rule, what are we to expect? It will rule on them and widen the breadth of its rulings. The only answer, therefore, is to withdraw those competences so that the court will not be able make such rulings, It is quite simple, but it will take a heck of an amount of political will from Ministers at the IGC. I wish them luck. Without the will, there will be no scope to curtail the court's powers.

The single currency issue hangs over us. Unemployment is rising across Europe because of the timetabled drive towards currency union. Chancellor Kohl is a man in a hurry and with a view of his destiny. His own bank and people do not agree with him, but he does not care, because he has a dream and a vision and we must all march to that vision. In the wake of that vision, however, will come the one thing that he seeks to avoid: the destruction and chaos caused by the kind of government that he experienced in his country.

He is about to create that here. He will set nations against nations. Germany will be unnecessarily criticised roundly in all the various conferences and discussions. We have heard many such criticisms tonight. I do not fear Germany and I wish that it would not fear itself, but I recognise that it is powerful. We must deal with it, but we will not do so according to Chancellor Kohl's agenda, because that will lead only to fear and unhappiness.

I welcome the White Paper's rhetoric, but we must take to the Counsels of Europe a clear British agenda for a looser, more free market approach to Europe. Europe must recognise that the global network of trade is already breaking external European barriers. We insist on having agreements and regulations in certain areas, but we do not wish them to be extended. If we wish Europe to succeed—

Mr. Deputy Speaker: Order. Ms Joyce Quin.

9.24 pm

Ms Joyce Quin (Gateshead, East): For many hon. Members on both sides of the House, this has been a frustrating debate—in particular because of the lack of time available to discuss the many issues that are raised in the Government's White Paper and that are likely to be raised at the intergovernmental conference. Sadly, an already short day was curtailed even further by the admittedly important Government statement on Northern Ireland. I strongly regret the Government's retreat behind the device of an Adjournment debate to avoid dealing with a substantive motion. However, we will seek and, I hope, win other opportunities to bring these matters before the House so that a vote can be taken on the issues.

I want to puncture one myth that Ministers frequently peddle, including the hon. Member for Boothferry (Mr. Davis), who will reply to the debate. He has claimed that Labour is criticising the Government's White Paper because it does not have any ideas of its own. However, as he should be prepared to admit—and as was pointed out by my hon. Friend the Member for Livingston (Mr. Cook)—Labour published a White Paper on the issues many months ago and it has been unanimously adopted. It contains many details that I commend to Conservative Members. It is even in a white cover, unlike the Government's White Paper which, intriguingly, alone among European countries has Britain coloured red on the front cover—*[Interruption.]* My hon. Friends think that it is a sign of things to come.

This is our second debate on the Government's White Paper because the hon. Member for Ludlow (Mr. Gill) introduced an Adjournment debate on it last Wednesday. The Minister made a rather odd statement when he replied to that debate, which he might be able to explain tonight. First, he said:

"Labour policy is partly a lame shadowing of our policy when the Labour party is too afraid to have a view of its own."

I punctured that claim by pointing to Labour's White Paper. However, the hon. Gentleman then said:

"It is a pathetic wriggling on hooks that the Labour leader has impaled the hon. Lady on in moments of Europhoria."—[*Official Report*, 13 March 1996; Vol. 273, c. 914-15.]

I am not sure what on earth that means, but I am sure that we cannot be following Government policy on the one hand and being impaled on various hooks of Europhoria on the other. Perhaps the Minister will explain his mysterious remarks.

What is clear from this debate and from the White Paper is that the document is wholly inconsistent. Indeed, the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) put it well when he said that it was riddled with schizophrenia. The Government are trying to have it both ways. During the Adjournment debate last week, the Government appeared to have been partly successful in getting a welcome for the White Paper from both Euro-sceptics and Europhiles in the Conservative party.

However, a different picture has emerged tonight. It is now clear that the Euro-sceptics very much reject the White Paper. They feel that it does not go anywhere near as far as they had hoped. Indeed, they have been fiercely critical of it during this debate. The Foreign Secretary had to deal with a large number of interventions from Conservative Members. At one point, it was suggested that the sitting be suspended so that a meeting of the 1992 Committee could be convened to sort out some of the huge divisions appearing before us.

The White Paper is inconsistent on many issues. That is especially true in the section that deals with the European Court of Justice. The Government say that they want to strengthen the court and they acknowledge the importance of its strong and independent role, yet at the same time they suggest various ways to weaken its powers, including some rather strange proposals such as damages being paid only in cases of serious or manifest breaches of obligations. That is a very curious principle and we would all be extremely surprised if the Government tried to apply it in our own national courts. Indeed, the way in which the Government say that the damages should be limited suggests that they are saying that there should be one rule for Governments and quite another rule to the disadvantage of individuals who have previously been protected by the court's rules.

In saying that the court should be liable only for damages in cases of a serious or manifest breach of obligations, the Government are presumably opening the way for the court to decide whether that breach has been serious or manifest. Paradoxically, therefore, what the Government are proposing could lead to greater interference by the European Court of Justice rather than less.

I should like to pay tribute to some of the judgments of the European Court of Justice, especially those that have protected the interests of many British women at work who had been treated unjustly by the Government and their employers. We should recognise that.

On working hours, it seems to be totally illogical for the Government to adopt a position that effectively means that even if one worked 24 hours a day, seven days a week, there would be absolutely no health and safety implications. That is totally untenable. My hon. Friend the Member for Livingston was quite right to point out that we stand to benefit from the European Court of Justice applying rules uniformly across the European Union. Indeed, the figures that he quoted showed very clearly that Britain is a beneficiary of that system. It does not lose.

The section of the White Paper relating to the European Parliament is also full of inconsistencies. The Government criticise the European Parliament for lacking popular respect and affection. That seems a particularly ironic claim to be made by the Government at this time. They also criticise the use of powers of co-decision by the European Parliament, and say that it abuses its powers. In fact, the figures clearly show that the powers have been used very sparingly and that, in most cases where co-decision could have been used, the European Parliament and other EU institutions have managed to reach agreement well in advance.

It is also sad that Government are not prepared to consider any of the modest reforms that the Labour party proposes in its own White Paper for increasing the influence of the European Parliament. Labour Members believe, especially if the scrutiny in national Parliaments is made more efficient, that, far from taking powers away from national Parliaments, our proposals can enhance the democratic structures and democratic accountability of the whole EU. It is again ironic that the Government are refusing to consider any of our proposals, when it is clear that they are treating our own Parliament with contempt in the way in which they deal with many aspects of European legislation.

Many hon. Members on both sides of the House have talked about their frustration at not being able to debate monetary union as they would have liked. Yet, at the same time, a proposal by the European Select Committee to debate a document on monetary union on the Floor of the House has so far been blocked by the Government. Conservative Members ought to direct some pressure on members of the Government so that such matters are brought into the full gaze of public scrutiny on the Floor of the House.

The White Paper also talks about bringing powers back to—presumably—this House, but it is very short on details of how that could be achieved. Perhaps the Minister will tell us whether he has any more specific proposals on the matter. The White Paper talks about the concept of subsidiarity, too. Once again today, the Foreign Secretary claimed that subsidiarity was some kind of uniquely British idea and an uniquely British success. That simply is not the case. Subsidiarity was mentioned before Maastricht, in article 130S of the Single European Act. It was also mentioned in the European Parliament, in a much earlier report by the Italian MEP, Altiero Spinelli. For the Government to claim that it was a British idea is false.

In the White Paper the Government also say that they are now considering proposals to improve the system of comitology. However, less then a year ago, in a written answer to one of my parliamentary questions, the Government said that they had no proposals to change the system of comitology. Perhaps the Minister of State will deal with that inconsistency, too.

The Government's aims in the White Paper are unrealistic. They talk again about trying to introduce a sunset clause into the revision of the treaty. The idea of a sunset Government trying to put forward a sunset clause made me smile. But what they are asking for is already there in the European institutions. It is already possible for the Commission to withdraw proposals, and it frequently does so. Moreover, if a sunset clause came into effect, the Commission could make new proposals to replace the sunset proposals when it wanted to. So that is another idea that is simply window-dressing, with no substance whatever.

Many of my hon. Friends talked about monetary union. I welcome the fact that in doing so they spoke eloquently about addressing the issue of employment at the IGC. It is wrong for the Government to claim that the only people interested in putting an employment chapter before the IGC and into the revision of the treaty are the Swedish Government. In fact, the Swedish proposals are gaining impressive support across the European Union.

I recently read a statement by the Austrian Government, part of their submission on the social compatibility of economic and monetary union. They say firmly that the goal of full employment should be anchored explicitly in the treaty. The Austrians also support the idea of an employment chapter and policies to tackle unemployment, especially the problems of social exclusion.

Sir Terence Higgins: Does the hon. Lady agree that the move towards the convergence criteria is having a deflationary effect, with an adverse effect on unemployment?

Ms Quin: Yes, there are difficulties with the convergence criteria, which were ably discussed by my hon. Friend the Member for Livingston.

However, we should look at the other parts of the treaty too. It is a bit of an ideological mix, and certain elements of it can be quoted against other elements. I commend to the right hon. Member for Worthing (Sir T. Higgins) article 2, which talks about

"a high degree of convergence of economic performance, a high level of employment".

Interestingly, but probably not to the liking of the right hon. Gentleman and his hon. Friends, it also refers to

"a high level of . . . social protection".

We must use all aspects of the treaty that can be to our benefit when we want the important issue of employment to be tackled within the IGC. I mentioned the proposals by the Austrian Government, and I have also seen some interesting proposals by the Irish Foreign Ministry in its submission on economic and monetary union, entitled "Social Cohesion and Employment". Those are very much on the same lines, but in some ways they go further, talking about not only an employment chapter but a stabilisation fund, a stability pact, and proposals to improve the employment intensity of economic growth.

Finally, another interesting submission has been made by Belgium, the Netherlands and Luxembourg for consideration by the IGC. It talks about the importance of measures to tackle the European Union's high unemployment. Again, it stresses the importance of giving some hope to people on the margins of the labour market who have little chance of getting decent employment.

In the debate, certain matters that have been hidden up to now have come out into the open. My hon. Friend the Member for Rotherham (Mr. MacShane) was right to note the number of Conservative Members who raised the agenda of withdrawal from the European Union. That agenda has come out into the open more than in any other debate on this subject.

There were also some views on the social chapter that have not previously been so openly expressed as they were today. Rather than being the triumph that the Prime Minister claimed, many Conservative Members clearly think that the opt-out is not worth the paper that it is written on. Indeed, that form of words was used by a Conservative Member during Prime Minister's questions today and shows once and for all that, rather than being game, set and match, Maastricht was an ignominious defeat for the Government.

The Government's policy risks ending up with the worst of all worlds. They often take up postures in the EU that they are later forced to retract. The Home Secretary said that he was against any declaration on racism in the European Union. He has now at least partly caved in on that. Baroness Thatcher spoke out strongly against qualified majority voting but agreed to its massive extension in the Single European Act. The Prime Minister blocked Jean-Luc Dehaene's candidature for the presidency of the European Commission and leapt from the frying pan into the fire with the inauguration of Jacques Santer as President of the European Commission.

The Government's strategy seems designed to lose the maximum number of friends in Europe and win the minimum influence possible. Neither Britain nor the British people will have a good deal in the European Union with that approach. This debate has again shown that European co-operation, and a successful role for Britain in the European Union, can be promoted and achieved only under a Labour Government.

9.41 pm

The Minister of State, Foreign and Commonwealth Office (Mr. David Davis): This has been a stimulating debate. Too many of my right hon. and hon. Friends have made excellent contributions for me to list them all. They have ranged from that of my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath), who I am sorry to see is not here, through my right hon. Friend the Member for Witney (Mr. Hurd), via Kingston and on to Wokingham. It has been an interesting range.

Mr. MacShane: What about Stafford?

Mr. Davis: As Labour Members want to join in, I have especially enjoyed the contributions of the right hon. Members for Bethnal Green and Stepney (Mr. Shore), for Chesterfield (Mr. Benn) and for Llanelli (Mr. Davies), if only as a corrective to the view of Europe of their Front-Bench spokesmen.

We also learned a little about the views of the hon. Member for Livingston (Mr. Cook). He clearly thinks that I should be allowed to negotiate for the country only when the moon is not full. I do not know whether he is trying to characterise me as the beast of Boothferry, but it would not be the first time that demonisation has been tried. We also learned that his grip of English history is not that good. He compared us to King Canute, forgetting that when Canute showed that he could not stop the tide, he was giving his courtiers a lesson in humility. That is a point to which I may return if I have time to discuss Labour's policy.

Mr. Tony Banks: Canute was Danish.

Mr. Davis: He also ruled much of England, including the part that I live in.

I welcome the fact that the House had the opportunity to debate the Government's vision of Europe, which is clearly and comprehensively set out in the White Paper. It is a vision of practical co-operation, not doctrinal Euro-theology. It seeks to harness diversity, not to impose conformity. It is a vision close to the citizen that does not ignore either national interest or public opinion in pursuit of political dreams. Success at the IGC, although by no means the only important negotiation in the next few years, is an important step in the process of delivering that vision.

My right hon. and learned Friend the Foreign Secretary laid out the challenges and options for Europe at the beginning of the debate. Those challenges are clear. I should like to draw the attention of the hon. Member for Livingston to the first item with which I start—the need to enlarge Europe to ensure peace and stability. We need to cut the burdens of Europe to deliver competitiveness, prosperity and jobs. We need to reform Europe's policies and their financing to make enlargement and competitive success possible.

We need to shape Europe's institution to create a decentralised structure that recognises and works with the sovereignty of nation states and does not undermine or erode the powers of those states.

Mr. Cash: Can my hon. Friend tell me exactly how he proposes to achieve that objective specifically?

Mr. Davis: That takes up about two thirds of the rest of my speech, so I shall carry on.

That model of Europe is designed to maximise the success and minimise the strains of the Europe of the coming decades. I stress that it is one that is designed to deliver success for the people of Europe. I say that most particularly to my right hon. Friend the Member for Mid-Sussex (Mr. Renton) and my hon. Friend the Member for Wycombe (Mr. Whitney). It is not a model that just suits our national prejudices; it is one that we think is best for Europe as a whole.

The hon. Member for Livingston said that he thought that what we were attempting in the negotiations was impossible and undeliverable. After eight months on the study group, I am the last to say that there are not, still, powerful forces for federalism in Europe—institutional and national forces. They have been discussed eloquently today by hon. Members on both sides of the House.

I still do not agree with the hon. Member for Livingston, who said that our objectives in the White Paper were not capable of negotiation. Had he been standing at the Dispatch Box 15 years ago, he would have said that the United Kingdom rebate was not capable of negotiation, because, by definition, there was just one of us pursuing it and we had no allies to start off with. So Lady Thatcher would have had news for him.

Mr. Cash: Political will.

Mr. Davis: Had the hon. Member for Livingston been standing at the Dispatch Box five years ago—I also address this to my hon. Friend for Stafford (Mr. Cash), as he intervened—he would have said that the EMU opt-out and the social opt-out were not capable of negotiation. My hon. Friend would not want them, either.

Had the Labour party been in government, the United Kingdom's rebate and other issues would not have been capable of negotiation, because the Opposition are uncomfortable with standing alone for our interests in Europe.

Mr. MacShane: Does the Minister still believe that the United Kingdom has an opt-out from the social chapter in real terms, given that everything from which we are supposed to have opted out, whether it is the European works council or the 48-hour week, is coming in anyway?

Mr. Davis: Indeed I do, and I shall deal later in my speech with the institutions that have got around the opt-out and, nevertheless, the continuing importance of the opt-out.

I believe that the hon. Member for Livingston said that we do not take enlargement seriously enough. I reject that claim out of hand. It is unfortunate that my right hon. Friend the Member for Old Bexley and Sidcup is not here, because I disagreed wholeheartedly with what he said about enlargement. It is clear to me that the generous treatment of the new democracies of central and eastern Europe is the single most important contribution that we and other European countries can make towards the peace and stability in Europe in the next two decades. My right hon. Friend was quite wrong about enlargement, and I want to put our view on the record.

We must do a great deal more than just what is proposed at the IGC towards achieving peace and stability, most particularly in terms of policy reform. The United Kingdom has long championed the cause of reform of the CAP. That reform is inescapable. The CAP faces three major challenges: the likelihood of new food mountains early next century, further liberalisation of trade when new World Trade Organisation negotiations begin in 1999, and the unaffordability and unsustainability of the current CAP when the Union enlarges.

We must address these problems now—in parallel with the IGC—for the sake of our farmers, for the sake of the new democracies and, not least, for the sake of our consumers. Similar arguments apply to the reform of the structural cohesion funds. That reform is unavoidable. We must ensure that we do not face the doubling of those funds—as we would if we did not reform them—when we go to enlargement in the course of the new century.

I refer to the IGC. The United Kingdom strongly favours a Union that is more responsive to the needs of an increasingly diverse membership. My right hon. Friend the Prime Minister led the way in his Leiden speech when he called for a more flexible development of Europe. We should be suspicious of conformity for its own sake. The creation of the pillared structure of Maastricht was welcome recognition that Community institutions and procedures are not appropriate to every area of policy—even the Liberals agreed with that at one point today.

The subsidiarity principle needs to be rigorously applied to encourage flexible development through action at the national level wherever possible. However, we must be clear-eyed about what we mean by flexibility. We must be clear about our aims and the short-term and long-term effects of the form of flexibility that we pursue. I thought that my hon. Friend the Member for South Worcestershire (Sir M. Spicer) got that point right.

My right hon. Friend the Prime Minister and my right hon. and learned Friend the Foreign Secretary have already outlined some of the most important conditions: the need to maintain a single market, the need for non-exclusivity, the need to avoid a hard core and the need for policies undertaken by less than full membership to be agreed by all. I wish to add two conditions to that, as there are other issues that we must address. While we would normally shoulder our share of institutional costs, it would be unacceptable to be obliged to give major funding for a policy with which we disagree and of which we are not a part.

Mr. Lord: I agree entirely with the Minister: it would be quite wrong for us to give money for a policy with which we disagree. I draw the attention of hon. Members to the fact that there are now 118 embassies around the world. Who sanctioned that and who is paying for that?

Mr. Davis: As I have explained to my hon. Friend at another time, that is set up and organised by the Commission under the general financing, which comes out of accounts in the Parliament—a point that will not

[Mr. Davis]

be lost in the next year. The previous Foreign Secretary, my right hon. Friend the Member for Witney—who, unfortunately, cannot be with us tonight—raised this issue last year.

In relation to flexibility, there should not be any obligation on those left outside core groups to join up at some future date. In this regard, the Government are wholly at odds with the Labour party commitment—which ruled out permanent opt-outs in its White Paper, as it termed it, of last year. Such a commitment is nothing less than a federalist ratchet—a formula that is, at best, a slow road to centralism, and we reject the concept out of hand.

The principle of subsidiarity is crucial to ensuring that the Community does less but better. We fought for the conclusion of this vital concept at Maastricht and we were successful. Many of our partners are now following our lead on that. We believe that more can and should be done to ensure greater clarity of this concept in the treaty. Action at the level of the nation state should be the rule and Community action should be the exception. The Community should act only where it has been given express competence and where action at the European level will bring clear benefits that cannot be achieved by member states acting alone.

Since Maastricht, European Councils have taken things forward. Their conclusions must now become part of the treaty, and the White Paper makes it clear that we intend to do that.

Mr. Nigel Forman (Carshalton and Wallington) *rose—*

Mr. Davis: We must—[HON. MEMBERS: "Give way."] I give way.

Mr. Forman: I sought to get into the debate earlier, but I was unsuccessful. The most significant thing that my right hon. and learned Friend the Foreign Secretary said earlier in the debate is that, in relation to the ratchet, we will not simply try to repatriate competences within the European Union—which I think might be sensible—but will actually seek to erode the acquis communautaire. Will my hon. Friend tell me in which areas it is Her Majesty's objective to do that?

Mr. Davis: I shall come to that point in about one minute, when I discuss the European Court, if my hon. Friend will forgive me. Indeed, as he has used up one minute, I shall probably discuss it now.

Several of my hon. Friends have made important arguments about the European Court—most recently, my hon. Friend the Member for Chingford (Mr. Duncan Smith). We must be clinical in our assessment of the balance of British interests with the court. The European Court should not seek to obstruct or redirect the objectives of Governments in the legislation that they have adopted. As the White Paper says, the Government will make proposals to act on those, and other, concerns about the court's functioning. We will consider with interest other proposals to tackle the problem of inappropriate judgments.

No doubt some will say—indeed, some have said—"You have no hope of achieving these changes. You have no support." My right hon. and learned Friend the Foreign Secretary quoted the French Prime Minister saying with disapproval that the ECJ is

"becoming, little by little, a sort of European Supreme Court".

He made it clear that the French want to do something about that—as do we.

I should say en passant—[HON. MEMBERS: "Oh."] Well, it was appropriate to the ally involved. When I was questioned by one of our Scrutiny Committees on that matter, I was asked specifically whether we had support for our points on the court and, for reasons of diplomatic propriety, I told the Committee that I was unable to give it any names, but it was clear then, and it is now public, that the French are supporters on that issue.

Mr. Nicholls: Will my right hon. Friend give way?

Mr. Davis: No. If my hon. Friend will forgive me, I do not have enough time.

The court should enforce the law that Governments have agreed—not make it, change it or add to it. That is the clear point of view of the British Government. Judgments should be sensible and proportionate and should not interfere in matters where they do not belong. Our strategy in dealing with the court has two strands: reform of the court and reform of the treaty articles that have been the principal source of the problem.

I now come to the point that my hon. Friend the Member for Carshalton and Wallington (Mr. Forman) raised. The White Paper says that we seek to limit Community action, especially where that action has gone beyond that which was intended at the time we signed the treaty. The most notorious article in that respect is 118A, the health and safety article. There is a certain irony in that, as we have probably the best, or second best, health and safety record in Europe on the basis of our national legislation alone, and we should not forget that when we are arguing these cases.

Most recently, article 118A was used for the working time directive, with the unfortunate result in the court last week. That will impose a maximum 48-hour working week. In our judgment, that will harm jobs in this country and especially damage small businesses at the most fragile stage of their development, when they are under stress, and in that way deny people jobs. The 48-hour week will become zero hours a week.

Before that, we had the young workers directive, which, if we had not obtained a derogation, would have made youngsters' paper rounds and Saturday jobs illegal. Our view is that those are not properly health and safety matters. If our partners are determined to proceed along those lines, they should do so under the social chapter. I am about to discuss that point.

I am about to discuss the scope of qualified majority voting—another issue that is a point of the difference between the parties—but first I want to deal with something that the hon. Member for Livingston raised. Despite an intervention by my right hon. and learned Friend the Foreign Secretary, the hon. Gentleman refused to correct a misleading partial quotation. He tried to give

the House the impression that my right hon. and learned Friend had called for more qualified majority voting. He omitted to say that my right hon. and learned Friend said:

"We should like to see more majority voting under those clauses of the treaty that already provide for majority voting . . . We do not wish to see a change in the treaty".—[*Official Report*, 20 June 1985; Vol. 81, c. 470.]

I wanted to place that on the record to show that my right hon. and learned Friend had been unreasonably traduced in that manner.

The Government will oppose further centralisation of decision making that would make it easier to override national concerns; that means that we will oppose extension of majority voting. My right hon. and learned Friend the Foreign Secretary has already demolished the fatuous claim that more QMV is needed to make enlargement possible. He highlighted why those changes were being made—to create forward momentum towards a more federal Europe.

The foolishness and the unnecessary nature of QMV extension are clear when we consider the areas where more majority voting is proposed. Let us look at some of them—I shall come to the point raised by the hon. Member for Gateshead, East (Ms Quin) as to why the Opposition are stuck on the hook where the Leader of the Opposition put them. In the Chatham house speech, the Leader of the Opposition called for the extension of qualified voting and the abolition of the veto in four areas.

The first of those was environmental policy. The areas of environmental policy that are currently subject to veto under article 130 include fiscal provisions and measures relating to town and country planning, land use, and energy sources and supply. The Government do not believe that Britain's vital interests lie in allowing our partners to outvote us on damaging fiscal measures, for example, under the guise of environmental policy; nor do we want our partners to be able to impose their models of land use and town and country planning. We are opposed to banning the veto in that area, and we are not alone in that view.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

National Lottery (West Suffolk)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wells.]*

10 pm

Mr. Richard Spring (Bury St. Edmunds): Thank you, Mr. Deputy Speaker, for giving me the opportunity of introducing the Adjournment debate this evening. I also thank my hon. Friend the Minister who will reply to it.

No one could have forecast the enormous popular appeal of the national lottery. It has truly caught the imagination of the British public. Unhappily for me, so far the extent of my personal winnings amounts to only £10—but who knows what the future will bring?

Various individuals and organisations have voiced concerns about the lottery. However, in the space of less than 18 months, good causes in my constituency have received sums approaching £2 million. Six months ago, I secured an Adjournment debate looking at the impact of the lottery on the horse-racing industry, and at prize money in particular. Simply put, some who would have had a flutter on the races are buying lottery tickets instead.

I have the honour to represent in this House the town of Newmarket—the world's horse-racing capital. That specific difficulty was taken on board, and general betting duty was cut in the last Budget. I express my profound gratitude, and that of my constituents, to my right hon. and learned Friend the Chancellor of the Exchequer and to my right hon. Friend the Paymaster General. The concerns of the horse-racing industry in general have been well understood and addressed by the Treasury in the past three years.

In 1605, King James I began the link between the royal family and horse racing in Newmarket. That was carried on by Charles I, who, while in Newmarket in 1642, received a parliamentary delegation demanding that he relinquish control of the country's armed forces. Charles II commissioned the construction of a palace in the town in 1668. He was the first to establish racing stables in the town—the first real training establishment in the world. One of Newmarket's two racecourses, the Rowley Mile, is named after the king's stallion, Old Rowley.

In the 19th century, the Palace House mansion was acquired by the Rothschild family. Macaroni, the winner of the Derby in 1863, was trained at the Palace House stables. In the second world war, the Rothschilds accommodated Jewish refugee families in the house, thereby adding to its extraordinary history.

In 1992, Forest Heath district council, with great foresight, acquired the by then much deteriorated buildings and made them wind and weather-tight. Shortly before Christmas, the heritage lottery fund announced grant aid totalling £500,000. The mansion will now be restored and made accessible to the public. It will comprise a tourism centre, display galleries and community facilities. Newmarket has a unique history as a town, yet somehow it has thus far hidden its light under a bushel. The restored mansion house will act as a focus for both tourism and renewed historical interest. The lottery has made all that possible.

In the autumn, I visited a 600-acre site on the fens near Lakenheath in my constituency as a guest of the Royal Society for the Protection of Birds. The area comprises

[Mr. Richard Spring]

arable land and poplars beside the Little Ouse river. Work had already commenced on a project to recreate the former fenland habitat of reed-beds with meres which existed before the fens were drained. This has come about because of grant aid from the lottery totalling £675,000. Only 20 male bitterns exist on our island at present, and the fen reserve will support up to five breeding pairs. In future, we can expect to see marsh harriers, reed warblers, water-rail and bearded tits, as well as wild fowl and waders, attracted by the wetlands. The RSPB has a considerable following in East Anglia. In Suffolk, there are 16,897 members, the highest number for any rural county in England.

The project will be of considerable environmental importance in a sparsely populated and unspoilt part of Suffolk. It will also benefit the economy of the nearby town of Lakenheath, which will enjoy a sizeable influx of tourists to what will be a unique fenland reserve. We shall be turning the clock back 300 years to when the fens were drained to expand agricultural activity. Such has been the interest in and support for the scheme that the public have subscribed £620,000 to reach the total sum required for the project. However, the lottery has made it a reality.

Just over a year ago, my right hon. Friend the Prime Minister visited Suffolk and met the people involved in the Bury St. Edmunds volunteer centre of which I have the honour to be a patron. The centre was founded in 1985 as a local focal point for many voluntary and statutory care organisations in the area. Projects include gardening and odd job schemes undertaken for the elderly and disabled.

In 1989, the volunteer centre acquired a minibus, which, by last year, had done 90,000 miles and was due to be replaced. The minibus, driven by volunteers, is available to any organisation. Thanks to the national lottery award of £20,000, a new community minibus should be delivered soon. The volunteer centre will then have four minibuses. The area covered will be extended from 100 square miles to 200 square miles around Bury St. Edmunds. The lottery has, in effect, thrown a useful lifeline to the volunteer centre whose work I applaud unreservedly.

In 1962, West Suffolk MIND was registered as a charity. Since then, it has developed three day centres, a housing project, a befriending scheme and a relative support scheme, and it offers advice and information to carers and individuals all over west Suffolk who are experiencing mental health problems. All hon. Members will be aware of the increase in mental health ailments in this country and across the industrialised world.

West Suffolk MIND predominantly supports those who, while living in the community, have long-term mental health problems. Given the demand for its services, it approached the National Lottery Charities Board to try to secure a day centre and adequate office accommodation. As the House can imagine, the allocation of £261,000 was warmly received. The organisation hopes to be fully operational in the new building by early 1997. Such a scheme would not otherwise have been realisable.

St. Louis Family Service is an inter-denominational organisation set up 10 years ago to initiate and co-ordinate pastoral work throughout west Suffolk. Its moving force has been, in particular, Sister Helena Moss. Its furniture and recycling project has grown rapidly since 1990 and currently assists up to 1,000 families and single people each year. Donations of furniture, household goods and clothing are invited from the general public and are then passed on to families in need. Some people in difficulties will need beds or a cooker.

The project is currently leasing an industrial unit for use as a furniture store. Clients are referred by statutory authorities or voluntary organisations. They are not expected to pay for goods but to make a donation towards the cost of storage, collection and delivery. Warehousing, however, has been a physical, locational and financial problem. With a national lottery grant of £295,000, a new furniture store will be a reality and will offer services such as checking and refurbishing electrical equipment and laundry facilities.

The Bury St. Edmunds Women's Aid centre had sought money to enable it to demolish sheds, and to build a proper playroom and adequate storage space for emergency supplies of clothes and toiletries. The sum awarded of £32,000 will enable it to undertake that with the construction of a new extension incorporating those and other important needs. That organisation seeks to respond to emergencies for women threatened with violence or those who have had to leave home, and the money has been gratefully received.

Workwise is another Bury St. Edmunds organisation that seeks to help, with work-based rehabilitation, those adults recovering from mental illness. While many of those helped ultimately make a full recovery, some require special help to build confidence and experience on the way to full or part-time work. Some 60 people a week attend for differing lengths of time. The result is a wide variety of products and services ranging from woodwork items, magazines and newsletters for local groups, furniture, posters and business cards. The £32,000 grant received from the lottery last October will enable Workwise to upgrade its capital equipment to a level comparable to that of a small commercial business. That will enhance the employment prospects of its clients. Workwise has a record of success and this award recognises its achievements.

The lottery recognises good causes in a variety of ways. In Newmarket, the long-established NOMADS—the Newmarket Operatic, Musical and Dramatic Society—exists to further the interests of music and drama in the area and to support the youth section. The youth section meets each week and seven full productions are staged each year, as well as play-reading and workshops. The 123-seat theatre is regularly hired out to other groups of musicians and dancers. In 1990, a seven-year plan was drawn up to refurbish and re-equip the building, and to provide disabled facilities. The £60,000 lottery grant will breathe new life into the theatre and the important artistic services it provides to the people of Newmarket.

The Ormiston Charitable Trust is targeted at helping low-income families all over East Anglia, with five family centres, children's playgroups and individual care for children. In Newmarket, there is a permanent base offering services for toddler groups, play schemes and a lone-parent group and many others. Let us imagine what pleasure the 29 children from Newmarket had at the enormous Mildenhall air fete, put on by the US Air Force in my constituency. The trust is now the beneficiary of £105,000 from the lottery.

The West Suffolk Deaf Children's Society was founded 25 years ago. It is a group specifically for parents of deaf children and interested professionals, and offers advice and opportunities for people to meet in a social setting for mutual support and recreation. Its main activities involve the provision of information and equipment for deaf children and their families. The £15,000 awarded is to establish a resource library enabling a range of items to be made available. Research machine computers are being installed in the hearing impaired units at three Bury St. Edmunds schools. The balance of the grant will be used to acquire items such as vibrating alarm clocks, flashing doorbells and specially designed modems.

What I have sought to do this evening is put the flesh on the bones of those good causes which have received lottery money, to try to illustrate the truly excellent work that is being done in my constituency, and what a real boon those sums are proving to be.

In the 15th and 16th centuries, Suffolk—its economy based on the wool and cloth trades—became the richest county in England. The legacy of that is a multitude of glorious churches, even in small villages. At the heart of west Suffolk was the magnificent abbey in Bury St. Edmunds, the shrine of King Edmund, king of East Anglia. It was here that the barons met to plan the Magna Carta. It was a major pilgrimage destination in the middle ages.

It was, however, only in 1914 that the diocese of St. Edmundsbury and Ipswich was established. The church of St. James, originally the pilgrims' church for the abbey, became the new cathedral. In the 1950s, the process of enlargement and enhancement began, and the persona of the architect, Stephen Dykes Bower, became indelibly associated with the project.

Suffolk, however, the county of so many inspiring parish churches, is without a completed cathedral. The cloister is cut short, the truncated tower extrudes unattractive metal rods, and visitors may be forgiven for not readily identifying the church as a cathedral at all. A tower and spire remain to be built, along with the north transept, the extension of the cloister, one chapel and the addition of wrought iron screens.

Stephen Dykes Bower died in 1994 and left his estate in trust to finance completion of St. Edmundsbury cathedral. But his will is highly conditional. In practice, this is a one-off opportunity that would otherwise be lost to contribute £2.2 million to the projected total cost of £8.5 million. An application for £4.2 million has been submitted to the Millennium Commission. The shortfall of some £2 million will be raised independently, if the bid is successful.

Of course I would not expect my hon. Friend to comment specifically on this application, but I may tell him that it is being made with the overwhelming support of the people of Suffolk. It would be marvellous to commemorate the new millennium with a completed cathedral that will be used and cherished by generations to come—to rank beside the great cathedrals of East Anglia. The project has my fullest possible backing.

As the effect of the national lottery is reflected on, so the flow and direction of the distribution of moneys will evolve. I particularly welcome the announcement in January by the Secretary of State that there will be a special focus on young people and on the continued revitalisation of the capital infrastructure of our arts, sports and heritage. I welcome the possibility of helping promising young sportsmen directly. Equally, I applaud the possibility of successful applications from buildings preservation trusts, and the additional prospect of long-term financial stability for arts organisations.

The positive impact of the national lottery has in my view been insufficiently appreciated. This evening I have sought to express the profound pleasure it has given to so many of my constituents through its financing of good causes and worthy projects. Its success will give rise to further substantial funding in the years to come. Of course the Secretary of State and the Minister will rightly want to monitor carefully the lottery's impact and how the money is distributed. The national lottery, however, is clearly here to stay. It has thus far in a number of ways been of immense benefit to my constituency, and I am confident that it will continue to be so in the years to come.

10.17 pm

The Minister of State, Department of National Heritage (Mr. Iain Sproat): I thank my hon. Friend the Member for Bury St. Edmunds (Mr. Spring) for raising this important topic. As he has demonstrated so well, the national lottery has been a tremendous success and is having a positive impact on the lives of people throughout the United Kingdom. Naturally enough, my hon. Friend is most interested in the county of Suffolk, where his constituency responsibilities lie, but before turning to Suffolk I should like to put the lottery in a national context.

Parliament's decision to put the promotion of the lottery in the hands of the private sector has been vindicated by ticket sales, which have exceeded the most optimistic forecast. About 30 million people play every week; 415 jackpot prizes have been won, including 178 prizes of £1 million or more. More importantly, perhaps, more than £1.7 billion has already been generated for good causes.

We have been able to build on the experiences of many other lotteries to create one of the best run and best regulated lotteries in the world. The British public expect nothing less than absolute integrity in the way in which the lottery is run. In addition to his duty to maximise the return given to good causes, the Director General of Oflot has a duty to protect the interests of all participants and to see that the lottery is run with all due propriety. He has fulfilled that responsibility.

Camelot has justified his decision to award it the licence to run the lottery. Camelot managed to get the lottery up and running within six months of winning the licence. Its sales figures have surpassed all expectations. Because its bid included the highest return for good causes and the lowest retention of operating costs and profits—something that a number of people outside the House who choose to criticise the decision should remember—the good causes have benefited to the fullest extent from these extra sales.

We would be concerned by any report that fund raising by charities had been affected by the lottery, but the evidence is mixed. Fund raising is always subject to innovative techniques, and I am pleased that a number of charities are piggy-backing on the success of the lottery with their own scratchcards. The Royal British Legion has a Poppy day scratchcard. UK Charity Lotteries has seen a fivefold increase in its turnover. Littlewoods recently

[Mr. Iain Sproat]

introduced a scratchcard to raise money for Scope, the National Society for the Prevention of Cruelty to Children, Age Concern and the Cancer Research Campaign.

The Government have a long-standing commitment to keep charitable incomes under review. The Home Office is conducting a review of charitable income, which will cover the two years before the introduction of the lottery, the launch period and two years hence. The review is being carried out in conjunction with the voluntary sector. It will focus on the realities of charities' accounts rather than what people think that they have given to charity. When the first hard evidence is available, we shall take a long hard look at it.

Monitoring is also under way on the horse race betting levy to see whether the betting industry has suffered declining income since the lottery was introduced. Proposals for changes to the regulations governing casinos and bingo are under consultation; restrictions governing the sale of snacks and drinks in licensed bookmakers have been relaxed, and the further deregulation of the pools industry is under consideration.

It has to be said that many see the national lottery as a convenient scapegoat for any business seeing a decline in profitability. I am not convinced that theatres and cinemas have seen Saturday night business fall because their usual customers are staying in to watch the lottery draw, or that habitual savers have plundered their nest-eggs to buy lottery tickets. It is inordinately difficult to tell where money that is being spent on the lottery is coming from, and it may be a number of years before we can have any clear idea of its impact in both macro and micro-economic terms.

I move from whence the money comes to where it is going. Proceeds from the national lottery are split equally among five areas: the arts, sport, heritage, caring charities and projects that celebrate 2000, and the beginning of the new millennium. Initially, lottery proceeds for the arts, sport and heritage were restricted to capital projects to enhance the nation's stock of cultural and sporting facilities. These capital projects will go a long way to meeting a need for artistic and sporting provision throughout the United Kingdom, and lottery money is being spent throughout the United Kingdom. Attention has tended to focus on the large-scale flagship projects in London that have been awarded money. Such projects benefit the whole country by enhancing our status as a centre for tourism and cultural excellence.

Flagship projects, however, are not sited only in London. The recent awards by the Millennium Commission, the National Heritage Memorial Fund and the Arts Council to the Lowry centre in Salford demonstrate that as clearly as the six landmark projects already announced by the Millennium Commission. The Earth centre in Doncaster, the renaissance of Portsmouth harbour, the development of Cardiff Arms park, and the Hampden park development are all exciting flagship projects that will provide job and wealth-creation opportunities outside London.

More generally, 92 per cent. of awards so far have been made to organisations based outside London. Although some parts of the country may feel that lottery money has not been forthcoming in their region, it is important to remember that the distributors can make awards only on the basis of the merits of the applications received. To get the message across that lottery funds are there for the taking, my right hon. Friend distributed 2 million leaflets that outlined the distribution process to voluntary groups, the National Association of Citizens Advice Bureaux and every school in the country. We are keeping an eye on the geographical spread of lottery awards, but we are confident that any early imbalances will even themselves out as more and more groups across the United Kingdom become aware of the availability of lottery help.

Partnership is central to the lottery. It allows lottery money to be spread more widely, but, more important, it provides evidence of support for the project at a local level. As far as the distributors are concerned, partnership can come from any number of local or central Government sources, from Europe and from the private and voluntary sectors. Contributions in kind—such as land donated—or voluntary support can also be counted as partnership in a project. Distributors are considering how they can be more flexible, and how the private sector can help in finding imaginative solutions.

In that context, the Sports Council has launched an initiative aimed at encouraging applications from areas of sporting and economic deprivation. That will soon be extended to rural areas, and means that the Sports Council will seek as little as 10 per cent. of project costs in partnership. Applicants from outside the designated areas are normally required to provide some 35 per cent. of partnership.

Let me now deal with the lottery's effects in west Suffolk. I know that my hon. Friend works extremely hard to ensure that his constituents' interests are always at the forefront of the House's attention, and his work in regard to the lottery is no exception. So far, Suffolk has received 45 awards worth some £3.6 million from lottery proceeds. The largest is the grant of £500,000 from the National Heritage Memorial Fund to develop the Palace House mansion in Newmarket, which my hon. Friend mentioned. At the other end of the scale is the £4,804 granted by the Sports Council to Stoke by Clare parish council towards the cost of resurfacing two grass tennis courts to make them available to the local community throughout the year.

My hon. Friend mentioned the marvellous project to fulfil the original promise of the cathedral. He also mentioned an unusual will. I hope that the distributing bodies will see fit to allow the legacy to be used in the way intended by the man who left it, and to ensure that the cathedral becomes as my hon. Friend wishes it to be. It is up to the distributing bodies, but my hon. Friend has done everything possible to make the project successful, and I wish him luck.

The two projects that I mentioned earlier—the redevelopment of the Palace House mansion and the resurfacing of Stoke by Clare parish council's grass tennis courts—encapsulate the principal aim of the national lottery: to encourage a greater sense of community, and to widen access to our cultural and sporting heritage. As the lottery develops, we want it to invest in people as well as buildings. That is why my right hon. Friend the Secretary of State will shortly issue new directions to the lottery distributors which will allow revenue funding for schemes that encourage the development of artistic or sporting abilities and talents, particularly among young people. I am glad that my hon. Friend welcomed that development. Revenue grants under the new directions

will support the continuing capital programme, which is widening access and encouraging participation in our cultural and sporting heritage.

I envisage the new directions being used to support elite athletes, to fund talent identification schemes and for coaching and leadership initiatives in sport. In the arts, lottery money could be used to support touring arts companies, and to fund artists in residence in local communities; it could be used by schools, and for access schemes enabling organised groups to attend events at subsidised costs. Those are just some examples; how the new directions will work in practice is something for the distributors to work out over the next few months.

The undoubted success of the lottery allows no room for complacency. We are keeping all its aspects under review, and constantly looking for ways in which to hone and improve it. The new changes are one such step, which will enhance social cohesion and extend the lottery's benefits beyond buildings and equipment. Individuals will receive a helping hand in the form of direct financial support for their achievement of artistic and sporting ambitions.

Young people are the country's future. It is crucial for the lottery to be able to create opportunities for the young and talented, and to invest in their future just as it is already investing in the future of our physical assets.

I am glad to have had the opportunity to say what I have said, and wish my hon. Friend all the best in regard to future applications in Suffolk.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Ten o'clock.

House of Commons

Friday 22 March 1996

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Orders of the Day

Dogs (Fouling of Land) Bill

Not amended (in the Standing Committee), considered.

Clause 1

LAND TO WHICH ACT APPLIES

9.36 am

Mr. Andrew Hunter (Basingstoke): I beg to move amendment No. 1, in page 1, line 5, leave out 'and (3)' and insert 'to (3A)'.

Madam Speaker: With this, it will be convenient to discuss the following amendments: No. 19, in page 1, line 8, after 'alongside', insert—

'(a) a bridleway or public footpath, or

(b) '.

No. 2, in page 1, line 9, leave out first 'road' and insert 'highway which comprises a carriageway'.

No. 3, in page 1, line 9, leave out second 'road' and insert 'carriageway'.

No. 20, in page 1, line 10, leave out '40' and insert '30'.

No. 11, in page 1, leave out lines 11 to 18 and insert—

'(3) This Act does not apply to land used for agriculture'.

No. 4, in page 1, leave out line 14.

No. 12, in page 1, line 14, at end insert—

'( ) land primarily used for sporting purposes;'.

No. 22, in page 1, line 14, at end insert—

'( ) land at the seaside between the low water and high water marks;'.

No. 5, in page 1, line 15, after 'predominantly', insert 'marshland,'.

No. 6, in page 1, line 18, at end insert—

'(3A) Where a private Act confers powers for the regulation of any land, the person entitled to exercise those powers may, by notice in writing given to the local authority in whose area the land is situated, exclude the application of this Act to that land.'

No. 7, in page 1, line 26, at end insert—

' "carriageway" has the same meaning as in the Highways Act 1980;'.

No. 13, in page 1, leave out lines 27 and 28.

No. 8, in page 2, leave out line 3.

Mr. Hunter: A plethora of amendments have been grouped together—14 in all, eight of which are tabled in my name. I think it would be convenient if I grouped the amendments in my name into four distinct headings. I shall first, of course, deal with amendment No. 1, with which I shall take amendment No. 6.

Amendments Nos. 1 and 6 seek to provide that, where land is regulated under powers that have been conferred by a private Act of Parliament, the person, institution, organisation or company exercising those powers can exclude the application of the Bill's provisions to that land. The point is that that would allow any byelaws made under the private Act to continue, which may be particularly desirable to ensure consistency of approach where the land regulated by the private Act covers more than one local authority area.

The appearance of these amendments owes much to the positive input of Mr. Paul Double, Assistant City Remembrancer, City of London, to whom I express my thanks.

I am sure that hon. Members are aware that my Bill seeks to provide local authorities with the ability, subject to certain exemptions, to designate poop-scoop zones—land which is open to the air and to which the public have access. The exceptions are set out in clause 1, and have the effect that local authorities will not be able to so designate public land in the open countryside.

The Bill is designed to deal with the problem of dog fouling where the problem is greatest: paths, pavements, parks, recreational grounds and other public areas of villages, towns and cities.

Local authority designations under the Bill will supersede dog fouling byelaws on lands to which the Bill applies.

Here comes the relevance of amendments Nos. 1 and 6: I am aware that there are instances in which land is regulated by a private Act of Parliament and in which Parliament has given the person, company, organisation or institution regulating the land the ability to make byelaws.

For example, a private Act of Parliament has allowed utility companies, especially water companies, to regulate land. A number of local authorities have similar powers, particularly the City of London. The byelaws that those people, institutions, companies or organisations can make include, of course, those on dog fouling. As the Bill stands, a local authority can designate such land, and the existing byelaws could stand by virtue of clause 6(4), but no one could be prosecuted under those byelaws where a designation under the Bill is in force. The byelaws effectively go into suspended animation.

It seems only right that the regulators of land by private Act of Parliament should be able to decide whether they wish their land to be subject to the provisions of the Bill, and potential designation by local authorities, or whether they wish their byelaws to continue to have effect. We are dealing with circumstances different from those governing privately owned land, where Parliament has not given a person, institution, company or organisation regulating that land the ability to make byelaws. In the latter case, the Bill protects the private landowners' interests under subsections (3) and (5) of clause 1. That would allow the private landowner to render a designation ineffective if he so wished, by allowing him to consent to dog owners failing to clear up after their dogs.

The amendment is appropriate for a further reason. There are cases in which land regulated by private Act of Parliament lies in more than one local authority area.

[Mr. Hunter]

Hampstead heath, for example, is regulated by the City of London according to private Act of Parliament, but the land lies in three different London boroughs. Wimbledon common and Putney heath lie in two different London boroughs, but each has its own regulating authority by virtue of a private Act of Parliament. One local authority may wish to designate its part of Hampstead heath, Wimbledon common or Putney heath as a poop-scoop zone. The other regulating local authority, however, may decide not to do so.

To put it mildly, such a hypothetical example could cause considerable enforcement problems. The regulators of the land might well conclude that the retention of their byelaws is by far the best option. To put it simply, amendments Nos. 1 and 6 allow the regulators of the land to take into account such factors when deciding whether the Bill's provisions should have effect on their land. That is the gist of the amendments, which I commend to the House.

The second sub-group of amendments—Nos. 2, 3, 7 and 8—address a potential loophole in the Bill that came to light after Committee stage. The amendments would ensure the inclusion of footways and footpaths that are not subject to any speed limits for the obvious reason that no traffic travels on them. Such footways and footpaths are among the most popular walks for dog owners and non-dog owners alike, because no traffic is allowed on them. Without the amendments, however, in certain circumstances they would not be designated. That would be absurd; hence the need for the amendments.

Currently the Bill excludes roads with a speed limit of 40 mph or less, for safety reasons. It is my intention to remove from the Bill all high-speed roads where it could obviously be dangerous to clear up after a dog. That is the sensible way to proceed.

The difficulty that came to light after Committee is that the Bill, as originally drafted, relies upon the definition of a road as in the Road Traffic Regulation Act 1984. That Act states that a road means

"any length of highway or any other road to which the public has access, and includes bridges over which a road passes".

9.45 am

The problem is that that definition extends to footpaths and footways, whether or not they are beside carriageways. Since driving is banned on those pathways, there is no reason for a speed limit to be set; therefore, the provisions of the Bill, as originally drafted, could not be applied to them—even if they were surrounded by a built-up area with speed restrictions on all roads.

It would clearly be entirely unacceptable if some of the most popular walking routes for dog owners and non-owners alike could not be designated poop-scoop zones. The amendments are therefore designed to replace the definition from the 1984 Act cited in the Bill with that in the Highways Act 1980, in particular the latter's use of the term "carriageway" to indicate vehicular use. The amendments deliver my original intention.

Under amendment No. 2, the exclusion relates to land

"comprised in or running alongside"

a highway, which is carriageway. The other three amendments are consequential upon that. I have no doubt that, without those amendments, the Bill would lose most of its value.

Amendment No. 4 would remove the exclusion of all national park land, and some explanation is called for. As I have previously explained, my Bill has the simple and single objective of enabling local authorities to deal more effectively with the unpleasant, anti-social and health risk problem of dog fouling where that problem is greatest—on the paths, pavements, parks, recreational grounds and so on of our villages, towns and cities.

The problem does not exist to the same extent in open countryside, where there is greater tolerance and, almost invariably, less concentration of dog walkers and non-dog walkers. Human and canine feet share the same ground less often, and the natural ecosystem works more effectively, and faeces become part of that natural cycle.

Efforts to deal with the problem of dog fouling become more confused and controversial because of the use of dogs in the countryside for agricultural and other working practices as well as for sport. Therefore, the clause 1 exclusions effectively mean that the Bill does not apply to the countryside.

As originally drafted, the Bill included national park land among my listed exemptions, along with agricultural land, woodlands, land that was predominantly moor or heath, and rural common land. Those exclusions were intended to reinforce the special nature of such land. I have been advised, however, that no such reinforcement is needed, and that it has a negative ramification. I had overlooked the most obvious point: villages and towns come within the boundaries of national parks. I do not wish them to be denied the provisions of the Bill, which would have been the effect of clause 1(3)(b).

I am persuaded that the other exclusions are sufficient to meet my concerns. The exclusion of national parks adds nothing. Indeed, as I have explained, it positively puts towns and villages in national parks at a disadvantage compared with those elsewhere.

Mr. Bernard Jenkin (Colchester, North): May I take my hon. Friend back to Hampstead heath, where I often walked my dog when I was a boy, and draw his attention to its considerable areas of woodland? It is not his intention that the Bill should exclude areas such as Hampstead heath, but would its woodland be excluded by the Bill?

Mr. Hunter: The Bill states that woodland is excluded. Woodland is woodland wherever the wood may be. Such areas would be specifically excluded.

Mr. Jenkin: It is much as I feared. While some parts of Hampstead heath are barren and open, and the natural ecosystem would work as my hon. Friend described, its woodlands—especially those around Kenwood house—are densely walked as recreational areas. Would there be no offence of dog fouling in those areas? Is that not a shortcoming of the Bill?

Mr. Hunter: I take my hon. Friend's point. I do not have his intimate knowledge of the woods of Hampstead heath, but my Bill is aimed primarily at the urban environment. Where, as in Hampstead heath, there is a more rural, natural environment in a greater urban area, and there is woodland, the exemption stands.

Mr. Nicholas Winterton (Macclesfield): One of the reasons that I am here to listen to my hon. Friend the

Member for Basingstoke (Mr. Hunter) is that part of my constituency lies in a national park. I am anxious about removing the exemption for land in national parks, because sheep, equine and other agricultural animals as well as dogs may trespass from the countryside into semi-urban areas. I wonder whether my hon. Friend's Bill will be enforceable where a national park rural area dovetails with or is part of an urban area. Many dogs, some of which are used for agricultural purposes as he said, are free to roam in such areas. Is he wise to seek to withdraw that exemption?

Mr. Hunter: The rural parts of a national park are covered by the Bill. I took the national parks exemption out because of the villages and towns in the midst of some of them. I wanted them to have the benefit of the Bill. The more rural parts of national parks are covered by the categories that deal with land that is "predominantly moor or heath", some sorts of common land, and

"land used for agriculture or for woodlands".

The necessary exemptions are there. In seeking to remove the reference to national parks, I am ensuring that their villages and towns are not treated differently from those elsewhere.

Mr. Winterton: The confusion arises over where villages and towns begin and moor and heath end. In many areas—I refer particularly to the Peak park, in which part of my constituency lies—there is no fixed point at which the moor and heath end and villages begin. I wonder about the Bill's enforceability if my hon. Friend removes the national parks exemption.

Mr. Hunter: The process of designation includes the provision that the Secretary of State, through regulation, should draw up the procedures that the local authorities must follow. A consultation period is involved. Local authorities that wish to designate land will be obliged by regulation to advertise the fact.

The democracy of local government would be at work. A local authority that wanted to designate a zone would have to have a period of discussion within the workings of local democracy, during which councillors and the people would discuss whether the line should be drawn there or here, or say that they did not want a designated zone at all. There is an element of flexibility that is finalised through the application and designation of the zone. That is how my hon. Friend's uncertainty over where a designated zone stops and starts would be resolved.

I must clarify what I said to my hon. Friend the Member for Colchester, North (Mr. Jenkin). When I referred to woodland, I meant land that is used for woodland. It is the commercial forestry aspect and not the mere fact of there being trees that is important.

Mr. Andrew Hargreaves (Birmingham, Hall Green): The more my hon. Friend talks about clause 1, the more horrified I am by its concept. Do I understand that whole areas of Richmond park, which have been enjoyed for centuries by the public—whether by themselves or for walking their dogs—are to be poop-scoop zones? Are the forests of Exmoor to be poop-scoop zones? Are my constituents and other people to crash round the undergrowth with a pooper-scooper in search of where their dogs have been? My hon. Friend is being most illiberal, and I beg him to reconsider.

Mr. Hunter: My hon. Friend has missed a fundamental point. There is nothing obligatory in the Bill, and it imposes nothing. It makes available to local authorities that wish to use its powers the means to tackle a problem that they find that they cannot tackle without it. It is there for those local authorities in parts of the country where there is a demand from people to resolve this issue. The Bill's powers are not being imposed on my hon. Friend or anyone else unless they are wanted.

Mr. Hargreaves: My hon. Friend is being a little disingenuous. Can he recollect there ever having been a power given to local authorities that they have not, in the pursuit of modern political correctness, instigated with immediate appetite? This is the nanny state gone mad. I beg my hon. Friend to reconsider the clause.

Mr. Hunter: I do not accept my hon. Friend's arguments, and think that he is getting carried away by his own enthusiasm and the light-heartedness and less responsible nature of a Friday morning. I shall remind him of the Bill's essence.

Over the years, many local authorities have come to the conclusion that the byelaw system of dealing with the problem of dog fouling is inadequate. That fact emerged from the Department of the Environment's advisory group on litter, which reported in 1994. Among its conclusions was the suggestion that there should be a national offence, in order to simplify and accelerate the process of giving local authorities powers to deal with dog fouling as and when they wanted.

The Bill, if enacted, will be dealt with differently in different parts of the country; it will be irrelevant to many areas and much needed in others. It will be there for local authorities to use if they think that it will allow them better to represent and serve the interests of local people.

My hon. Friend is getting carried away over nothing; there is no question of a nanny state. We are talking about an anti-social activity involving dogs, irresponsible dog owners and a health hazard. It is right that we should give the local authorities the powers they need to be able to deal with the problems more efficiently.

10 am

Mr. Michael Fabricant (Mid-Staffordshire): Is my hon. Friend aware—I am sure he is, as it is no doubt why he has promoted the Bill—that there are 100 to 200 cases a year reported in this country alone of toxocara canis? I urge him to recommend our hon. Friend the Member for Birmingham, Hall Green (Mr. Hargreaves) to read the report in the *British Medical Journal* of 2 July 1994, which I have been reading with growing perturbation.

The article is written by a consultant ophthalmologist, Mr. Kerr-Muir. He says that toxocaral visceral larva migrans

"is characterised by fever, malaise, coughs, bronchio spasms, abdominal pain, occasional failure to thrive".

He goes on and on, but I would not be in order were I to read it all.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. The hon. Gentleman is also going on and on.

Mr. Hunter: I regret that I have not seen the article to which my hon. Friend referred, but I should very much appreciate receiving a copy of it. Perhaps he will arrange

[Mr. Hunter]

for a copy of it to be placed in the Library as many parts of it may be extremely relevant to the debate. If my hon. Friend catches your eye, Mr. Deputy Speaker, he may well be able to enlighten us further on the contents of the article.

Mr. Jenkin: May I bring my hon. Friend back to the amendments that we are discussing, as I am becoming increasingly perturbed about the overlap of the exclusions and the powers that he seeks to give to local authorities?

When my hon. Friend referred to Hampstead heath, he said that the City of London, which might wish to regulate dog fouling on Hampstead heath, should be allowed to do so without interference from other local authorities or jurisdictions. But land that is predominantly moor or heath is specifically excluded from the Bill. Are the definitions of what is to be excluded or included sufficiently thought through? My hon. Friend's amendments suggest that he has had second thoughts on the matter. If that point is not made clear, the Bill will be impossible to apply—different authorities with different jurisdictions will compete with dog owners and point to exclusions in the Bill, making it impossible for the powers to be applied where the public want them.

Mr. Hunter: My hon. Friend is making a bit of a mountain out of this. The Bill has an essential simplicity, and I shall remind my hon. Friend of its fundamental objective: to concentrate on those areas—towns, villages and cities—where the problem of dog fouling is greater. It is not an anti-dog Bill or an anti-dog owners Bill; it is a Bill that seeks to encourage responsible dog ownership. Responsible dog owners will welcome it; it acknowledges that dog fouling is an environmental problem and a health risk.

Mr. Jenkin: I am concerned that the Bill's bark will be much worse than its bite because of the conflicts of jurisdiction that arise through the confusion between what is excluded and what is included.

Mr. Hunter: I think that Hampstead heath and Wimbledon common have been mentioned; the difficulty is that some areas already fall within a number of London boroughs—a regulating power looks after the land. We must accommodate the present relatively complicated position, which is why I have tabled the amendment.

Mr. Nicholas Winterton: I shall return to a point I made earlier, to which my hon. Friend sought to respond. I understand his difficulties and, overall, I think that he is trying to produce an excellent Bill that has long been needed. However, many of the farmers who belong to the Macclesfield and District Sheep Dog Trials Association, of which I am patron, live in villages such as Wincle and Wild Boarclough in my constituency. While they are responsible people, their dogs inevitably wander in those villages.

My fear is that, from time to time, the dogs might foul the pavements or roads. We do not have an officious and irresponsible council in Macclesfield—quite the contrary—but there may be over-officious councils in similar positions. What will happen? Will they prosecute a sheep farmer, who needs his sheepdogs for his work, because those dogs have fouled a pavement or road in a village in a national park?

Mr. Hunter: There is a flaw in my hon. Friend's argument. He has overlooked the fact that the powers in the Bill already exist—almost precisely—and are available through the byelaw regime. At present, a local authority can apply for—embark on—the byelaw procedure and establish dog-fouling byelaws where it so chooses. Local authorities will not be given greater powers as a result of the Bill, which merely simplifies the process. The offence created by the Bill is, essentially, the offence that already exists under byelaws. It is therefore wrong to argue that enacting the Bill will result in more draconian powers becoming available.

Mr. Roy Thomason (Bromsgrove): Does my hon. Friend agree that, under clause 3(1)(a), the "reasonable excuse" would probably provide a defence for someone caught in the circumstances to which my hon. Friend the Member for Macclesfield (Mr. Winterton) referred?

Mr. Hunter: That is indeed the case. The Bill provides a defence of "reasonable excuse" in circumstances where the owner could not reasonably be held responsible for an act of fouling performed by his or her dog.

I shall return to the theme of my argument. I had, somewhat paradoxically, arrived at the stage where I was going to acknowledge my thanks to two or three of my colleagues, who are not here today, who drew my attention to the difficulty that the Bill presents in terms of national parks.

My right hon. Friend the Member for Westmorland and Lonsdale (Mr. Jopling) was the first person to draw my attention to the issue; my hon. Friend the Member for South-West Bedfordshire (Sir D. Madel) also drew my attention to it; and my hon. Friend the Member for East Surrey (Mr. Ainsworth) showed me correspondence that he had received from the hon. Member for Ceredigion and Pembroke, North (Mr. Dafis) on it. After the Bill appeared in January, national parks officials discovered that, as it stood, there was no cover for the villages and towns in national parks—which is why this somewhat controversial amendment is currently before us.

The last of my amendments in the first group—amendment No. 5—adds two areas that are exempt from designation, including marshland. The effect of the amendment, obviously, is to prevent local authorities from applying the poop-scoop offence to marshland. The origins of the amendment lie in the contribution that my hon. Friend the Member for Hexham (Mr. Atkinson) made in Committee and in subsequent correspondence with me.

My hon. Friend the Member for Hexham suggested three other types of land to which, in his judgment, the provisions of the Bill should not apply. First, he suggested the foreshore, which I take to be the difference between high water and low water—and there is an amendment to that effect later. Secondly—to my great surprise and bewilderment—in Committee he suggested that riding schools and riding stables should be excluded. I still do not understand why he would think—he must have been

temporarily confused—that the Bill has anything to do with horses and horse dung. I hope that my hon. Friends realise that we are concentrating entirely on dog fouling.

Mr. Hargreaves: It may be that my hon. Friend the Member for Hexham (Mr. Atkinson) was quite realistically intimating that those who are engaged in a riding school might have dogs in attendance when they are mounted. They might find it somewhat difficult—if they are in charge of a small gaggle of children mounted on ponies—to solemnly dismount at an awkward moment and poop their scoop, or scoop their poop, while on horseback. They might have to relinquish charge of their little gaggle of Thelwellites in order to do so. That might be the reason behind my hon. Friend's suggestion.

Mr. Hunter: That is a remarkable insight that had not occurred to me. As my hon. Friend says, it would be extremely difficult to poop the scoop, or to scoop the poop, while on horseback.

Mr. Patrick Thompson (Norwich, North): I apologise for arriving a little late during the start of the debate. I have had a chance to see the correspondence between my hon. Friend the Member for Basingstoke (Mr. Hunter) and my hon. Friend the Member for Hexham (Mr. Atkinson).

When I first read it, I thought that the analogy that my hon. Friend the Member for Hexham was trying to make was between riding stables and farms. Will my hon. Friend the Member for Basingstoke confirm that a farm would not be part of the area included? If that is the case, why can we not equate a farm and a riding stable—I have no strong views on this, but perhaps there is a simple explanation for it?

Mr. Hunter: I think that my hon. Friend the Member for Norwich, North (Mr. Thompson) has perhaps overlooked the fact that I am dealing with the part of the Bill that gives private landowners the right to, as it were, veto its application—that is, the powers of the Bill cannot be enforced on private land without the consent of the landowner.

Mr. Thompson: I am the first to admit that I have not been involved in the earlier stages of the debate on the Bill. However, surely that provision would apply to a riding stable as well as to a farm.

10.15 am

Mr. Hunter: The owner of any land, estate, farm, riding school or whatever could not have the powers of the Bill imposed on him. The private owner has the right to, as it were, veto the Bill. I referred to the suggestion of my hon. Friend the Member for Hexham that I accept—the one relating to marshland. I considered the suggestion carefully, and I came to the conclusion that it would be inappropriate to allow local authorities to designate marshland, as there is no clear requirement or case for it. There is no reason why people should be obliged to clean up after dogs in such areas.

There is already an element of protection under section 20 of the National Parks and Access to the Countryside Act 1949 that controls access of dogs. In my judgment, that provision would be sufficient, particularly if the marshland were also a nature reserve. Therefore, I commend amendment No. 5.

That takes me through the eight amendments in my name in the first group. I believe that the Bill requires all the amendments. I think that the concerns of my hon. Friend the Member for Macclesfield on the national parks issue is genuine but perhaps not fully justified.

Mr. Nicholas Winterton: Will my hon. Friend assure me that he will look sympathetically on an amendment or an addition to what he has said, to include working dogs, gundogs, working terriers and hounds, whether they are hunting in the normal way or hounds involved in a drag hunt? I am confused by the Bill. I know what my hon. Friend is seeking to do—and overall I support him—but does he believe that these categories of dog merit exemption from the discretionary powers in the Bill?

Mr. Hunter: There will be a number of amendments later that refer to certain categories of working dogs. It is fair to say that last year's Dogs (Fouling of Land) Bill, which was introduced by my hon. Friend the Member for Blackpool, North (Mr. Elletson), attempted to categorise dogs and to list exemptions. I am strongly opposed to that, because I think that any list of exemptions cannot be complete and will always have an element of controversy. I think that the reasonable excuse covers any circumstances in which, as my hon. Friend fears, the Bill could be unreasonable—therefore, it is already contained within the reasonable excuse.

Mr. Thomason: I speak to amendments Nos. 19 and 20, which stand in my name. Amendment No. 19 answers the point that my hon. Friend the Member for Birmingham, Hall Green (Mr. Hargreaves) raised a few moments ago. He expressed concern about people riding horses, having dogs with them and having to get down from their horse to scoop the poop, or to poop the scoop—whichever way around it should be—should one of the dogs foul the land.

The amendment includes bridleways and public footpaths in its list of exclusions. When I looked at the exemptions that appear in clause 1(3), I saw that agriculture and woodland are listed. It struck me as absurd that the field is exempt but that the bridlepath that goes through it is not. That leads to an artificial distinction. I understand that there are difficulties, because one does not want public footpaths or bridleways across fields to be covered in dog excrement.

Nevertheless, the Bill is getting into deep water if we require people to chase their dog and collect the excrement if it happens to be on the public footpath, whereas, if it is an inch or two away, on the field, the agricultural exemption applies. It would encourage people to walk their dogs on fields rather than along public footpaths. The footpath is much more desirable, for a variety of reasons. I believe that the amendment largely, if not entirely, addresses the concerns expressed by my hon. Friend the Member for Hall Green.

[Mr. Thomason]

I considered a matter that other hon. Members have mentioned in relation to stables. It seemed absurd to me that horse dung—which, inevitably, is of considerably greater quantity—can be left on bridleways, yet there is a movement against dog excrement.

Mr. Fabricant *rose—*

Mr. Jenkin *rose—*

Mr. Thomason: I give way to my hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant).

Mr. Fabricant: My hon. Friend is aware that horses are herbivores, not carnivores, like dogs, so the nature of the excrement is far less damaging. In some places—including Lichfield—people get out not pooper scoopers but shovels and put horse excrement on their roses. They certainly could not and would not want to do that with dog excrement.

Mr. Thomason: I entirely accept that point, but horse excrement is nevertheless an unpleasant obstruction on a public footpath or bridleway. It may well have much better uses—my hon. Friend is right—but it did seem absurd that we were creating that differential.

Amendment No. 20, also in my name, deals with the speed limit on the highway in clause 1(2). The Bill provides that there will be an exclusion where the speed limit is at least 40 mph, and I suggest that that should be reduced to 30 mph. I do so for two reasons.

I commend my hon. Friend the Member for Basingstoke (Mr. Hunter) for introducing the Bill, which is a much-needed addition to legislation. In Committee, he said that he envisaged the Bill as being primarily aimed at tackling an urban problem. The first reason for amendment No. 20 is that roads where the speed limit is 40 mph are sometimes urban, but are sometimes rural or semi-rural.

The second reason arises from the fact that subsection (2) was introduced because it is rightly considered dangerous for people to have to scoop on or near a road where vehicles are travelling at considerable speeds. One can draw an artificial line anywhere where one considers that speed alone is excessively dangerous to people who would be involved in that activity, but an urban road at 30 mph is very different from a semi-urban or rural road where traffic is travelling at 40 mph.

The intention of the subsection is much better served by fixing the speed limit at 30 mph. I hope that my hon. Friend the Member for Basingstoke will be able to accept both amendments.

Mr. Jenkin: I can think of several urban roads in my constituency with a 40 mph speed limit, such as Remembrance avenue, which is by any standards an urban road, or Lexden road, which has a 40 mph speed limit in places. Therefore, a 40 mph speed limit seems to be an appropriate designation. In open countryside, the technical speed limit, subject to road safety, is 60 mph. The exclusion is therefore obviously intended to apply only to all urban roads. As some urban roads have a 40 mph speed limit, it seems sensible to stick to that speed limit.

Mr. Thomason: I understand my hon. Friend's point and expression of concern. I am sure we all know of urban roads where the speed limit is 40 mph, but we also may know of inadequately lighted roads with a speed limit of 40 mph. There is a requirement of adequate lighting for roads whose speed limit is 30 mph—that is one of the definitions—but very often roads with a 40 mph speed limit are not adequately lighted, so the road safety point seems to predominate.

The worst thing we could seek to do is create a clause that exposes members of the public to a danger. I believe that, at 40 mph, there would still be considerable danger, so the amendment is appropriate.

Mr. Patrick Thompson: I genuinely want my hon. Friend to help me. As I understand it, his amendments would make clause 1(2) read:

"This Act does not apply to land comprised in or running alongside

(a) a bridleway or public footpath, or

(b) a road

unless the driving of motor vehicles on the road is subject"—

and so on. I do not follow that, because it is unclear whether the speed limit applies only to the road or to the bridleway or footpath. In any case, if we are talking about land alongside a bridleway or footpath, I am not sure that I agree with the point that my hon. Friend is making.

I am not a lawyer; my hon. Friend is. No doubt I am totally misreading his intention. Will he please clarify?

Mr. Thomason: I think that, if my hon. Friend had the Bill before him with paragraphs (a) and (b) set out as I propose, he would find it somewhat easier to follow. Paragraph (b) refers to the whole of the rest of that clause, so it will not refer to a speed limit applying to footpaths or bridleways; that is not the intention. The proviso will refer to, and be incorporated in, paragraph (b), not in paragraph (a).

Mr. Thompson: I accept that, but—this may be another misreading of the amended clause—does my hon. Friend intend that land alongside a bridleway or footpath should no longer be so designated? If so, I have my doubts about the proposal.

Mr. Thomason: In answer to my hon. Friend's second point about the verge, which I was going to come to, it is extremely difficult to differentiate between the footpath and the verge of that footpath where it adjoins fields or woodland. If the provision were not phrased as I propose, a person would be able to walk their dog on the physical line of the footpath without a scoop, and they would be able to let their dog wander into the field without a scoop because of the agricultural exemption, yet there would be a verge in between where they would have to undertake a collection. Therefore, it is necessary for the verge to be included.

Mr. Hargreaves: It is an eminently sensible suggestion. May I commend my hon. Friend for amendment No. 20 regarding the speed limit? On many roads in and outside national parks—such as in almost the whole of the New forest, and in the Lake district—with a speed limit, technically, of 30 mph, one may expect traffic to travel at least at that speed, because there are long open

straights and nothing to be seen for miles on either side. It would be extremely dangerous for people to wander about with pooper scoops on those roads.

Mr. Thomason: I am obliged to my hon. Friend; he makes good points.

I shall briefly discuss the other amendments in the group. I am persuaded by what my hon. Friend the Member for Basingstoke said about his amendments, and I am sure that they make a great deal of sense. I especially congratulate him on amendment No. 5, referring to marshland, which seemed to me an important exclusion from the Bill previously. He is right to include that with the agricultural land and so on to which the Bill would not apply.

All the amendments in this considerable group have much to commend them, except, I regret to say, amendment No. 11 in the name of my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh), which will, I fear, excessively narrow the terms of the legislation. The definitions in it are unsatisfactory. I go no further on that point, because I appreciate that my hon. Friend has not had a chance yet to advance his arguments on the amendment, but I have grave doubts about it. It seems to me to do great harm to the purpose of the Bill and make it much more difficult to implement and use.

Mr. Edward Leigh (Gainsborough and Horncastle): I congratulate my hon. Friend the Member for Basingstoke (Mr. Hunter) on introducing the Bill, which I support. There is no doubt that we must deal with this menace in urban areas. However, my probing amendments Nos. 11 and 12 allow my hon. Friend and the Minister in summing up the debate to comment on how the Bill will affect rural compared with urban areas.

I am perhaps fortunate to live both in the middle of Westminster, where I cannot see a single tree, and in the middle of Lincolnshire, in my constituency, where I cannot see another house. I acknowledge that dog fouling is an appalling problem in Westminster, Kensington and in other urban areas, but it is not a problem in rural areas. My amendments seek confirmation as to what areas will be designated under the legislation. They make the point that people who live in rural areas—particularly those with legitimate sporting interests, to which one amendment refers specifically—

10.30 am

Ms Hilary Armstrong (North-West Durham): Does the hon. Gentleman accept that some people who live in rural areas are very concerned about the effects on children of dog fouling? Sporting dogs, which roam into villages and small towns in rural areas, leave excrement that is much more dangerous than that of dogs that normally eat pre-packaged food from which many of the toxins have been removed. That is a problem in the north Pennines where I live.

Mr. Leigh: I acknowledge that there is a problem in rural areas, but I do not think that it is anywhere near as great as in urban areas. Many people believe that legislation that is designed primarily for urban areas impacts unduly on rural areas. The hon. Lady refers to sporting dogs, but there is a legitimate fear—which was voiced when the previous Bill was considered in the other place last year—that local authorities would use the Bill for political reasons to affect legitimate sporting interests. That is why my amendment No. 12 addresses those interests specifically.

No one doubts that it is a serious problem: we should not have to put up with dog excrement on our sidewalks. However, the legislation will create special problems on the edges of villages, such as those in my constituency. I ask my hon. Friend and the Minister to confirm the extent of the Bill's jurisdiction. Will it apply to grass verges on the edge of villages? There are about 7 million dogs in this country, many of which are owned by elderly people who walk them on the outskirts of villages in rural areas. Will the Bill apply to grass verges? My hon. Friend has said that it will not apply to areas around roads where traffic travels at more than 40 mph. However, cars travel quickly around villages also. Must villagers take pooper scoopers with them when walking their dogs? Such problems must be addressed.

My hon. Friend the Member for Macclesfield (Mr. Winterton) made a very serious point when my hon. Friend the Member for Basingstoke said that there would be no exemptions under the legislation. However, there is an exemption for blind people and for guide dogs in clause 3(3). So, contrary to what he said, my hon. Friend has made some exemptions. Therefore, I believe that there should be some exemption for legitimate sporting purposes. It should be absolutely clear on the face of the Bill that it is designed to deal with a serious problem—dogs fouling sidewalks—in strictly urban areas. The legislation should not apply to grass verges, the outskirts of villages or to hunts that meet in the middle of villages.

That is a very serious point. Some people may think that this is a minor Bill of no real interest, but I refer hon. Members to the comments of Lord Simon of Glaisdale in the other place. He described it as a serious matter and said that the legislation represented a centralising of authority. He referred to

"the old dispensing power of the Crown which was found so objectionable in Stuart times and was finally disposed of in the Glorious Revolution and the Bill of Rights".—[*Official Report, House of Lords*, 30 October 1995; Vol. 566, c. 1292.]

This is an important Bill, which represents a massive centralisation of power.

Mr. Patrick Thompson: I do not wish to resist or to interfere with the valid arguments that my hon. Friend is advancing on behalf of rural interests. However, in my constituency complaints about dog fouling have increased by 291 per cent. in the past year or so. Broadland district council said:

"The problem is not just confined to urban areas. Dog fouling is a problem in villages as well, e.g., pavements, village greens, playing fields and footpaths."

I ask my hon. Friend to acknowledge that point; I am not trying to resist his argument in total.

Mr. Leigh: Of course, I acknowledge that point. I am not saying that dog fouling is not a problem in the centre of villages. Some villages are very large, such as several in my constituency that have populations of 3,000 or 4,000. It is correct to adopt the old-fashioned approach of allowing local authorities to use their good sense and to introduce byelaws based on local knowledge. However, as it is drafted, the Bill does not take into account the

[Mr. Leigh]

interests of those who live in primarily agricultural areas, on the outskirts of villages, or in villages such as mine with about 12 houses. My probing amendments aim to force the Minister and my hon. Friend the Member for Basingstoke to set my mind at rest by confirming that the Bill is not another attack on legitimate interests.

Mr. Nicholas Winterton: I know that my hon. Friend is interested in hunting and in all sporting activities. He has referred to villages in which meets take place. Such meets are often centred around public houses that are close to village greens. When there is a gathering of 15 couple or 20 couple of hounds and many horses and ponies, inevitably there will be quite a few deposits. I wonder how such meets would be affected by what I perceive to be the additional powers—albeit discretionary powers—that the Bill affords local authorities. I am concerned that the legislation may adversely affect traditional customs.

Mr. Leigh: My hon. Friend makes a very serious point. I took part in the last hunt organised by the United Hunts of Lincolnshire—the Blankney, Brocklesby and Burton hunts—in the village of Brant Broughton only last Monday. That hunt met in the middle of a large village. There were 80 followers of hounds mounted on horseback, perhaps 100 foot followers and a pack of hounds. It is absurd to suggest that a local authority or some centralising power in the Bill could force an army of people to follow the hounds with pooper scoopers. That is why I believe that perfectly legitimate Bills that are designed to deal with primarily urban problems should not apply in the same way to rural areas. The legislation's ramifications for rural areas have not been considered properly.

It is common to allow dogs to roam unaccompanied in villages and in rural areas. How will the Bill apply in those circumstances? Many of those who live in rural areas train their dogs to defecate in gutters or in ditches. Will such people—including the elderly—be prosecuted and fined up to £1,000? Those serious questions should be addressed.

I am glad that hon. Members have referred to national parks and to common land. I am not sure that all the issues have been seriously considered and debated. This is our first opportunity to debate the Bill. It was not debated on Second Reading, when it passed through formally, and it was not debated in Committee. We are debating the legislation this morning and I am seeking some answers. Many people who live in the centre of large villages are happy to rely on their local authorities to do the right thing. However, they are seeking reassurance on several counts. If my hon. Friend the Member for Basingstoke can provide those assurances, I shall be happy to support the Bill.

Mr. Fabricant: I shall speak to amendment No. 22, in my name, which seeks to exclude from the Bill the land between the low and high tide marks at the seaside. Although I represent a constituency that is as far away from the sea as one can get, I was born by the seaside in a little village called Rottingdean, four miles east of Brighton. Picture if you will, Mr. Deputy Speaker, a little Michael Fabricant, four years of age, toddling with his bucket and spade by the seaside and coming across the poop that we ought to be scooping. However, it is a serious matter.

I mentioned in an earlier intervention the *British Medical Journal* article about toxocara canis. It is interesting to note that 2 to 3 per cent. of all adults and 7 to 14 per cent. of schoolchildren have been exposed to the disease—possibly even the little four-year-old Michael Fabricant, although I do not know, as I did not suffer any of the symptoms—not only those whose families have dogs. Quite clearly, they are catching it from dog faeces.

After last night's debate, I am pleased that we are not simply taking note of a directive from Brussels on crottes de chien. Subsidiarity does work—that is demonstrated by the fact that today's debate is taking place here, in the mother of Parliaments, and we can debate the matter without interference from Brussels, so some powers still remain in this Parliament.

Mr. Hargreaves: Does not my hon. Friend accept, however, that it has come to a pretty pass when the only subject that we can debate is where and when dogs may defecate? If that is what Parliament has come to, my hon. Friend and I—and perhaps you, Mr. Deputy Speaker—ought to do something about it.

Mr. Fabricant: My hon. Friend makes a telling point indeed.

Mr. Patrick Thompson: Before my hon. Friend the Member for Birmingham, Hall Green (Mr. Hargreaves) seeks to devalue the debate, is my hon. Friend aware that, according to the figures that I have available, more than 1,000 tonnes of excrement are deposited every day?

Mr. Fabricant: My hon. Friend is absolutely right. As I was pointing out, the consequences of that in the form of toxocara canis can be quite devastating as well as most unpleasant.

I am surprised that there are no powers to deal with this poisonous menace, such as those that already apply to some degree in regard to litter, which sometimes can be less dangerous.

My reason for tabling the amendment is simple common sense. There are two tides a day. The sea water comes twice a day between the low and high tide mark and, although dog owners should exercise responsibility—incidentally, the regular worming of dogs would to a large extent abolish part of the problem of toxocara canis, and a little more responsibility from dog owners would mean we would not have to debate this important Bill—the movement of the tides means that it is unnecessary to include that strip of land which surrounds these British Isles and separates the low and high tide mark.

Mr. Thomason: Has my hon. Friend considered the impact of Crown exemption on that strip of land? I understand that the strip of land between the high and low water marks is vested in the Crown estate. I wonder whether the exclusions that apply to the Crown mean that the Bill would not be applicable in any event.

Mr. Fabricant: My hon. Friend is far more experienced than I am in those matters. He will know

that I was not a councillor before I became a Member of Parliament, and he may well be right. Nevertheless, if he is wrong, it is right simply from the point of common sense to exclude from the Bill that strip of land where, twice a day, automatically there will be a cleaning of the foreshore by the movement of the tides.

The amendment does not seek to encourage people to bring their dogs to the sea front to defecate, as happens in parts of Brighton, where I came from originally. That is an appalling practice, too. It was interesting to note that, some years ago, Brighton borough council, as it was then, introduced the very first dog toilets in the United Kingdom. It is also interesting that they were subsequently introduced in Paris. The French copied us. That demonstrates that Britain can not only be in the heart of Europe; it can lead Europe, too.

10.45 am

Mr. Hargreaves: I am grateful for the opportunity to speak to the amendments. Let me refer the House back to amendments Nos. 1 to 6 in the name of my hon. Friend the Member for Basingstoke (Mr. Hunter). I am concerned that those amendments should not mitigate unfairly against those who would normally walk their dogs on river walks and towpaths. I seek clarification from my hon. Friend that the authority, whether it is vested in a public utility or the local council—and sometimes they may overlap—would not affect the exclusions or the powers to exclude that my hon. Friend's amendments would introduce.

In and around Birmingham, there are large areas of canals. Beside those canals, there are miles of footpaths with significant verges on either side, some of which lead to leafy woodland areas or fields and some of which are in the middle of urban areas. A distinction must be made between those areas. It has always been the habit of people in Birmingham to conserve the land—which is not far from where I live in my constituency—where the River Cole runs through the city. It has been the habit for scores of years, if not decades, for people to walk their dogs along the river bank and for the dogs to run wild and free, roaming around the conservation area.

I should be deeply concerned if my hon. Friend's amendments did not exclude those areas from the competence of the Bill. They represent a natural amenity, where people do not currently crash around in the undergrowth. I would hate the effect of the Bill to be that dog owners should be forced to crash around in the undergrowth that conservationists have tried desperately hard to maintain, brandishing their pooper scoopers, seeking the faeces that the dog had just produced. I hope that my hon. Friend will reassure me that that is not the case.

I understand that my hon. Friend's amendments affect towpaths running alongside canals. Will he explain the effect on dog owners who regularly use those towpaths, which are comparatively little used for any other purpose? I seek clarification from my hon. Friend on that.

Mr. John Carlisle (Luton, North): My hon. Friend referred to dogs and their owners crashing through the undergrowth. I am sure that he would not want the message to go out from the House and the Bill that we are happy for dogs to run anywhere, particularly in the nesting season—which relates to the restrictions that the Bill seeks to introduce. Dog owners must be responsible in their own way, whether or not they carry a pooper scooper, and in conservation areas be cognisant of the countryside and of nesting birds at this time of year.

Mr. Hargreaves: I fully take on board my hon. Friend's comments. I am certain that dog owners are likely to be far more careful in conservation areas than the bands of politically correct people who, from an urban perspective, seek to impose restrictions on so many others.

I ask my hon. Friend to clarify the situation in regard to footways, footpaths and green lanes, which are covered by amendments Nos. 2, 3, 7 and 8. Such paths and lanes can sometimes take the form of unmade roads passing through countryside or semi-countryside. Some public rights of way may be used by horses, as my hon. Friend the Member for Bromsgrove (Mr. Thomason) said, or four-wheel drive vehicles. Often, there is not another soul in sight, and owners would normally expect to run their dogs free. Is it seriously suggested that dog owners will have to run around with plastic bags and trowels in the middle of nowhere?

My hon. Friend the Member for Basingstoke repeatedly made the point that the Bill is directed primarily at suburban areas and large villages, where dog fouling has become a menace. I support that objective, but I am deeply concerned on behalf of nearly 2 million registered dog owners, that they would be unnecessarily restricted by bureaucracy and red tape, which will be interpreted by the politically correct and the dogless—as the hon. Member for North-West Durham (Ms Armstrong) intimated—as an opportunity to penalise the natural right of people to walk their dogs.

Mr. Fabricant: Although we do not want to over-regulate or to spoil the enjoyment and great value that dogs bring to individuals and families, does not my hon. Friend agree that the Bill would be unnecessary were it not a fact that some dog owners are wholly irresponsible?

Mr. Hargreaves: I entirely accept my hon. Friend's point, which reinforces his earlier remark that dogs should be wormed at regular intervals, in accordance with a vet's recommendations. Then, human health would not be at risk. I would welcome more action in that regard.

Mr. Nicholas Winterton: Does my hon. Friend believe that discretionary legislation would in all cases be applied to towpaths and footpaths? The Macclesfield canal, which passes my home, is widely used for recreation and leisure by children and people with dogs. How would the Bill affect towpaths and footpaths?

Mr. Hargreaves: They would be covered by the Bill, unless my hon. Friend the Member for Basingstoke can reassure me that they are excluded by amendments Nos. 2, 3, 7 and 8. I share the concern of my hon. Friend the Member for Macclesfield (Mr. Winterton), because the towpaths that run alongside canals and riverways in Birmingham are used by thousands of people. Dog owners are sometimes accompanied by children, and quite often the children are walking the dogs.

Mr. John Carlisle: My hon. Friend the Member for Macclesfield (Mr. Winterton) raised an important point.

[Mr. John Carlisle]

Canals and towpaths are used for leisure, but also by people plying their trade up and down the waterways. Many canal boat owners have dogs. Where do those dogs go when they need to perform their bodily functions? They inevitably use the towpath. Is it suggested that we should discourage canal boat owners, some of whom are pursuing nothing more than leisure activities, from taking their dogs and letting them have a break from sitting on a boat all day, by allowing their dogs to run along the towpath?

Mr. Hargreaves: My hon. Friend makes a good point. Although we want to encourage all owners to act responsibly in ensuring that dogs do not defecate where people are likely to walk, the Bill's scope is too wide. I am sure that my hon. Friend will further explain amendments Nos. 2, 3, 7 and 8, but I am not sure that they adequately cover my concerns.

I am concerned also that amendment No. 4 excludes national park land. I acknowledge that there are large villages and even towns in some national parks. I think particularly of Exmoor, which I know well, and the Lake district. My hon. Friend the Member for Macclesfield pointed out that the Peak district is also in that category. However, it would be simple for the Bill to encompass what would normally be called urban or suburban areas, and to provide definitions. That would allay the fears of my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh), myself and other hon. Members.

Mr. Patrick Thompson: I refer to earlier exchanges and to the fact that my own district council, Broadland, stated categorically that there is a problem in villages. I am not resisting all my hon. Friend's arguments, but surely he accepts that argument.

Mr. Hargreaves: My hon. Friend makes an extremely good point. I would include large villages in an urban or suburban context. It is entirely proper for regulations to cover streets, pavements, squares, village greens, football and other recreation grounds—but I oppose the suggestion that every village that borders on a national park or is outside one should be encompassed by the Bill. That would be unnecessarily restrictive, and it smacks of nanny-stateism and of being anti-dog.

I remind the hon. Member for North-West Durham, who is not a dog owner, that her remarks will be misconstrued by this country's 2 million registered dog owners.

Ms Armstrong: There are more than that.

Mr. Hargreaves: I am using Kennel Club registrations. I am certain that the people with whom I discussed the Bill at Crufts last weekend will take up the hon. Lady's remarks with their Members of Parliament and that the size of her mailbag will increase significantly. I discussed the issues raised by the Bill with members of a Kennel Club committee who were at Crufts—I am not sure which—and with a large number of dog breeders, who are most concerned. I refer in particular to amendments Nos. 2, 3, 7 and 8, tabled by my hon. Friend the Member for Basingstoke.

Dog breeders use areas that would normally be considered footpaths running out of villages. Breeders might be walking five, six, seven or eight dogs along such a footpath. Solemnly to say that, every time one of the dogs disappeared into the adjoining verge, they would have to rush around with a plastic bag and a trowel, is not practical. If the Bill said that, my hon. Friend the Member for Basingstoke would find that the size of his mail bag would increase exponentially between now and the general election, with letters from people demanding that the legislation be reversed. Dog breeders and owners will resent enormously that nanny-stateism being applied to them.

11 am

I welcome amendment No. 5, which excludes marshland. It is eminently sensible. I also support amendments Nos. 19 and 20, tabled by my hon. Friend the Member for Bromsgrove, both of which are eminently desirable.

I support the remarks made by my hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant) about the mid-foreshore. One often thinks of the foreshore, as he rightly said, in terms of Brighton, but in some areas of the British Isles, people go down to a foreshore that is much larger because of the movement of the tide. I am thinking of parts of the coast of Cumbria and Yorkshire, where there are miles and miles of flatland, mudflats and estuary, all of which are technically designated foreshore. It would be absurd to bring them within the compass of the Bill and to have the extraordinary sight of people wandering around with buckets, plastic bags, trowels, poop scoops, and so on. That would not be a natural or sensible move. Therefore, I strongly support my hon. Friend's amendments.

I have great sympathy with the probing amendments tabled by my hon. Friend the Member for Gainsborough and Horncastle. We must make a distinction between the normal, natural life of country people and that of people in suburban villages—to refer back to the comments of my hon. Friend the Member for Norwich, North (Mr. Thompson)—or urban areas, where we wish to get to grips with the problem of dog fouling. I am not sure that the amendments of my hon. Friend the Member for Basingstoke go far enough to make that distinction.

Mr. Piers Merchant (Beckenham): I wish to make a few brief references to three of the amendments in this group. The first is amendment No. 11, tabled by my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh). He described it as a probing amendment, but it is perhaps a probe too far. The impact of his amendment would be to make the Bill cover all ground except agricultural land. That would widen the Bill, whereas he made the case for narrowing it. The Bill would then include woodland, heathland and marshland. None of those seems to be a fruitful area to encompass within the Bill.

Mr. Leigh: It is a probing amendment. I directed my remarks particularly to the edges of villages. I wanted an assurance from my hon. Friend the Minister and my hon. Friend the Member for Basingstoke (Mr. Hunter). I wanted to force out of them exactly how the Bill would

apply. It would not apply to agricultural land or woodland in the middle of the countryside, but would it apply to rural villages and hamlets?

Mr. Merchant: That is a fair point. I shall come back to it when I deal with another amendment. My hon. Friend waxed philosophical about the ideas behind the Bill and what he described as centralised authority. I do not regard the Bill as a centralising measure. He seems to have forgotten, as do several of my hon. Friends, the significance of clause 2, which describes the process of designation by a local authority. The Bill is permissive legislation which gives local authorities extra rights. That is hardly centralisation. It does not compel them to exercise those rights. If a local authority, which is presumably close to the people in its area, and which is dependent on them for re-election, decides that it does not want to cover a specific area, it does not have to do so. In so doing, it reflects local people's views.

If anything, the onus is the other way. The onus is on people in the area to persuade the local authority to take a deliberate step to include land within the definitions in the Bill. Even then, local authorities will have specific powers to define generally or in more detail which land is included. I should have thought that that would entirely satisfy my hon. Friend.

Mr. Leigh: I do not ask my hon. Friend to take my advice, but will he take the advice of a distinguished former Law Lord, Lord Simon of Glaisdale? He said:

"It centralises the offence in place of it being the subject of by-laws. Not only that, it creates a very wide offence, leaving it to the Minister, with exiguous parliamentary control to make exceptions."—[*Official Report, House of Lords*, 30 October 1995; Vol. 566, c. 1292.]

He went on to make the point about the old dispensing power that I referred to in my speech.

Mr. Merchant: The fact remains that the Bill primarily gives power to local authorities to designate, if they wish to do so. I do not define that as centralisation. Nor is it compulsion. The people of an area have considerable authority—I would say the ultimate authority—to decide whether any aspect of the Bill should apply.

The House will recall that amendment No. 20 refers to speed limits on roads. There has been some discussion on urban areas versus rural areas. Those definitions are misnomers. We should refer to residential and non-residential areas. Surely the objective of the Bill is to protect people who would otherwise be affected by nuisance as a result of the activity of dogs. Such nuisance impacts mostly where there is a high concentration of people and, therefore, of dogs.

Residential areas can be in rural as well as urban areas. I can think of no easier way of covering both types of residential area than reference to speed limits. Speed limits are almost universally chosen to match the concentration of population. A 30 mph limit is imposed in urban and rural areas where there are a lot of houses and a high-density population. It trails off to 40 mph where housing is more widely set apart and there are fewer people. The limit disappears entirely where there are no houses.

Mr. Hargreaves: Does my hon. Friend accept that in many areas within the national parks speed limits are 30 mph rather than 40 mph? Therefore, the amendment tabled by my hon. Friend the Member for Bromsgrove (Mr. Thomason) is justified.

Mr. Merchant: I accept the first part of what my hon. Friend said, but not the second. I did not suggest that the 30 and 40 mph limits perfectly correlated with heavily residential areas and not so heavily residential areas. I merely suggested that there was a high correlation and that they were the easiest way of covering the problem that the Bill is trying to solve—distinguishing between areas with a lot of people and a lot of dogs and other areas.

It would be possible to substitute 30 mph for 40 mph in the Bill, but the result would not be particularly effective. The latter limit provides for a clear and effective division, and it does not need changing. It has been argued that some people walking their dogs will not know whether a road has a 40 mph limit, but that would apply just as much to a road with a 30 mph limit. As a matter of fact, the vast majority of people walking their dogs will know the roads they are using well and will know the speed limit. If they do not, they can easily find out, since they walk their dogs regularly in the same areas. And once they know, they will know for all time. It has been suggested that it is too onerous to expect dog owners to know speed limits. I regard that as wholly false.

It has been further suggested that it would be dangerous to require dog owners to clear up after their dogs in 40 mph limit areas, because of the higher speed of the traffic. That, too, is fallacious. The danger in such areas is not much greater than it is in areas with the lower limit—the difference is quite small. In any case, dog owners presumably walk along the pavement, and are entitled to as much protection without their dogs as with them.

In a perfect world, we might stipulate such a requirement for the verges of all roads; in practical terms, however, it is right to distinguish between roads near heavily populated areas and roads in sparsely populated areas. The clearest, most logical distinction is between 40 mph limit areas and faster roads.

We must go back to fundamentals and ask ourselves what the purpose of the Bill is. It is very clear—to protect those who find this sort of problem a nuisance. It should therefore be aimed at where the nuisance is greatest and where the number of people likely to be affected is greatest. The Bill as it stands deals sensibly with that aim, without unnecessary or confusing amendments.

Amendment No. 19 would exclude bridlepaths from the provisions of the Bill. I am attracted by the amendment; I do not dismiss it as I did the other two. I believe, however, that the designation system under clause 2 would enable a local authority to exclude bridlepaths in any case, so it is perhaps not essential to refer to them specifically.

Bridlepaths should be generally excluded because they are quite different from footpaths. They are usually country roads, often muddy, and people walk along them because they want to be on a country road. They wear different clothes and take different precautions. They want to get back to nature while out walking with their dogs. Bridlepaths often run along the edge of agricultural land. Any excreta that a dog leaves behind only adds to all

[Mr. Merchant]

the other detritus to be found on a bridlepath. Most is biodegradable anyway and can be left to nature to deal with.

Mr. John Carlisle: It is precisely because bridlepaths are meant for horses that one can find all sorts of excreta on them. Unlike dogs' excreta, horses' excreta is extremely useful for those who want to promote the growth of their roses or rhubarb. My hon. Friend is therefore on to a sound point. Walking along a bridlepath, one expects to have to pick and choose one's way with care. I do not find it unpleasant to tread in horse excreta—the same cannot be said about what dogs leave behind. Perhaps we should introduce a Bill to say that the public should be careful where they walk. They should not worry about what horses do, but they should avoid what dogs do at all costs.

Mr. Merchant: I hope that my hon. Friend never treads in anything unpleasant. I agree with his basic point, though. The purpose of the Bill is to protect people who might unexpectedly be affected by this problem, or who cannot avoid it in everyday circumstances—in parks, streets, and so on. Walking along a bridlepath is completely different: the onus is on the person using it to take care, stepping around puddles, mud and whatever else presents itself.

11.15 am

Mr. Hargreaves: My hon. Friend was rather dismissive of the subject of footpaths, but many footpaths lead out of villages into country areas. They should surely be excluded for the same reasons, because they are not the sort of places where people might grovel around on the ground catching terrible diseases. People are likely to be wearing suitable footwear and stepping over and between puddles, mud and other things.

Mr. Merchant: My hon. Friend misunderstood me. When I used the word "footpaths" I was referring to pavements, not to dedicated footpaths where there was no traffic. I would certainly bracket such footpaths with bridlepaths for these purposes.

I was perhaps a little unkind earlier to my hon. Friend the Member for Gainsborough and Horncastle, but I should like to end with an illustration in which he features. Many years ago, my hon. Friend and I went for a walk—most of it on a bridlepath—along the Berkshire Ridgeway. We took with us his dog called Freddie. Had this Bill been in force, we would have had a serious problem. In the course of our three-day trek, Freddie was responsible for producing an extremely large quantity of excreta. What on earth would we have done if we had had to pick up all of it? It would have been absurd. There was nowhere to dispose of the stuff, and by the end of our three-day journey we would have been in a decidedly unhappy state.

The anecdote shows how the Bill, in some circumstances, would not be helpful. It needs to be targeted and limited to make it protective and effective. I certainly support the Bill and commend my hon. Friend the Member for Basingstoke (Mr. Hunter). I hope that it will reach the statute book soon, and I beg my hon. Friends not to fiddle around and amend it to such an extent that it becomes absurd.

Mr. Jenkin: I am grateful for the opportunity to discuss the issues that the amendments throw up. I hope that my hon. Friend the Minister will deal with the various points that have arisen during our discussion. They principally concern the confusion that arises between the type of land that is to be included within the powers of the Bill and what we wish to exclude. We have the rather confusing situation whereby we have to include the exclusions in the Bill. There is a certain amount of confusion about the overlap between the different types of land.

I return to the issue of woodland, because in my constituency, for example, there is a country park, which is part of the town of Colchester, called Highwoods country park. By no stretch of the imagination could anybody say that it is not woodland. We are asked to understand that land that is used as woodland is to be excluded. It is a slightly confusing definition, because if we asked the trees whether they are using the land as woodland, they would certainly say—if they were sentient beings and could talk—"Yes, we are using this as woodland because this is where we live." If it is to work, it is important that we clarify in the Bill what is in and what is out in terms of the land that we use.

Amendment No. 12, in the name of my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh), which deals with sporting dogs and land used primarily for sporting purposes, raises a number of issues. I very much sympathise with the point raised by my hon. Friend the Member for Macclesfield (Mr. Winterton), who suggested that certain types of dog should be excluded from the Bill, because trying to designate the types of land used by sporting and working dogs seems to be a rather vain exercise. It is utterly absurd to suggest that the traditional activities of fox hunting, shooting with dogs or working with terriers somehow give rise to the problem that we are seeking to address, because the problem is much more associated with urban living. I sympathise with the views expressed by my hon. Friend the Member for Birmingham, Hall Green (Mr. Hargreaves), although I have to say that the problems of the urban dog apply just as much in the villages as in conurbations.

That brings me to my final point, and I would be most interested to hear from my hon. Friend the Minister on this issue. Local authorities already have quite significant powers to deal with dog fouling. Some local authorities use those powers to the full—Westminster council, for example, is a pioneer in keeping the streets clean of dog fouling—but others simply try to brush the problem away, because it is too complicated and requires too much manpower. Dog fouling often results in disputes between neighbours, because people often know the dog concerned and to whom it belongs, and there is a failure to enforce regulations that already exist.

Like my hon. Friend the Member for Norwich, North (Mr. Thompson), I receive correspondence from constituents on this issue. Before we give massive further powers to local authorities to deal with this urgent problem, which affects many of my constituents—as my hon. Friend the Member for Gainsborough and Horncastle described, it is quite a sweeping reform—are we confident

that they will be capable of exercising them effectively? What evidence do we have that they use the powers that they enjoy at the moment to the best effect?

Mr. Thomason: Does my hon. Friend agree that these provisions will supersede provisions at present contained in section 235 of the Local Government Act 1972, section 164 of the Public Health Act 1875, sections 12 and 15 of the Open Spaces Act 1906, sections 82 and 83 of the Public Health Acts Amendment Act 1907, section 41 of the Countryside Act 1968, section 1 of the Commons Act 1908, and a number of other provisions, and thereby simplify the law?

Mr. Jenkin: I should be delighted if the Bill radically simplifies the law, but I am concerned that we are expanding the scope. Byelaws that are easier to use are much easier to enact. We will presumably encourage local authorities to act against the concerns expressed to us by our constituents. Do local authorities use their present powers responsibly? That is all I ask.

Mr. Hargreaves: My hon. Friend makes an extremely good point: whether local authorities are exercising the powers already given to them, and whether those powers are sufficient. He raised the point whether, if we give them these sweeping and centralising powers, they would be exercised sensitively. That comes back to the point that we raised earlier.

Mr. Jenkin: Indeed.

Mr. John Carlisle: This is an important point, and my hon. Friend might know that another private Member's Bill currently going through the House, the Noise Bill, is similar in that it enables local authorities to use powers, which, I hope, will be passed by this place. Perhaps the whole tone of the Bill gives some credence to local authorities. They are many and varied by definition. Whether they ignore existing byelaws we do not know, but I fear that the good intentions of my hon. Friend the Member for Basingstoke (Mr. Hunter) may well be scuppered by environmental health officers throughout the land, and that his excellent Bill, with reservations, will be totally ignored by the local authorities.

Mr. Jenkin: I am absolutely in favour of central Government devolving more powers to local authorities wherever we can. In the past 20 or 30 years, there has, perhaps, been too much power coming in our direction and not enough going in the other direction. We need to look carefully at what additional powers we can give local authorities that we can expect them to exercise responsibly.

I hope that my hon. Friend the Minister will consider the interface between my two last points: how much local authorities exercise their existing powers responsibly and effectively, and the issue of sporting dogs, and in particular hunting with hounds. Will local authorities vexatiously exercise powers under the Bill to frustrate the legitimate activities of local hunts, shoots or anything of that nature? I very much hope that my hon. Friend will address those points.

Mr. Hargreaves: It is not simply a sporting argument. My hon. Friend referred to woodland. In Birmingham, there is quite a large area of council-owned woodland. It is amenity land. I refer to the woodland—Moseley bog—that is adjacent to my house in Hall Green. It is ecologically important. It is a genuine bog in the middle of a city. One could not reasonably classify it as wood for woodland purposes. It is not an area where one would find children roaming; it is covered in brambles, thickets, thorns, and so on, but it is woodland none the less. Will it come under the remit of the Bill?

Mr. Jenkin: Council-owned land is already included in the scope of existing byelaws. Councils already have those powers. That is what slightly confuses me about the Bill. It is time to hear from my hon. Friend the Minister.

Mr. Patrick Thompson: I am grateful to my hon. Friend for giving way, particularly as he was about to sit down. He referred to local government byelaws. One of my local authorities, Broadland district council, has said that the Bill will remove the difficulty that local authorities experience in obtaining approval for byelaws and give them far greater discretion and flexibility. Local authorities see the present situation as complex and difficult. I hope that my hon. Friend will at least acknowledge that before he sits down.

Mr. Jenkin: I certainly acknowledge that. Nevertheless, we must not put powers into the hands of local authorities that politically correct authorities could use vexatiously and irresponsibly. I look forward to hearing my hon. Friend the Minister.

11.30 am

Mr. John Carlisle: I hate to disappoint my hon. Friend the Member for Colchester, North (Mr. Jenkin), but I shall not keep my hon. Friend the Minister waiting too long. He has graciously said that he will allow me to speak before he does.

Shortly after being elected to the House 17 years ago, I found myself in that place where gentlemen Members find it necessary to go to relieve themselves, standing next to an old Conservative knight of the shires who asked me my name and rank. He also asked how long I had been in the House, to which the answer was, "Two days." He said, "My boy, let me give you one word of advice: avoid two subjects—dogs and planning." On refection, and having listened to some of the altercations among some of my hon. Friends this morning, I think that he may have been right. What a pity that no Opposition Members are interested in this important subject—apart from the hon. Member for North-West Durham (Ms Armstrong), who has gallantly sat on the Opposition Front Bench, although she has been in and out of the Chamber from time to time.

This is an important subject, but also one that many of us would desperately try to avoid. One of my early experiences in my Luton constituency was being confronted by the late Barbara Woodhouse—an enthusiast for dogs, as everybody will know—who had certain methods and advice for training dogs and horses. She reminded me of my constituency responsibilities, because at that time there were dogs running through some of the local supermarkets stealing the sausages—they were probably made of pork, even then. I remember trying to dissuade Mrs. Woodhouse from her theory that the dogs could be so well trained that they could run through a supermarket without stealing anything off the shelves.

[Mr. John Carlisle]

This is a heavy political subject, which affects all of us. I have considered my hon. Friend the Member for Basingstoke (Mr. Hunter) as just that, an honourable friend, for many years, and I have spoken in his constituency, but I must tell him of my suspicion that the Bill is urban based rather than rural based.

At this moment, although possibly not after the general election, I have the advantage of representing a mixed constituency. I hasten to add, to reassure my hon. Friends, that I shall still be here after the election, but the boundary commissioners have decided that the rural side of my constituency should be hived off to another hon. Member. Obviously my majority may suffer by a penny or two, but no more than that. I now represent a very mixed constituency, so it is apt for me to make a few remarks on the Bill, and express a few reservations, which have also been expressed by some of my hon. Friends, about some aspects of it.

I share the reservations that have been expressed about giving powers to local authorities. Unfortunately, like many of my hon. Friends, I cannot say that I am especially proud of the local authority that represents me where I live in Bedfordshire, and my constituents too. On the whole, it is a free-spending authority, intent on using the powers that this place has perhaps rather foolishly given it. I fret a little that however anxious we are about giving direction, as my hon. Friend the Member for Colchester, North said, the powers given by the House will be misinterpreted by local authorities, which will also probably say that they have not got the resources to implement them.

That is why it is rather sad that the Opposition Benches are so bereft of Members this morning; Opposition Members are always jumping up screaming and shouting for more money to implement any worthy Bill that Conservative Members may see fit to introduce.

I shall comment briefly on two of the amendments—No. 19, tabled by my hon. Friend the Member for Bromsgrove (Mr. Thomason) and No. 12, tabled by my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh). Amendment No. 19 would insert the words:

"a bridleway or public footpath".

That is important. As I said in an earlier intervention, a bridleway is traditionally a place where horses travel. There are many horse owners in this country, although not as many as there are dog owners, and they would find it difficult if their use of bridleways were restricted.

There are now problems with four-wheel-drive vehicles on bridleways—a great source of contention. Indeed, bridleways are almost being changed in character. Traditionally, the bridleway is somewhere for people to ride, sometimes with their dogs. It is not unusual to see people out on horses or ponies with a dog in attendance, sometimes close by and sometimes running a little way off.

When people use bridleways they know that they will not come across a bicycle, especially a mountain bike—one of the greatest scourges of modern leisure in the countryside—and that they can walk with absolute confidence, in the knowledge that they will not be mown down by any mechanised vehicle. They may be mown down by a racing horse or pony, or even by a running dog, but of course those are natural obstacles that people engaged in such leisure pursuits may find.

People walking on bridleways also expect that various animals will have deposited certain parts of their well-fed stomachs on the pathway. People who walk in such places are used to that. That is why the amendment appeals to me. It would be impossible to start talking about restrictions on such paths, and it would also be unnatural. One would be surprised if bridleways had to be used for some anaesthetised way of walking and people did not expect to find those natural obstacles.

One of my hon. Friends talked earlier about people dressing up appropriately. For example, if women walked down bridleways in 4 in heels with no form of protection, they would expect to find themselves in a certain amount of difficulty as they threaded their way between the waste of various animals deposited on the path.

Amendment No. 12 is important and should be seriously considered. Any restrictions would have a severe impact on many of our constituents who, either walking or on horseback, enjoy leisure pursuits on bridleways and public footpaths.

I also support the designation by my hon. Friend the Member for Gainsborough and Horncastle of

"land primarily used for sporting purposes".

Countryside sports of all sorts are under great threat now—mainly from the politically correct and, as far as the Opposition are concerned, the politically inept, too. We Conservatives are the champions of the freedom of country sports, so it is right that we should consider such amendments to the Bill.

Most Conservative Members support country sports, and I know that many Opposition Members do too, including the hon. Member for Livingston (Mr. Cook), who keeps his support rather quiet, as he does his wife's membership of the local hunt. Good for her. It is nice to see that there are Opposition Members who enjoy country sports.

It would be sad to find any restriction applied to, for example, the traditional Boxing day meets in and around village pubs and on the village green. The country sports of hunting, shooting and fishing are under enormous pressure, and although the situation is being held while the Conservative party is in government, they would be at severe risk if there were such a sad event as a change in political control.

That is why my hon. Friend the Member for Gainsborough and Horncastle was right to bring the amendment to the attention of the House, and why my hon. Friend the Member for Basingstoke should make certain that no unnecessary restriction is put on sports that are under such pressure.

Most of the amendments would find favour should my hon. Friend consider that they are necessary, so most of us will be interested to hear what the Minister says. We must be careful. Out there, there are many millions of dog lovers, many of whom are our supporters, and they are looking for some sort of guidance. We must be extremely careful about restricting their freedom in what has become a traditional British way of life. No one loves their dogs more than do the British—in some cases somewhat stupidly, in terms of the affection that we show to those lovely animals—and I do not want the Bill to try to halt or in any way restrict that wonderful love affair.

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): I am pleased to have the opportunity to reply to a good debate in which many important concerns have been ventilated. It is a great pleasure, among other things, to follow my hon. Friend the Member for Luton, North (Mr. Carlisle), who brought his customary dash of colour to the debate and spoke with true feeling on the subject of life in the countryside and perhaps echoed many of the concerns expressed by hon. Members in the debate. I hope that I will be able to allay some of those concerns.

This group of amendments seems to have brought into focus many of the important issues regarding the Bill. Before I deal with them, however, I should like to congratulate my hon. Friend the Member for Basingstoke (Mr. Hunter) on the very clear way in which he explained his amendments and on the way in which he has taken the Bill through its proceedings in the House. I am sure that he will not mind my saying that he has been concerned throughout the proceedings to explain clearly the Bill's purpose and to listen to the concerns that have been expressed to him, to which he has responded clearly.

The Bill is very worth while and is much desired by many local authorities and individuals—by dog owners and non-dog owners. My hon. Friend the Member for Basingstoke has been very careful throughout the Bill's passage to try to respond to the concerns expressed to him so as to target the Bill correctly, making it simpler for local authorities to tackle the problem of dog fouling.

Mr. Fabricant: While some dog owners have expressed some concern about the Bill, will the Minister confirm that the Kennel Club, the RSPCA, the National Canine Defence League and the Pets Advisory Committee are in favour of it?

Mr. Clappison: My hon. Friend makes a very fair point. There is no division or distinction in the Bill between dog owners and non-dog owners; it is desired by both groups of people.

Mr. Hargreaves: My hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant) has made a good point. Had he been at Crufts last weekend and met members of the Kennel Club and others, such as breeders, he would realise that, although there is general support for the Bill's principles, there is serious concern about its scope.

Mr. Clappison: I shall shortly deal in detail with the important question of scope, but I should like to lay that point firmly to rest in the way that my hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant) did. As he rightly said, the Bill has been warmly welcomed by dog owners and by those who represent them because they want to promote responsible dog ownership. The Bill will do precisely that by making it easier for local authorities to deal with the problem of dog fouling, by simplifying and streamlining the way in which they enforce regulations to deal with the problem.

Amendment Nos. 1 and 6, which were spoken to by my hon. Friend the Member for Basingstoke, are sensible—for the reasons that he set out. The House will be aware that it is possible for landowners, whose land the public have access to, to exempt themselves from the Bill's provisions under clause 3(1)(b). I shall return shortly to that very important provision because it is relevant to some of the issues that have been raised about activities that occur in the countryside and in other places as well.

Clause 6 also has the effect that where there is an existing byelaw on land that is designated under the new system, the new byelaw will take effect rather than the old one. That provision causes a problem for those who have a byelaw under private Act powers and would have the effect, unless the amendment were passed, of overriding the power to maintain existing byelaws. I think that it is appropriate—for the reasons set out by my hon. Friend the Member for Basingstoke, in the circumstances of a person, institution or company that has the benefit of a private Act power or byelaw—for them to be put effectively into the same position as a private landlord and to have the opportunity to exclude themselves from designation under this legislation.

As my hon. Friend the Member for Basingstoke so rightly said, that provision will also prevent complications where land is in the ownership of more than one local authority. This is, therefore, a most sensible amendment, and I suggest that the House would wish to support it for the reasons given by my hon. Friend.

11.45 am

Mr. Hargreaves: On the point of exclusion, will it have to be a positive exclusion, or is there an implicit exclusion in the amendment?

Mr. Clappison: I should draw my hon. Friend's attention to amendment No. 6, which says:

> "Where a private Act confers powers for the regulation of any land, the person entitled to exercise those powers may, by notice in writing given to the local authority in whose area the land is situated, exclude the application of this Act to that land."

That is a sensible procedure for someone to go through to exclude his land and to give notice to the local authority. So the answer to my hon. Friend's point is that those people have to take the positive step of giving notice. That is a sensible course to take, and, of course, it makes everyone aware—certainly the local authority—of the position in regard to that land.

Amendment Nos. 2, 3, 7 and 8 are sensible. My hon. Friend the Member for Basingstoke has been most careful to ensure that the scope of the Act applies widely and appropriately, subject to certain exclusions. As he explained to the House, the Bill as drafted relies on the definition of roads in the Road Traffic Regulation Acts. That would have the effect of excluding many of the areas that my hon. Friend wishes to bring within the Bill's ambit. He is, therefore, remedying that by relying on the definition of carriageway given in the Road Traffic Act 1980, which more effectively gives effect to his underlying intention. If the Bill were not amended in that way, it would produce some rather unusual results, and various areas not subject to any speed limit, such as various pedestrian areas and walkways, would be excluded. I therefore suggest that the amendment is sensible and clarifies the Bill's scope.

I do not propose to say any more about the amendments. They are all sensible amendments that tidy up the operation of the Bill.

I shall say a little more about amendment No. 4, which caused some concern to hon. Members. It is important that their legitimate concerns are laid to rest. Amendment

[Mr. Clappison]

No. 4 seeks to remove the exclusion of all national park land. As the Bill stands, national park land is excluded from the Bill, so it is impossible for a local authority to apply for designation within national parks. The amendment would remove the exclusion and give local authorities in national parks the ability to designate, for example, streets and recreational land in towns and villages within national parks. That is an important point, and I invite the House to consider it most carefully.

The House will understand that, even without amendment No. 4, under the other exclusions proposed in the Bill, much of the area of a national park will be excluded in any event. Land that is used, for example, for agriculture or for woodlands or which is predominantly moor or heath is currently excluded. The effect of maintaining the exclusion for national parks would be to exclude other areas inside national parks that do not fall into those categories and to take away from local authorities the opportunity to make designations in respect of those areas.

Mr. Jenkin: Although I have been in another part of the Chamber, I have been listening carefully to what my hon. Friend has said.

Will my hon. Friend dwell for a moment on the issue of land used for woodland? What is his advice about the definition of such land? Does he agree with the definition offered by my hon. Friend the Member for Basingstoke (Mr. Hunter), that it is land that is actively managed for timber, or is that land covered by a much wider definition to include land that happens to be enclosed, or not, as an area that contains trees?

Mr. Clappison: My hon. Friend's important point is worth analysing. My understanding is that the meaning of "woodland" is that given to the House by my hon. Friend the Member for Basingstoke. I draw the attention of my hon. Friend the Member for Colchester, North (Mr. Jenkin) to the wording of clause 1(3)(a), which excludes

"land used for agriculture or for woodlands".

The inclusion of the word "for" is important.

Judged in the context of the other exclusion contained in that paragraph—"land used for agriculture"—the exemption includes the type of land that is actively used or managed for agriculture and for woodlands. It does not include the type of area about which my hon. Friend the Member for Colchester, North is concerned—woodland per se—which is not actively managed as woodland.

I know that that might have the unfortunate effect of excluding the type of woodlands to which my hon. Friend has already referred—for example, those on Hampstead heath. One of the things that I enjoy about debates on a private Member's Bill is that one finds out lots of things one did not know. I did not know, for example, that there were woodlands on Hampstead heath.

Mr. Fabricant: Is my hon. Friend aware that the Whips will be extremely pleased to know that he is not familiar with Hampstead heath?

Mr. Clappison: I must tell my hon. Friend that I once frequented a public house that was near Hampstead heath, but that did not involve me walking on the heath and becoming familiar with the nature of it or the recreational activities of whatever nature that take place on it. I am sure that they include many people walking their dogs.

Mr. Hargreaves: May I take my hon. Friend a short distance up the motorway from Hampstead heath, to Birmingham, where there are many woodlands—in particular, Moseley bog, although why that should have anything to do with Hampstead heath, I do not know. Around Birmingham, residents of the towns use woodlands—natural areas—as much as those that are frequented in the countryside.

It would be ludicrous to suppose that those urban woodlands come within the compass of the Bill. They have brambles and bracken, and the ecological system is perfectly capable of dealing with anything that any dogs may leave behind. By and large, it is dog owners who keep the footpaths open through that area. I beg my hon. Friend to consider the Bill's effect on the normal users of that wood, which is classified as a conservation area.

Mr. Clappison: I entirely understand the concern that my hon. Friend has expressed. He speaks with feeling about woods in his constituency. I too have a constituency interest in woodland, because my constituency includes part of the Watling Chase community forest.

I hope that I can assure my hon. Friend and other colleagues who have expressed concern that designation will depend upon the decision of a local authority. If it would be ludicrous to designate an area as a poop-scoop area, that should occur to the local authority members and those who are represented by it.

I take into account, however, the important point raised by my hon. Friend the Member for Luton, North about the character of some local authorities and how little note they sometimes take of the concerns of their local residents. On this issue, however, I hope that local authorities would bear in mind residents' concern.

The issue of national parks is important. My hon. Friend the Member for Macclesfield (Mr. Winterton) is a good shepherd to his constituents, and is anxious to sniff out their concerns. He did just that on behalf of the Macclesfield and District Sheep Dog Trials Association. He was concerned about the interests of towns in his constituency that fall within a national park. Other hon. Members expressed similar concerns.

Hon. Members should consider that there may be important reasons why byelaws should be designated in parts of our national parks, particularly in the smaller towns and urban communities, of which there are a number. On reflection, hon. Members may accept that it is important that local authorities should have the opportunity to designate areas within a national park.

Some of the smaller urban communities in national parks are often subject to great pressures because of the number of tourists who visit recreational areas and open spaces. In those circumstances, there might be good reasons for local authorities wanting to designate an area as a poop-scoop area. That would help to avoid some of the problems of mess and nuisance that may otherwise be caused by irresponsible dog owners.

Mr. Jenkin: But surely most village car parks or village greens are owned by local authorities anyway. If

land is not owned by the state, either central or local government, the Bill should provide a mechanism for the owner of that land to apply to the local authority for the application of certain byelaws.

Perhaps the Bill is approaching the problem from the wrong angle. Rather than trying to designate every type of land over which a local authority should have power, the policy should work in reverse. The owners of the land should have the power to initiate the process, and apply to the local authority for that authority to apply byelaws to their land. If the owner of the land does not apply, the local authority would not have the power to apply byelaws.

Mr. Clappison: I am always sympathetic to my hon. Friend's argument on behalf of the freedom of the individual, the right of individual choice and the right of individuals to make decisions for themselves rather than have them taken for them. I invite him, however, to consider the important purpose that lies behind the Bill. It is designed to make it easier for local authorities to impose byelaws and to remove any unnecessary procedures or bureaucracy that stand in the way of designating areas for enforcement of the appropriate byelaw. We must be alive to that consideration.

I invite my hon. Friend to look at clause 3(1)(a). I know that the terms of that paragraph will not satisfy him entirely, because he wants to tackle the problem from the other direction and enable the individual to initiate the action rather than the local authority. He will be aware that clause 3(1)(b) states:

"the owner, occupier or other person or authority having control of the land"

has the right to withdraw his consent from the byelaw where that is designated by the local authority.

Mr. Jenkin: Hear, hear.

Mr. Clappison: I note my hon. Friend's positive response. The terms of that paragraph are important.

I accept that my hon. Friend the Member for Colchester, North and other colleagues are concerned about the terms of the Bill. It is for local authorities, however, to make the relevant decision. They will no doubt be influenced by the views of local residents. That argument applies as much to national parks as it does to other areas.

On reflection, I am sure that hon. Members will take the view that, notwithstanding their concerns about national parks, it is important for national parks to be treated in exactly the same way as any other area. They will then benefit from the same exclusions, if that is the right way to put it, but also have the same opportunities for designation where local authorities in national parks think it appropriate. If we did not accept the amendment, residents from such communities, who may be especially affected by the problem of dog mess caused by the pressure of visiting dog owners in certain months of the year, would soon be asking why they were not included in the Bill and why their local authorities should find it so difficult to have byelaws. They would want to know why they could not go through the designation procedure that applied to everyone else. There is no good reason why they should not.

The House knows that, under the present system, the passage and enforcement of byelaws can be a time-consuming process. Often, it cannot be done in 18 months, but can take as much as three years. National park residents may not want to be subject to the old, cumbersome machinery but instead want to take the opportunity to use the new system of designation. I hope that that has answered hon. Members' concerns.

12 noon

I come next to marshlands. In the words of my hon. Friend the Member for Colchester, North I do not want to make a mountain out of a molehill and I certainly do want to go barking up the wrong tree.

Amendment No. 5 is sensible. The power that local authorities will have to designate land in their area will mean a considerable saving in administrative time and resources. They will also be able to cover wider areas than they currently can to which the public are entitled to have access.

I note some of the reservations that my hon. Friend the Member for Basingstoke referred to in setting that out, especially those on local authorities' ability to designate other sorts of land, such as marshland, under the Bill. The mind boggles at how the Bill might be enforced in marshland. I agree with my hon. Friend that a requirement to clear up after dogs in marshland areas would be unsuitable. Such designation is unnecessary. I am happy to accept amendment No. 5.

Amendment No. 12 was tabled my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh), and deals with land used primarily for sporting purposes. That is an interesting issue. I know that he is a great countryman, and speaks for a country area where there will be great interest in such matters.

It is not in any way the Bill's intention to involve in its ambit country sports or any sporting activities in the countryside. I do not think that the issues about which my hon. Friend is concerned necessarily arise. I draw his attention to the exclusions in the Bill. If he looks at them in the round and takes them together, I think that he will be satisfied that their extent will meet any possible mischief or problem that he might foresee.

My hon. Friend the Member for Gainsborough and Horncastle will have noticed that the Bill excludes

"land used for agriculture or for woodlands",

and private land to which the public do not have access—a most important point. On private land to which the public have access, the owner can, under clause 3, give or withhold his consent to the imposition of the Bill. The owner has the opportunity to withdraw from designation.

The sum of those exemptions, especially the opportunities for owners to opt out of designation, meets the concerns about the wide variety of sporting activities in the countryside to which my hon. Friend referred. I am conscious that there are several sports lovers here, including my hon. Friend the Member for Luton, North, who are concerned about the environment as a whole, and concerned as responsible pet owners. They need not be concerned. On that basis, I invite my hon. Friend the Member for Gainsborough and Horncastle to consider whether he wishes to persist with his amendment.

Mr. Leigh: I am grateful for the careful way in which my hon. Friend the Minister is trying to deal with my general points about the Bill's impact on rural areas, but I want to press him further.

[Mr. Leigh]

Of course the Bill will not apply to agricultural land or to where hunts go over farmland, but it could apply to verges and the centres of villages, and it could be used by local authorities as an instrument to attack hunts. On shoots on the edges of villages, people cross roads and often shoot close to villages. We need an absolute assurance that local authorities that are opposed to legitimate country sporting interests cannot in any way use the Bill to attack those interests. I think that my hon. Friend is making that point, but I want it firmly on the record.

Mr. Clappison: I am trying hard to give my hon. Friend the assurance that I think he will find in the Bill. I clearly understand the point he makes about the wide variety of sporting interests, such as hunting, shooting and fishing, which involve dogs.

Ms Armstrong: Fishing?

Mr. Clappison: The hon. Lady may be aware of the fact that fishermen often enjoy taking their dogs with them.

Mr. John Carlisle: On a point of elucidation for the hon. Lady while we are talking about dogs and fishing—perhaps she should be aware that the labrador, of which I am a proud owner, was originally a fishing dog, and was used in Canada to bring fish out of the water. When fishermen who are trying to land a catch have difficulty in bringing it on to the bank, they often ask their dog to help them. Heaven help us if, apart from his keep net, each fisherman had to carry a pooper scoop.

Mr. Clappison: The House is grateful to my hon. Friend for his compendious knowledge of sporting activities, into which he has superb personal insight. Having had the benefit of his knowledge on the Bill's impact on sporting activities, I think that the House can say that there will have been no dogs that did not bark in the night. I hope that I have been able to give my hon. Friend the Member for Gainsborough and Horncastle the reassurance he seeks.

I should now like to move on to the wider issues involving country areas, and amendments Nos. 19 and 20, which deal with roads and verges. I have listened carefully to what my hon. Friends have said on the subject. We must look at the exclusions contained in the Bill and bear it in mind that the decision has to be taken, in the first instance, by the local authority.

One hopes that, when places such as verges in country areas or other land close to roads are not excluded under the Bill, local authorities will use a bit of common sense. Sometimes local people will be concerned to ensure that such areas are kept free of dog mess, which can be as big a problem in those areas as in others which are more obvious candidates for inclusion as designated areas.

Mr. Hargreaves: I do not share my hon. Friend's confidence in local authorities' ability to show sensitivity or good faith. The fact that so many local authorities are populated by people similar to the hon. Member for North-West Durham (Ms Armstrong), who does not have a dog and has no sympathy for dog owners—she has shown by all the remarks she has made, and will no doubt show by those she is about to make, that she falls into that category—demonstrates my point. We should not trust local authorities to make sensitive decisions on the matter, and I strongly urge my hon. Friend sympathetically to consider the amendments of my hon. Friend the Member for Bromsgrove (Mr. Thomason).

Mr. Clappison: I have listened carefully to the good points that have been made. Local authorities currently have the power to make byelaws. The measure merely streamlines the means by which they can be brought into force, and avoids some of the problems that have arisen from the present time-consuming procedure.

I am wary about irresponsible local authorities that do not heed local opinion. My hon. Friend the Member for Birmingham, Hall Green (Mr. Hargreaves) might draw reassurance from the fact that there have been many celebrated cases in which local authorities have not behaved sensibly over byelaws. In some cases, local authorities have stimulated great controversy over the issue of imposing byelaws that affect dog owners.

Nothing infuriates people in this country more than inappropriate byelaws—that applies to both views: those who want the byelaws and those who do not. There are a large number of dog owners in this country—2 million dog owners are members of the Kennel Club; there are about 5 million or 6 million dog owners and 7 million dogs in this country. Any local authority that does not behave sensibly will find itself in a lot of trouble and controversy with people who feel passionately about the subject, even though they do not always become exercised about politics generally.

Mr. Thomason: Does the Minister agree that it would be an absurd situation for a bridle path or a public footway that crosses over agricultural land—which is clearly excluded by the Bill—to be designated in the manner required by the Bill? Is that not a nonsense that should be avoided?

Mr. Clappison: I am certainly alive to the concerns that have been expressed. If my hon. Friends reflect carefully, they will see that the concerns are met in many respects on the face of the Bill. I am alive to the points that have been made about bridleways and about long-distance walkers, and the effect that the Bill may have on them. My hon. Friend the Member for Beckenham (Mr. Merchant) shared an interesting experience with us about his long-distance walk with Freddie.

One hopes that there is common sense in this regard—that those who venture on long-distance walks do not have to carry pooper scoops and that these regulations are used in a sensible way.

Mr. Jenkin: My hon. Friend the Minister is dealing with these points with tremendous care. Following the previous intervention, it occurs to me that many of these bridleways and footpaths run across private land—that they are merely rights of way and that they do not comprise land. Therefore, the provision allowing private landowners to opt their land out of the Bill conflicts with

the provision to designate bridleways and footpaths. How does that work in law? Can the owner of the land opt the bridleway out of the Bill by virtue of it being on his land?

Mr. Clappison: Clause 3(1)(b) contains the answer to my hon. Friend's concern. It states:

"the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so"—

that is, the failure to use the pooper scoop. That range of definitions, that variety of authorities, which the clause contemplates being able to opt out of the Bill will meet my hon. Friend's concerns.

Mr. Thomason: I suggest to my hon. Friend that that may not be the effect of clause 3(1)(b), because no occupier or other person has control of the land on which the footpath is sited and is open to the general public. There might be an owner, but the ownership of the freehold of bridlepaths, particularly where they have become green lanes, is often not easy to determine. Therefore, the consent—which is, in any event, a positive action—may not be easily available.

Mr. Clappison: My hon. Friend is a lawyer of some distinction and experience, and it may well be that, in his branch of the law, he has had some experience of rights of way, an important issue that comes before those involved in the law. It had been my impression that there was a satisfactory exemption under clause 3. Before I vanish into the mists of legal technicality and the law on rights of way, I shall address my hon. Friend's concerns by writing to him on the subject.

Mr. Leigh: I am worried about this: it shows up the problem of discussing the Bill in such detail so late in the process—although I am rather glad we are. I know that the Minister is doing his best, but I believe that he has not answered the serious point made by my hon. Friends on clause 3(1)(b), which will now be known as the Ridgeway point.

The Ridgeway is a series of long-distance footpaths, and I do not think, on the face of the Bill, that it will be excluded. There is no obvious owner. In parts, the Ridgeway is as wide as the Chamber, and it runs for 150 miles. I do not know whether anyone owns it—someone may in theory. It is a huge, long-distance footpath that is used by tens of thousands of dog owners every year. To be fair, the Minister has not answered the point. We should have an answer before we finish the proceedings this morning.

Mr. Clappison: I may not be familiar with Hampstead heath, but I am familiar with long-distance footpaths—which hon. Members may doubt, and I shall keep to myself how far I get along them.

The answer to my hon. Friend's point is that there are exemptions on the face of the Bill, but we return to the concept of local authorities exercising their common sense. As I said in reply to an earlier intervention, no part of the Bill confers more power on local authorities to make regulations than they currently have. The Bill is about the means whereby local authorities can bring the byelaws into effect. My hon. Friend should draw reassurance from that.

Mr. Hargreaves *rose—*

Mr. Jenkin *rose—*

Mr. Clappison: I shall give way to my hon. Friend the Member for Colchester, North but first I should say to him that he may be, but I was not, aware of a problem of byelaws being imposed inappropriately on footpaths and long-distance ways by local authorities under their existing regulations.

12.15 pm

Mr. Jenkin: I hope it is in order for me to raise a more general issue. My hon. Friend is not responsible for the Bill—it is a private Member's Bill—but what consultations has he undertaken with local authorities about all these complex legal matters and about the practical issue of enforcement and the scope of enforcement? Will he give us an idea whether local authorities generally support the Bill, and whether he has discussed all those technicalities with them?

Mr. Clappison: I appreciate the fact that the Bill was introduced by my hon. Friend the Member for Basingstoke, but my Department has received many representations from local authorities and individuals, including Members of the House, about the Bill. The technicalities that most worry them are those that have delayed the adoption of byelaws in the past, causing delay that has sometimes run into years. All that time, residents have been asking for the byelaws, and the process has been held up because, unhappily, the making of byelaws can be a time-consuming, burdensome process.

Mr. Hargreaves: My hon. Friend is being very patient with us, but I return to the anxieties expressed by my hon. Friend the Member for Bromsgrove (Mr. Thomason) in his amendment. Footpaths run from my constituency to his, passing from the urban area out of the city of Birmingham into the leafy shire of Hereford and Worcester, through fields and meadows.

I am afraid that an officious council, teamed by people of political correctness—people who have no sympathy with dog owners—would automatically impose a blanket designation on all areas for which it might have responsibility. Does that mean that every owner of land adjacent to those public footpaths—paths such as my hon. Friend the Minister likes to take long walks along—or of land over which they run will have to write individually and say that they are content for dogs to roam across that land? Surely that is unrealistic.

Mr. Clappison: I appreciate, and sometimes share, my hon. Friend's concern about some things that some local authorities get up to. As far as I am aware, there is no evidence of local authorities having interfered with long-distance footpaths in the way that worries my hon. Friend, but there is no limit to the stupid things that local authorities sometimes do.

I draw reassurance from what I said earlier. So many people take a responsible attitude on this subject, as dog owners or non-dog owners, and so many people enjoy

[Mr. Clappison]

recreation or sporting activities, that it would be a foolish local authority that incurred their wrath. I remind the House that there are examples of local authorities that have incurred that wrath and lived to regret it.

It would not be entirely sensible to incorporate amendment No. 20 into the Bill. I do not see its merits. It would reduce the number of roads to which the Bill could apply. To ensure consistency in local areas, all roads that might benefit should be included. It would be unnecessary to exclude some roads running through urban areas.

The amendment would reduce the areas covered by the Bill. We want to ensure that the maximum benefit is achieved from the legislation; the amendment would not improve the Bill's effectiveness.

I turn now to amendments Nos. 11 and 12, in the name of my hon. Friend the Member for Gainsborough and Horncastle. I have already answered my hon. Friend's question about woodlands and agriculture. I can give him the assurance he seeks: it is on the face of the Bill, at clause 1(3)(a), which refers to land used for agriculture. I think that that represents a pretty clear and effective exemption of agricultural land. Therefore, amendment No. 11 is not necessary, although I understand the concerns that my hon. Friend expresses on behalf of the agricultural sector. I know that he represents an important agricultural constituency.

Amendment No. 22 stands in the name of my hon. Friend the Member for Mid-Staffordshire. He has particular concerns about toxocariasis, which can pose a health risk. I listened carefully to his comments—he certainly made an interesting contribution to the debate. My hon. Friend drew on his personal experiences from when he lived in Rottingdean. I regret to inform the House that I have mispronounced "Rottingdean" for many years, and, in so doing, no doubt have offended many of its residents. However, I have now learnt its correct pronunciation.

Mr. Fabricant: I dread to think how he pronounced it.

Mr. Clappison: I am tempted by my hon. Friend, but I shall not stray down that path.

I do not think that amendment No. 22 is entirely appropriate. I understand my hon. Friend's concerns, but it is important to allow beaches—including that part of the seaside between the low and high water marks, to which the amendment refers—to be designated areas. Local authorities must consider carefully the issue of pets on beaches. Although the area is cleaned by the sea, that will not occur at certain times of day.

My hon. Friend told us of his experiences as a young Michael Fabricant with a bucket and spade. No doubt the youngsters of today will behave in the same manner, and they may also be attracted to that part of the seaside at that time of day. It is important that local authorities are able to deal with the problem if they consider that appropriate.

My hon. Friend the Member for Hall Green mentioned towpaths, particularly those along the canals in the vicinity of his constituency. Earlier this week, I had the great pleasure of travelling along part of the waterway not far from my hon. Friend's constituency. It is a very attractive place, and walking along the towpath must be a pleasant experience.

However, I do not accept my hon. Friend's case for excluding towpaths from designation when it is considered appropriate to do so. Towpaths fall into the same category as many other designated areas: they should be designated if local authorities think that that is appropriate and if local residents request it.

That is not to say that responsible dog owners should be restricted in using those towpaths, which no doubt are a source of recreation to them and a place to enjoy their dogs' company. However, there is no reason why that area should be treated differently from other areas in designation terms.

I listened carefully to the points advanced by my hon. Friend the Member for Beckenham. I have dealt with his question about long-distance footpaths. As to the question of the 40 mph limit, I believe that the present line is sensibly drawn. I listened carefully to my hon. Friend's arguments, but I agree with the original intention of my hon. Friend the Member for Basingstoke. I ask my hon. Friend the Member for Beckenham to reflect on that point.

Mr. Merchant: That was precisely what I said. I agree with what the promoter of the Bill originally had in mind.

Mr. Clappison: I am pleased about that, as my hon. Friend made an excellent speech that showed a close understanding of the Bill and great concern to support its intentions.

I hope that I have satisfied my hon. Friend the Member for Colchester, North on what is in the Bill and what is not. I hope that the exclusions in the Bill are straightforward. I reiterate my original reply to him: it is a matter for local authorities and one hopes that they will be sensible.

My hon. Friend the Member for Basingstoke has tabled some important amendments. My hon. Friends raised interesting arguments in support of the other amendments, but they are not necessarily entirely consistent with the aims and spirit of the measure, which is widely welcomed by the public and by local authorities, and by dog owners and non-dog owners alike. I invite my hon. Friends to consider withdrawing their amendments.

Mr. Hunter: We have spent nearly three hours discussing this group of amendments, and I shall now accelerate the process. My hon. Friend the Minister referred to many aspects of the debate and there is no need for me to cover that ground again; however, I should like to make one or two observations.

My hon. Friends and the hon. Member for North-West Durham (Ms Armstrong) will recall that last year we considered a Bill bearing the same name. It had the same aims, but was slightly different in some respects. It passed through the Commons, went to the Lords and there ran out of time because the very issues that my hon. Friends have raised today were raised last year, and there was not sufficient time for their Lordships to deal with them.

I wished to be sure that this year's version addressed the points that have been raised. I consulted the British Field Sports Society and the Bill received that society's blessing. Nevertheless, some serious points have been raised, particularly those relating to amendment No. 19.

I regret that we did not debate the Bill on Second Reading. That is always unfortunate. The debate in Committee lasted perhaps 45 minutes or an hour, and

there were no amendments. It can indeed be argued that the Bill has reached this point with insufficient scrutiny, but I hope that my hon. Friends will remember that it will go from here to another place.

Last year, their Lordships were profoundly dissatisfied with the Bill that came before them, and they will carefully study our debate this morning. I emphasise my sympathy with many of the arguments in support of amendment No. 19, but I hope that my hon. Friends will withdraw their amendments and support those in my name, if only to give them the benefit of the doubt, because this is not the end of proceedings.

Mr. Thomason: I am happy not to move amendment No. 19 on the basis of the assurances that have been given, and equally not to press amendment No. 20, taking into account the comments that have been made.

Amendment agreed to.

Amendments made: No. 2, in page 1, line 9, leave out first 'road' and insert

'highway which comprises a carriageway'.

No. 3, in page 1, line 9, leave out second 'road' and insert 'carriageway'.

No. 4, in page 1, leave out line 14.

No. 5, in page 1, line 15, after 'predominantly', insert 'marshland,'.

No. 6, in page 1, line 18, at end insert—

'(3A) Where a private Act confers powers for the regulation of any land, the person entitled to exercise those powers may, by notice in writing given to the local authority in whose area the land is situated, exclude the application of this Act to that land.'

No. 7, in page 1, line 26, at end insert—

' "carriageway" has the same meaning as in the Highways Act 1980;'.

No. 8, in page 2, leave out line 3.—*[Mr. Hunter.]*

Clause 2

DESIGNATION OF SUCH LAND

Mr. Fabricant: I beg to move amendment No. 23, in page 2, line 7, at end insert—

'( ) No order under subsection (1) above shall be made by any local authority unless it has—

(a) submitted a draft of the order to any parish council (or, in Wales, community council) for any part of the area proposed to be designated, and

(b) considered any representations made to it in respect of the draft order by any such council.'.

I asked the former occupant of the Chair to fast-rewind in his mind's eye to the young Michael Fabricant at the age of four or five, paddling along the sea front. I ask you, Mr. Deputy Speaker, to wind back to the present. The largest urban area in Mid-Staffordshire, which constituency I represent, is Lichfield. Winding forward my metaphorical video tape for a few moments, I hope after the next general election to be the Member of Parliament for Lichfield, which is the name of the new constituency following the boundary review. Lichfield is unique in many ways. It has not only a three-spired cathedral, but the largest parish council in the United Kingdom. I have tabled amendment No. 23 for that reason, among many others.

Following the local government boundary commission review, greater emphasis was put on the role of parish councils in England and of community councils in Wales. My amendment asks that any byelaw tabled by a district council shall be submitted in draft form to the relevant parish or community council, so that it can make its representations to the district council. That is simply a mechanism to provide greater consultation between parish or community and district councils. Given the non-contentious tone of my amendment, I hope that the House will accept it.

12.30 pm

Mr. Hunter: I am attracted by my hon. Friend's amendment and understand the motives behind it. It is clearly important and highly desirable that there should be full discussion, dialogue and consultation between the different tiers of local government. My hon. Friend seeks to ensure that parish councils are consulted about designations. I draw his attention to clause 2, which ensures that the Secretary of State must make regulations that include in particular a requirement that local authorities publicise the effect of their orders.

I hope that my hon. Friend the Minister can assure the House that, when the regulations are compiled, attention will be given to the point made by my hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant). It is presumably highly desirable that local authorities take account of representations made by parish councils and others. My hon. Friend's amendment is noted with interest, and its basic principle that there should be dialogue when compiling designations is acceptable.

Mr. John Carlisle: As someone who cut his teeth on parish council politics—as I am sure did many other hon. Members on both sides of the House—I support my hon. Friend's amendment. It is the intention to give parish councillors more power and influence in local affairs. One great tragedy of the present system is that for too long, the worthy men and women who serve as parish councillors for long hours, for no return, are frustrated by decisions of which they knew little in some cases, and which they cannot influence in others—such as planning permission. Any additional power that we can give parish councillors is essential.

At the heart of our discussions is the question whether the Bill is urban, rural or a mixture of urban and rural legislation—and the anxiety of some of my hon. Friends that rural areas should be protected in respect of a problem that is essentially urban. There is nothing more rural than a parish council or, if I may say so, some of the members thereof. Many local farmers are on parish councils and they are very much at the so-called grass roots. They are the ones who have the problems in their local areas, villages, playing fields, footpaths, and so on. Many people expect the parish council to be able to make some sort of a decision. One of the few powers that parish councils have is on footpaths. The parish council is influential. In many cases, it decides where footpaths should go.

Mr. Fabricant: I disagree with my hon. Friend on one point only. Parish councils are not essentially or uniquely rural. Lichfield city council happens also to be a parish council.

Mr. Carlisle: I submit to the superior knowledge of my hon. and urban Friend and I agree with him, but in

[Mr. Carlisle]

the mind's eye of the public and certainly of rural communities, the parish council is closer to their needs and requirements than the town council. There has been a great fight in one of my so-called villages, which wants to become a town and, therefore, have a town council and, heaven forbid, a mayor. Yet it is more of a rural community.

To return to the essence of the amendment that my hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant) has tabled, I confess that I support the amendment. Parish councils are essential to matters such as this—the mundane matters with which the House is rightly concerning itself this morning. If a message goes out from the House that we acknowledge that parish councils should have a little more power and influence on measures such as the one that we shall—I hope—approve this morning, it will be good for the rural communities, for the well-being of this place and for the Bill, which I wish good speed and which has many excellent facets.

Mr. Patrick Thompson: I support the remarks made by my hon. Friends the Members for Luton, North (Mr. Carlisle) and for Mid-Staffordshire (Mr. Fabricant). I agree with the spirit of the point about parish councils. I must explain a little more about what a parish council is. We have urban and rural Members in the Chamber. I suppose that I am mainly a suburban Member as far as the Bill is concerned. I referred earlier to Broadland district council, which has lobbied me on the Bill. There are four parish councils within the district council. They have a village character of which they are proud, but anyone driving through the area might well say that at least part of those areas—I must be careful how I put this—is suburban in nature.

It is important to realise that parish councils can cover all sorts of areas. They are often, certainly in my constituency, proud of their village status and history. I refer to Old Catton, Sprowston, Hellesdon and Thorpe St. Andrew. Those parish councils would be keen to go along with the amendment, which would ensure that they were consulted fully as far as possible. I hope that my hon. Friend the Member for Basingstoke (Mr. Hunter) and my hon. Friend the Minister will assure me and other hon. Members that the point about parish councils is well taken and that they should be consulted under the provisions of the Bill and any measures that result from it.

Mr. Clappison: My hon. Friends have made some important points about parish councils. I should like to reflect on them before considering what action I might be prepared to support at a later stage. While it would not be wise for me to give any guarantee, I shall reflect carefully on the important points that have been made. On that basis, I hope that I have given assurance to my hon. Friends, and I join my hon. Friend the Member for Basingstoke (Mr. Hunter), the promoter of the Bill, in inviting my hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant) to withdraw the amendment.

Mr. Fabricant: Because I understand the way in which the procedures of the House work and I do not wish to jeopardise the Bill, but for no other reason, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 3

OFFENCE

Mr. Thomason: I beg to move amendment No. 18, in page 2, line 18, leave out from 'unless' to 'the' in line 20.

Mr. Deputy Speaker (Mr. Michael Morris): With this, it will be convenient to discuss the following amendments: No. 17, in page 2, line 19, at end insert—

'( ) he is under the age of 16 years; or.'.

No. 21, in page 2, line 25, after 'to', insert '(a)'.

No. 14, in page 2, line 26, after '1948', insert

'or

(b) any dog being used for, or in connection with, lawful shooting, hunting or coursing activities of wild mammals'.

No. 16, in page 2, line 26, after '1948', insert

'or

(b) any dog being used for, or in connection with, sporting purposes'.

No. 27, in page 2, line 26, after '1948', insert

'or

(b) (i) any dog while being used on official duties by a member of Her Majesty's Armed Forces or Her Majesty's Customs and Excise, or

(ii) any dog while being used on official duties by a member of the police, fire or ambulance services'.

No. 28, in page 2, line 26, after '1948', insert

'or any person aged 70 years or more'.

No. 29, in page 2, line 26, after '1948', insert

'or

(b) any hearing dog'.

No. 31, in page 2, line 26, after '1948', insert

'or a person with hearing impairment'.

No. 32, in page 2, line 26, after '1948', insert

'or a person if he is a disabled person for the purposes of section 1 of the Disability Discrimination Act 1995'.

No. 33, in page 2, line 26, after '1948', insert

'or any person who due to his medical condition cannot reasonably be expected to dispose of the faeces'.

No. 15, in clause 7, page 4, line 11, at end insert—

'(3) In this Act "wild mammal" has the same meaning as section 3 of the Wild Mammals (Protection) Act 1996.'.

No. 30, in page 4, line 11, at end insert—

'(3) In this Act "hearing dog" has the same meaning as in section 37 of the Disability Discrimination Act 1995'.

Mr. Thomason: The amendments in my name relate to three specific and separate issues. Two of them are probing amendments, and the third argument has largely been covered in earlier debates.

Amendment No. 18 is designed to explore whether it is appropriate to leave the reasonable excuse defence in the Bill in its present form. That question was raised in Committee by my hon. Friend the Member for Ribble Valley (Mr. Evans), who was concerned about what constitutes "reasonable" in the context of the Bill. It is a

term which we use frequently but which, for obvious reasons, we seek not to define because it allows for a great deal of flexibility.

I wonder how appropriate such flexibility may be when it comes to certain defences. Perhaps the Minister or my hon. Friend the Member for Basingstoke (Mr. Hunter) will be able to answer my questions. What about someone who said that he was late for an appointment and did not therefore use a pooper scoop? Would that amount to a defence in a court under the clause? What if someone was looking the other way and did not notice that the dog had created a mess? What if the weather was inclement? Those may appear petty points, but they will be raised in courts of law at some stage. As the Bill stands, I am not sure whether they would be considered reasonable excuses.

A person may be feeling ill; someone else may forget to take a pooper scoop with him. Lack of knowledge of the law may not be a defence, but those may be considered reasonable excuses.

I also understand that a reasonable excuse can form an important defence in relation to a number of areas touched on in earlier debate, and it may be right to leave some such provision in the Bill.

My second probing amendment, No. 17, has to do with age. I appreciate that there is an age below which there is no criminal responsibility, but those nearing the age of 16 may face prosecution under the Bill for not having a pooper scoop with them. Yet we know that children are often left in charge of animals and told to take them for walks.

Mr. Patrick Thompson: My hon. Friend keeps referring to the possession of a pooper scoop. I understand that the faeces have to be cleared away, but I am not sure whether the Bill specifies how that should be done.

Mr. Thomason: The Bill refers to a device, if I remember rightly. Indeed, a number of different devices may be used. My point concerns whether it is fair that youngsters of 14 or 15, or even younger, should face prosecution for not clearing up a mess.

The third argument dealt with in the amendments has been largely covered in our previous debate, so I shall not dwell on it at length because I want the Bill to make progress. I am conscious that this proposed legislation ran into difficulties in the other place after presentation in a similar form by my hon. Friend the Member for Blackpool, North (Mr. Elletson). Despite some of the assurances that we have received today, there is still a danger that the owners of dogs used for sporting or similar purposes will be prosecuted. One has visions of people in shooting parties walking behind their retriever with a poop scoop, or similar device, in case a bird came down on land that was included in the Bill—what nonsense that would be.

I understand that my hon. Friend the Member for Basingstoke has given assurances that the Bill does not intend to hinder sport in any way, and I do not seek to raise the pros and cons of hunting and shooting in this debate, but it is terribly important that the Bill does not become involved in that issue and thereby possibly lose its way in the other place.

Mr. John Carlisle: You, Mr. Deputy Speaker, might take a keen interest in my remarks, because I know of your interest in the subject of shooting. My hon. Friend is absolutely right to press the promoter of the Bill and the Minister that there should be no doubt whatever that any dog involved in any sporting activity, particularly hunting and shooting, which has been mentioned this morning, must be totally exempt from the Bill in every possible way. We do not need further reassurances from another place. We want them here and now.

Mr. Thomason: That is indeed the point that I was making. I am conscious of the time and so will not add further to what I have said.

12.45 pm

Mr. Clappison: I begin with amendment No. 18, an important amendment, which deals with the defence of reasonable excuse. I listened carefully to my hon. Friend the Member for Bromsgrove (Mr. Thomason). I appreciate the way in which he put his argument and tried to establish what might amount to a reasonable excuse. I have to remind him that in many byelaws there is already such a defence. In this case, it is appropriate that it should be included in the Bill and that people should have the opportunity afforded by such a defence.

Broadly speaking, it is important to strike a balance between maintaining the effective scope of the Bill, making it an effective and enforceable measure without inappropriate exemptions, and the flexibility that is necessary to do justice in individual cases. That is why we have the defence of reasonable excuse, and it should apply in these circumstances as well. As my hon. Friend will know, it will be for magistrates courts, if necessary, to listen to those cases and to use their common sense and experience and decide whether, in all the circumstances and after hearing the evidence, a reasonable excuse has been established.

On my hon. Friend's first example, which he understandably gave, one would imagine that, subject to the circumstances and the evidence that the magistrates hear, being late for an appointment would not normally be a reasonable excuse. It might be different, however, if it was construed to include police officers or members of the emergency services on the way to an emergency, taking their dog with them. That would be different. In every case, it is up to the magistrates to use their common sense and experience, which they do.

Mr. John Carlisle: I wonder whether my hon. Friend, in considering this important amendment, has considered the position of hon. Members coming into this place once the Division bell has rung. Perhaps we would see hon. Members rushing down Whitehall with pooper scoopers—hon. Members do bring their dogs into this place—but missing a Division because they stopped to clear up the mess that their dogs made. Is that covered in the Bill?

Mr. Clappison: We are a House of dog lovers; I know that there are many dog lovers in the House. Hon. Members might have to make a fine judgment on what they are most afraid of—the poop scoop enforcement officer or the usual channels of the House. I think that we can leave that to common sense and discretion in individual cases, although I am being urged not to from certain quarters once again.

[Mr. Clappison]

Amendment No. 17 proposes an exemption for young people. I appreciate that young people—under 16 years of age in this case—often walk dogs. I do not entirely agree with my hon. Friend the Member for Bromsgrove on the amendment, because it is important for young people to be set a good example and for them to set a good example themselves and get into the habit of clearing up after their dogs. One hopes that they will do that throughout their lives. It would be appropriate to keep the provision in force in regard to young people.

We have already been through the sporting issue in some detail, so I hope that the House will not mind if I do not go over that again, but move on to amendment No. 28, which covers older people.

I suppose that in some respects the arguments that apply to young people apply to older people, too. There is no reason why a dog owner over 70 should be in a position any different from that of a younger dog owner. We know that many senior citizens in our constituencies enjoy the companionship of a dog, and especially enjoy taking their dogs for walks, which provides exercise both for themselves and for the dogs. Many have an enjoyable time with their pets. None the less, I am sure that they feel equally strongly about the need for effective and enforceable coverage in the byelaws to deal with irresponsible dog ownership.

In any particular instance, of course, an older citizen's case may fall within the ambit of the defence of reasonable excuse for a failure to clear up. Again, that is a matter for the magistrates courts.

Broadly, it would be wrong to put too many exemptions on the face of the Bill. It would be better to leave them to—

Mr. Fabricant: Before my hon. Friend finishes, may I refer him to amendment No. 27, in my name? I shall not press it, but it makes an important point about dogs being used by Her Majesty's armed forces or by Customs and Excise, and about police dogs, and fire and ambulance service dogs. Will they not be exempted?

Hon. Members will know that every day the police bring sniffer dogs into the Chamber—I look around nervously, but I see no poop to be scooped. Is my hon. Friend saying that in the course of their duties, the police should be scooping their dogs' poop?

Mr. Clappison: My hon. Friend makes an understandable point in his own way—although perhaps I have already dealt with the spirit of his question in my description of what might amount to a reasonable excuse for a member of the emergency services. I understand my hon. Friend's concern, but I urge him not to try to put too many exemptions on the face of the Bill, but to rely on the defence of reasonable excuse, which we can rely on our magistrates courts to apply with common sense.

Mr. Hunter: I endorse the Minister's comments. While reading through our proceedings on the similar Bill that was introduced last Session, during which the then Minister produced the figures, I noted that the defence of reasonable excuse is to be found 957 times in more than 400 statutes enacted over the past 150 years. It is a well-established form of defence. Were we to embark on the course of listing particular exemptions, we would never get the list complete or right. It is far simpler to go for the all-embracing defence of reasonable excuse, which can cover every legitimate reason why the poop has not been scooped.

I assure my hon. Friend the Member for Luton, North (Mr. Carlisle) that if I had not received the assurance from the British Field Sports Society, I would not be promoting the Bill. I have looked through the list of exemptions, and I cannot recall having taken part in any field sports over the past 40 years that are not covered. I think that the list is foolproof, and I feel satisfied. So I hope that my hon. Friend will pay heed to my arguments.

Mr. John Carlisle: I am grateful to my hon. Friend for allowing me to intervene, especially as he and I are both wearing the British Field Sports Society tie this morning, to show our solidarity and support for such activities. I am grateful to my hon. Friend for what he said, as will be the whole sports lobby, which is supported by hon. Members on both sides of the House, albeit by a minority of Opposition Members.

Mr. Thomason: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Fabricant: I beg to move amendment No. 25, in page 2, line 24, leave out '3' and insert '1'.

Mr. Deputy Speaker: With this, it will be convenient, to discuss the following amendments: No. 24, in page 2, line 24, leave out '3' and insert '2'.

No. 34, in clause 4, page 2, line 38, leave out from beginning to end of line 14 on page 3.

Mr. Fabricant: I rise to speak wearing my John Lewis, Milton Keynes tie.

Mr. John Carlisle: Bought in the sale.

Mr. Fabricant: Yes.

These probing amendments relate to the value of the fine. I refer hon. Members to clause 3(2), which makes it clear that the fine on summary conviction will be set at level 3. I understand that that is the maximum fine of £1,000. Amendment No. 25 would set that fine at level 1, which is equivalent to a £200 maximum fine. Amendment No. 24, which contradicts amendment No. 25 and is mutually exclusive, states that the fine should be set at level 2, which is equivalent to £500.

I tabled the amendments simply to give hon. Members the opportunity to consider whether a maximum fine of £1,000 is too much and should be set at either £500 or £200. I accept, however, that the size of the fine will be up to the discretion of the judge.

Amendment No. 34 would remove clause 4. Hon. Members, including my hon. Friend the Member for Birmingham, Hall Green (Mr. Hargreaves), have spoken about the over-zealous nature of some local councils. Clause 4 relates to the fixed penalty notices that can be issued by an authorised officer of a local authority. If one were to indulge in a flight of fancy, one could imagine a phenomenon far more dangerous and ominous than the

appearance of traffic wardens on our streets some 20 years ago: imagine the prospect of a dog warden handing out fixed penalty notices.

Hon. Members may wish to consider removing clause 4 so that the issue of a penalty notice has to be dealt with in a court of law. I accept, however, that hon. Members might consider that the powers given to local authorities to issue fixed penalty notices, despite and notwithstanding the dangers of over-zealous officials, would reduce the burden on the courts.

Mr. Clappison: I have listened carefully to the brief arguments of my hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant). I believe that the level 3 fine is appropriate, given the levels of fine for other types of offences. We should also bear it in mind that we are seeking to send out a message that we take dog fouling seriously, because it causes justifiable concern to many of our constituents. I therefore believe that a level 3 fine would be an appropriate penalty for those prosecuted for the offence.

I cannot support amendment No. 34, which would remove the power of a local authority to issue a fixed penalty notice. That could have some undesirable and possibly unintended outcomes; for example, in certain circumstances it could lead to local authorities not prosecuting or the courts becoming over-burdened. It is important that the fixed penalty regime should remain in the Bill.

Mr. Hunter: I note the probing amendments that have been tabled by my hon. Friend the Member for Mid-Staffordshire (Mr. Fabricant).

I should like to draw particular attention to my hon. Friend's argument about amendment No. 25. It is important to remember that the current maximum fine for a litter offence is £2,500. That is considerably more than the maximum fine envisaged under the Bill, and a certain school of thought would argue that failure to clear up after a dog is worse than merely dropping litter. That argument is worth exploring. The Bill should stand as it is. The level of fine is right; it is both a deterrent and a punishment for an extremely unpleasant offence.

Mr. Fabricant: As no other hon. Members have suggested that fines should be at any level other than level 3, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 6

EFFECT OF ACT ON BYELAWS

1 pm

Mr. Hunter: I beg to move amendment No. 9, in page 3, line 32, leave out

'in relation to any land'.

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 10, in page 3, line 35, at end insert

'in relation to any land to which this Act applies'.

Mr. Hunter: Amendment Nos. 9 and 10 seek to grant local authorities the facility to retain dog fouling byelaws for land where the Bill does not allow designation. The amendments would prevent areas of land such as rural commons that cannot be designated under the Bill from forfeiting dog fouling byelaws that, if not replaced by designation, would lapse after 10 years. Clause 6 addresses the complicated matter of how designations will interact with existing dog fouling byelaws. Clause 6(2)(a) provides that when local authorities designate poop-scoop zones, any existing dog fouling byelaws applicable to the zoned area will cease to have effect.

Clause 6(3) provides that any dog fouling byelaws that have been replaced by poop-scoop designations will cease to have effect 10 years after the enactment of the Bill. The 10-year period does not apply to byelaws made by local authorities other than those defined in clause 7. In England, that means in effect that byelaws made by county and parish councils will remain in force, although by virtue of clause 6(4) they cannot have effect if designation exists on the land.

However, there is a class of district council byelaws that would be subject to the 10-year cut-off but should perhaps be allowed to remain—those that apply to land to which the Bill cannot. I am thinking particularly of land described in clause 1. We would not wish to remove existing byelaws for land where the Bill does not allow designation. Local authorities may therefore retain existing dog fouling byelaws for land such as rural commons. That is what the amendments seek to achieve.

Clause 6 would ensure that where an offence could be committed under clause 3 or under a dog fouling byelaw, no offence is committed under the byelaw. Put simply, the Bill, if enacted, will supersede any existing byelaw. In conjunction with that, it must be right to grant local authorities the facility to retain dog fouling byelaws for land where the Bill does not allow designation.

Mr. Clappison: The Government consider it important that when a designation is introduced, no local authority dog fouling byelaws should remain in force in the same area as the designation. We fully support the effect of clause 6(2)(a) because it would mean that local authorities need not be concerned that they might have overlooked an old byelaw on dog fouling. Similarly, we support the 10-year transition period. However, there will be local authority dog fouling byelaws that apply to land that cannot be designated because it is excluded by clause 1. We would not wish such existing dog fouling byelaws to cease to have effect under clause 6(3). We accept the amendment for the reasons that my hon. Friend has given.

Amendment agreed to.

Order for Third Reading read.

1.3 pm

Mr. Patrick Thompson: I beg to move, That the Bill be now read the Third time.

I am grateful for the opportunity to speak briefly on Third Reading. I am only sorry that I did not have a chance to speak on some its earlier proceedings.

I certainly strongly support the Bill; it is a good Bill and I congratulate my hon. Friend the Member for Basingstoke (Mr. Hunter) on his work to date. I wish the Bill every success as it goes to the other place and I hope that it makes reasonably rapid progress there.

[Mr. Patrick Thompson]

I can confirm that there is strong support for the Bill in the constituencies. After all, I am reliably informed that there are 7 million dogs in this country—we have heard figures during the debate. As I said in an earlier intervention, 1,000 tonnes of faeces are deposited every day. The Bill certainly tackles a real problem. I have checked with my local authorities and, as far as I am aware, Norwich city council is in favour of the Bill. I certainly know that Broadland district council is in favour of it, because it is correspondence that I have received from that council that has moved me to speak in the Third Reading debate and to support the Bill.

In a letter to me a month or so ago, Broadland district council said that it was keen on the Bill because it would remove

"the difficulty Local Authorities experience in obtaining approval for bye-laws"—

and would give them

"far greater discretion and flexibility to exercise dog fouling controls."

The letter also said that the Bill would

"offer owners the opportunity to discharge liability for conviction by payment of a fixed penalty fine."

It is clear from today's debate that the Bill is along similar lines to measures that are strongly supported by the local councils in my constituency. In Committee, my hon. Friend the Member for Basingstoke said that the Bill would simplify the means whereby local authorities can tackle dog fouling. He said that byelaws were cumbersome, time consuming and costly. As we have heard in the debate, it sometimes takes 18 months, or even years, for the byelaws to come into effect. There is no doubt that the Bill is necessary; it is a good measure that will simplify the procedures and help local authorities to tackle the problems.

Like hon. Members on both sides of the House, at the top of the list of topics in the considerable correspondence that I receive is that of animals and dog fouling. The matter culminated in the correspondence that I received from Broadland district council urging me to support the Bill. That correspondence followed a meeting of the council's health and housing committee on 21 January this year.

I am conscious of the fact that speeches on Third Reading should not be long, as most of the issues have been discussed. I simply say that the experience of Broadland district council—which is the basis of my contribution—is that the complaints have increased by 291 per cent. over the past three years. It receives literally hundreds of complaints each year on the subject of dog fouling. The local authority holds regular meetings with residents on all the topics for which it is responsible. Once again, among the topics most frequently raised is that of the problems caused by a minority of irresponsible dog owners. Dog fouling problems are high on the list of concerns expressed to local councillors and officials.

I compliment Broadland district council on the way in which it has tackled the problems—it takes the Bill seriously and has corresponded with me about it. It has provided 80 bins over the past two years as receptacles for dog faeces; poop-scoop packs are available for a small charge. It has also produced an information pack and a pamphlet to encourage responsible dog ownership. It has introduced many other measures which I do not have time to outline today. The Bill deals with irresponsible dog ownership and encourages responsible dog ownership.

I support the work of Broadland district council and I agree that the Bill is a good measure. I hope that it will reach the statute book as soon as possible.

1.10 pm

Mr. Jenkin: As my hon. Friend the Member for Norwich, North (Mr. Thompson) has said, the Bill contains important powers for local authorities—and we hope that they will use them responsibly. The consideration of the Bill in the House has not been 100 per cent. It is disappointing that we should receive a Bill for Report and Third Reading without having had a proper scrutiny in Committee—from which the Bill would certainly have benefited. This is the sort of Bill—particularly if it goes through the Second Reading on the nod—that should have been dealt with by a Special Standing Committee. The Bill would have benefited from proper evidence-taking sessions, and from formal consultation by Parliament with local authorities and with other interested parties. Such a procedure would have ensured that the Bill got into a shape that people generally understood and supported.

I fully concur with the comments of my hon. Friend the Member for Basingstoke (Mr. Hunter)—that we are looking to the other place perhaps to scrutinise the Bill—something of which we have not been capable. It is perhaps a sad reflection on the pressures on the House that we have not been able to deal with the Bill in the detail that we should. Sadly, the situation also extends to other debates. It was a sad occasion yesterday when a former Prime Minister was not able to speak for more than 10 minutes on the greatest issue facing us today—and we are under similar pressure today.

We could have remedied the situation by better scrutiny in Committee. It is up to hon. Members to organise such things more effectively so that we do not spend so much time dealing with these issues of the Floor of the House when they could have been satisfactorily dealt with in Committee. The Bill, framed as it is, should be let through for fuller scrutiny in the other place, and I look forward to hearing what it has to say on the matter.

1.12 pm

Mr. Merchant: I am grateful for the opportunity to support the Third Reading of the Bill. As I hope will have been gathered from my speech on Report, I fully support the measure introduced by my hon. Friend the Member for Basingstoke (Mr. Hunter), and I do so without the benefit of the amendments that were suggested earlier, which I felt would not have helped the Bill. The Bill seeks to address a real problem—it may not be a huge problem in the order of world problems, but it causes great concern to people at local level. Therefore, it is right for the House to try to find a way to improve matters, and I believe that the Bill does so in a balanced fashion.

The Bill has various virtues. First, it will simplify the law. The law, at present, is confused. It is based on byelaws that are different—some authorities have them and some do not. As we have heard, it takes time to obtain new byelaws. This Bill will provide a framework in which local authorities can act and it will considerably simplify the law.

Secondly, the Bill will clarify the law. Instead of having different byelaws—with different impacts and capable of different interpretation—there will be a standard means of addressing a problem. The local authority will merely have to tick and it will come into effect in its area.

Thirdly, the Bill is devolutionary—in other words, the decision is made ultimately by local people acting through their local authority, rather than being centralised. I am all in favour of that concept, and I would like more decision making to be brought back to local government level. I welcome the fact that the Bill achieves that in a small way.

Finally, the Bill is comprehensive—that is, it can provide wide powers for local authorities to act, not in an authoritarian way but in a way that enables them to deal with the problem fully. I welcome the fact that the Bill is comprehensive. Basically, the Bill is about a balance of interests. Dog owners rightfully have responsibilities in society, but I would not, in any sense, wish to suggest that the Bill is doggist—I am not a doggist. I am all in favour of dog owners as long as they ensure that their pets do not make life disagreeable for other members of the public. That is the other side of the balance. The purpose of the Bill is to protect the legitimate interests of those who wish to live without risk of nuisance or unhygienic conditions stemming from lack of proper care of dogs and their residue.

In many places, the problems to which we have alluded in earlier debate on the Bill no longer exist because effective action has been taken by local authorities. In recent years, in my local area of Bromley, the local authority has introduced several effective measures, accepted by the dog-owning population as well as by those who do not have dogs, to protect visitors to local parks. We have two especially big and well-known local parks, Crystal Palace park and Kelsey park. Special bins are provided in both, ensuring that owners clear up after their dogs, protecting the rest of the population from the problems that used to exist.

By supporting the Bill, I simply want to ensure that similar protection may be extended throughout the country, subject always to the views of the people in those areas as expressed through their local authority. The Bill presents the best, most effective way of achieving that and provides a framework which I believe will ensure that that can be properly extended nationwide; therefore, I have great pleasure in giving my full support to this excellent Bill.

1.15 pm

Mr. Hargreaves: I am grateful for the opportunity to contribute to the debate on Third Reading.

As you and your predecessor in the Chair will have gathered, Mr. Deputy Speaker, I have reservations about aspects of the Bill, but before I mention them it might be useful if I explain to Opposition Front Benchers, who have suggested that every Conservative speaker is merely filibustering to prevent the arrival of another Bill, that I have no such motives. I do not wish to prevent a good hearing of the Bill to be introduced by the hon. Member for Halifax (Mrs. Mahon), nor do I wish, as some others might, to prevent any other Bill from being discussed later.

Furthermore, I greatly resent the misuse of Sir Gordon Downey's position in the House when the hon. Member for Southwark and Bermondsey (Mr. Hughes) makes remarks in the national newspapers to the effect that speaking on Friday mornings before Bills that precede his proposed Bill is an attempt to pervert the course of Parliament and indeed that people should make declarations when speaking on other Bills simply because they are, in his view, attempts to delay his measure. I have cause for concern about such a practice, and I hope that Madam Speaker will inquire into it in due course.

I have concerns about the Bill because it raises issues related to the sensible use of powers to ensure that, as my hon. Friends have said, people do what good dog owners do naturally.

I declare my interest in that I have a dog. Other Conservative Members may have dogs. We therefore have an interest in ensuring that the ownership of dogs remains respected by other people and that we do not make our dogs' behaviour a nuisance to other people. I support the motives of my hon. Friend the Member for Basingstoke in introducing the Bill. It is an entirely appropriate way to start the process of seriously tackling the problem of dog fouling in suburban and urban areas, large villages and elsewhere, parks, recreation grounds, village squares, commons, and all areas where children are likely to play and where other people are likely to walk in an unprotected fashion and might unsuspectingly pick up dog excrement on their shoes or elsewhere. We should take that nuisance seriously.

As my hon. Friends the Member for Basingstoke and the Minister know, I have serious anxieties about the Bill's scope. I am especially worried about how it might affect Moseley bog, adjacent to my constituency in Birmingham—a woodland area of natural beauty where dog owners go with their dogs to let them run wild and free, and to enjoy the benefits of that facility.

I remain concerned about the issue of towpaths and footpaths. My hon. Friend the Minister referred to footpaths that go for miles and miles and my hon. Friend the Member for Beckenham (Mr. Merchant) described his walk with Freddie, the dog belonging to my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh). Perhaps the issue could be re-examined in another place; I hope that we can reach a sensible conclusion on the scope of the Bill.

I hope that, when the Bill is considered in another place, amendment No. 19, proposed by my hon. Friend the Member for Bromsgrove (Mr. Thomason), will be regarded favourably. Perhaps a small change could be made to encompass the sense of my hon. Friend's proposition, if not the exact wording. The Minister referred to private landowners, and I believe that the Bill is deeply flawed in that regard. I hope that their Lordships will consider allowing private landowners to be excluded naturally from the Bill's provisions unless they decide to opt in.

I believe that the benefits that the Bill delivers to urban, suburban and large village communities and residential areas—as they were called this morning—outweigh my specific cares and concerns. Therefore, like my hon. Friends, I commend the Bill to the House.

1.21 pm

Ms Armstrong: As I have listened to the debate all morning, I feel obliged to offer the Opposition's view. In spite of the remarks of the hon. Member for Birmingham, Hall Green (Mr. Hargreaves), it is difficult for Opposition

[Ms Armstrong]

Members to believe that this morning's debate has been conducted simply in the interests of improving the Bill. The House has considered similar measures in detail in the past two years. The Bill passed through the Committee stage within an hour, and we have debated the Report stage for nearly four times as long a period. On that basis, Opposition Members believe that we have witnessed another attempt at filibustering this morning, not to prevent the passage of this Bill—

Mr. Deputy Speaker: Order. The hon. Lady knows that, if there had been a filibuster, the Chair would have drawn attention to it immediately and ruled accordingly.

Ms Armstrong: I accept your comments totally, Mr. Deputy Speaker. However, I am not sure that all Conservative Members have been completely genuine in their approach to the legislation.

I am the Opposition spokesperson on local government issues and I heard some very revealing views on that subject this morning. I commend the comments of the hon. Member for Norwich, North (Mr. Thompson) on the valuable work performed by local authorities in his area. It is my experience that local authorities up and down the country have worked very hard to balance the interests of dog owners and common land usage. They have paid particular attention to the dangers that fouled land poses to children.

Most local authorities have tried to deal with the problem in a very sensible way, so I was particularly disappointed to hear the Minister's comments. His Department is responsible for local authorities and it is quite distressing to see a Minister with such responsibilities having so little faith or trust in local authorities' activities and their ability to behave in a commonsense way. I can give several examples of good practice on the part of local authorities that have tried to strike the right balance. Easington district council, in the county of Durham where I live, is one such council.

The Bills that follow are very important. Even if they do not reach a vote, I want to make sure that they are at least aired in the House; therefore, I shall be brief.

Although the changes to the Bill this year will make it easier for it to become law, it avoids problems to which the House will have to return. The health problems that are caused by the manner in which sporting dogs are raised will certainly come back to the House. This week, we heard about the problem of diseased cattle getting into the food chain. I understand that, almost without exception, sporting dogs feed on the meat and organs of livestock that die on farms. That has created a significant health problem which causes about 10 deaths a year. There are certainly real problems with livestock. I was given that information by farmers in my constituency, so I am sure that we shall return to the issue. I accept, however, that by excluding sporting dogs from the Bill we shall make sure that it becomes law.

The hon. Member for Hall Green was really upset because I am not a dog owner. The Bill is not about those who are dog owners and those who are not. We are trying to ensure that people who own dogs act responsibly. I suggest to the hon. Gentleman that if I owned a dog I would not be acting responsibly. My home and my constituency are 260 miles from the House, so it would be impossible for me to look after a dog properly. Many hon. Members take a responsible attitude by not owning dogs. I hope that the hon. Gentleman will not try to create unnecessary divisions between dog owners and non-dog owners about the designation of public areas, particularly so that children can play safely without suffering the awful diseases that can result from dog fouling that has not been cleared up.

The Bill seeks to encourage common sense and responsibility. Local authorities should be able to designate land to which an offence of failing to clear up after a dog would apply. I am sure that many local authorities and many of our constituents have been looking for such legislation for many a long year; however, it will not solve the problem. The problem will be solved only if those who own dogs act responsibly. Whatever we do in the House, we cannot legislate for how people act. We can only threaten action if they continue to act irresponsibly.

The aims of the measure will be properly met only when all dog owners are responsible. It should have been approved last year. It was not approved, because of vested interests in the other place. I hope that this year's amended and changed measure proceeds smoothly and quickly so that we can restore confidence in the public health aspect of our parks and public places.

1.28 pm

Mr. Clappison: This important and worthwhile measure serves an important purpose. It is entirely appropriate that it should receive detailed consideration this morning, and we have considered some important and relevant issues.

The hon. Member for North-West Durham (Ms Armstrong) averted to the fate of the previous measure dealing with the same subject. This morning's debate may have helped to resolve some of the issues that were involved in that legislation and may be helpful to the progress of the Bill. I do not want to be drawn by the hon. Lady down the road of contentious political issues. It feels strange to be chastised for supporting a measure that will devolve power and decision making to local authorities and give them the opportunity to adopt a nationally defined offence if they wish.

Before the hon. Lady becomes too contentious, I remind her that the Bill is widely supported by local authorities and the public. Whatever the activities of certain local authorities—which often speak for themselves—one hopes that they will all listen to the views of residents and take commonsense decisions.

I agree strongly with the excellent contribution of my hon. Friend the Member for Beckenham (Mr. Merchant). One hopes that local authorities will exercise their common sense in deciding whether or not to take advantage of the legislation. I take issue with my hon. Friend on one point, which may have been a slip of the tongue. I urge him to exercise caution when describing anything as anti-this or anti-that. He introduced a phrase that I have not heard before—anti-doggism. He may have used it on the spur of the moment and lightheartedly, but some people may take his remark seriously. The next thing, we will all have in our postbags letters and representations from the chairperson of the campaign against anti-doggism. We shall find ourselves in anti-doggist zones, non-anti-doggist zones and goodness knows what else.

This sensible legislation will be widely welcomed, including by responsible dog owners—who will warmly greet it every bit as much as other members of the public who want dog fouling effectively tackled, and swiftly where needed. The legislation will enable that to happen.

1.31 pm

Mr. Hunter: The fact that my Bill received a Second Reading on the nod on 19 January and was considered in Committee in February has been commented upon, but there has been no shortage of debate or scrutiny today. The Bill has its origins in the advisory group's 1994 report, and it emerged following consideration and consultation. The Bill's merits are threefold. It acknowledges the need to simplify the byelaw system, which was not working effectively in dealing with dog fouling. The Bill concentrates its fire on the urban environment, where the problem is greatest. Finally, it recognises that dog fouling is a local problem and best dealt with locally, by local powers.

My Bill's purpose is to encourage and promote responsible dog ownership. I believe that it will be welcomed by dog owners and others. I commend it to the House.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Regulation of Diet Industry Bill

Order for Second Reading read.

1.33 pm

Mrs. Alice Mahon (Halifax): I beg to move, That the Bill be now read a Second time.

This is the second year that I have moved the Second Reading of my Bill. It is moderate, but it would ensure that all medicines claiming to aid would-be dieters be registered under the Medicines Act 1968. All products or treatment would contain a warning that rapid weight loss may cause serious health problems. The qualifications of all providers—including personnel of weight-loss centres such as Weight Watchers—would be listed. The recommended duration of a weight-loss programme would have to be shown on all products and in all advertising.

Information about the potential health risks of any programme, its nutritional content and the psychological support and educational components must be made available on request. Customers should know the price of the treatment, including the price of any extra products, services, supplements or laboratory tests. A notice containing that information should be conspicuously posted in every room in which weight-loss people treat customers. The notice should also be prominently displayed on all products advertised and sold.

At present, the diet industry can claim almost anything it likes about its products. When those products fail, as they invariably do, the woman—it is usually a woman—blames herself and moves on to the next useless and usually expensive product.

The Bill is long overdue and very necessary. As any examination of this multi-million pound industry reveals, it is completely unregulated. It fails to warn potential clients of the health risks and adverse side effects associated with rapid weight-loss programmes. The customer is often not given information on the qualifications of staff, the details of research carried out into the weight-loss programme, if any, or the costs of the programme if it is prolonged for any length of time.

The Bill is intended to support the aims of Diet Breakers—an excellent organisation founded by Mary Evans Young, which is now international. On No Diet Day on 5 May, women throughout the world will celebrate from Helsinki to Australia to Canada. *[Interruption.]* The hon. Gentleman who is making remarks from a sedentary position could easily find out for himself that it is a growing movement.

Mr. Michael Fabricant (Mid-Staffordshire): For all the people who will supposedly celebrate No Diet Day, how many will be dying because they are wildly obese? There are enough obese people in the House of Commons. All one has to do is look around the streets of the United Kingdom or Australia to see that more people will be dying than celebrating No Diet Day.

Mrs. Mahon: I shall make that into a more serious point. I imagine that more people die in the third world because they do not get enough to eat and they are literally starving to death. That includes thousands and thousands of children every year.

[Mrs. Mahon]

When it celebrates No Diet Day, Diet Breakers will draw attention to the perils and futility of dieting other than for medical reasons such as diabetes. It will encourage a healthier way of living and point out that dieting undermines women's emotional and physical well-being, and is often the first step to far more serious eating disorders.

The truth is that, if one wishes to lose weight, there is no safe alternative to exercise and healthy eating. We all come in different shapes and sizes. It is not written on tablets of stone that we should all conform to a certain size. Yet the fashion industry and the image-makers put enormous pressures on women, girls and, increasingly, young men. One has only to look at the advertisements for jeans, where we see a requirement to have a certain sized bottom. The image-makers put enormous pressure on women and girls to be unhealthily thin. *[Interruption.]* I know that it causes great amusement on Conservative Benches, but there is a serious health problem. I never expect anything serious from the hon. Member for Mid-Staffordshire (Mr. Fabricant), so I am not surprised that I am not getting anything serious now.

Dieting has reached epidemic levels in the west. The figures show that 90 per cent. of women will diet at some time in their lives, and that, at any given time, 50 per cent. of women are dieting, including children as young as nine and women as old as 75. It is tragic that powerful image-makers are encouraging western women and girls to starve themselves by dieting, when, in other parts of the world, people are genuinely starving.

We in the west are being bombarded and subjected to what I call a tyranny of thinness. We see all the subliminal messages on billboards and television screens and in magazines—not forgetting the catwalks—trying to tell us that we cannot look nice unless we imitate models who are too thin anyway. These messages also imply that we are valued for our looks alone—a distressing idea. There seems to be a cult encouraging the oppression of fat people and disseminating wrong information about healthy eating and exercise.

An article in the local press recently brought home to me just how much this cult has influenced our way of thinking. Under the headline "You're too fat", there followed a story about a woman called Sharon Lynch, who was turned down for a job at the Royal Halifax infirmary because, she was told, she was too fat. She had sailed through her interview for the post of nursing auxiliary. She had passed a medical, and knew that she was quite fit, and she had already worked as a nursing auxiliary in a private nursing home. She said that being told she was too fat left her feeling angry and humiliated, and she suffered a loss of confidence. The doctor told her that he could do nothing and that, if she really wanted the job, she had better do as she had been advised and lose weight. That is gross discrimination against someone whom the manager of the trust deemed too fat. It was personally insulting, and bore no relation to the woman's fitness.

We know that obesity can cause health risks, but the answer is to visit a doctor and go on a properly controlled diet. It is no answer to go for one of the "miracle cures" available from quacks or for any of the useless products that are on display just about everywhere.

For most people, these diets do not work. We know, in fact, that 96 per cent. of them are not effective. Dieting can cause other serious problems. The Select Committee on Health is carrying out a major inquiry into the health of children, so I asked the Department of Health for some information about eating disorders, which are predominantly diseases of young females between the ages of 14 and 25. It is now becoming apparent, however, that a growing number of children suffer from serious slimming disorders such as bulimia and anorexia nervosa. Moreover, women sufferers outnumber their male counterparts by 10:1.

I have always believed that the epidemic of dieting in western society is responsible for the increase in slimming illnesses. Many people will rightly claim that some eating disorders are a result of a combination of factors; so they are, but social influences that encourage dieting and suggest an equation between beauty and slimness play an important part in the fact that women succumb to these illnesses.

Dr. Bridget Dolan, of St. George's medical school and the European Council on Eating Disorders, recently said:

> "Dieting causes more problems than it solves and can lead to serious eating disorders. Anyone embarking on a diet should consider the long-term consequences."

A proportion of sufferers need psychiatric care. The services offered by the NHS in this respect are poor. According to the Department of Health, in 1992 the Royal College of Psychiatrists identified only 21 specialist centres, of which only 11 had in-patient beds. There were no NHS specialist centres for children. It is typical of the Government that the private sector is moving in to fill the gap.

I draw the attention of the House to an excellent organisation, the Eating Disorders Association, which includes people whose relatives—daughters, sisters, mothers and so on—suffer from these serious illnesses. It believes that the pressure on women to be thin causes them to diet, and that that leads to slimming illnesses and serious results. It is a voluntary organisation, giving information and advice about anorexia and bulimia, and has a huge database of knowledge on what has happened to sufferers of eating disorders. We should listen to people who have grass roots knowledge.

One important regulation that my Bill hopes to introduce is that pills, potions, patches—anything of that nature—should be included under the Medicines Act 1968. Something needs to be done about the scurrilous misuse of amphetamines and amphetamine-type drugs. The use of such drugs for slimming purposes can and does have devastating effects. In some cases, it has led to serious illness and deaths in young females.

Last year, in a similar debate at about this time, I asked about the progress of a study by the Medicines Control Agency—an executive agency of the Department of Health—into the use of these drugs. It has been consulting for some time with a view to restricting the use of certain amphetamines and amphetamine-type drugs and to banning them from being used for slimming purposes.

Yesterday, I had a reply from the Minister for Health. I asked about 10 days ago when he expected to make an announcement on the use of amphetamines for slimming purposes. We have waited more than a year now. The reply that I received said:

"An announcement is expected to be made shortly concerning the availability for slimming purposes of a range of medicinal products known as anorectic agents."—[*Official Report*, 21 March 1996; Vol. 274, c. *318*.]

We have waited a long time. I am not sure how much longer we have to wait. While we wait, the misuse of these drugs continues to wreck lives. Slimming clinics and others continue to dish them out like Smarties. Last year, when the Minister for Health spoke in the debate, he appeared to be convinced that something needed to be done. I quote exactly what he said in a press release. These drugs are

"ruining people's lives. We know families that have broken up because of personality changes in people taking these pills."

We know that it is worse than that: people have died or have been made seriously ill. But still there has been no action. It is a coincidence that today in the *Daily Mail* is a major article, by Edward Verity and Jenny Hope, on the use of these pills by a well-known member of the royal family who has risked her health by taking pills to lose weight. I quote from what Jenny Hope has to say about the use of slimming pills:

"The use of slimming pills to generate quick weight loss is being reviewed by the Government following fears they are being abused.

Amphetamine and amphetamine-type drugs such as phentermine and fenfluramine are widely prescribed by private slimming clubs.

But a clampdown was announced last May by the Government"—

that is not true—

"which said some doctors were acting unethically by giving them to women who did not have a 'clear medical need'."

Action has not yet been taken.

The article continues:

"The death of Christine Malik, 31, in 1994 was attributed to her use of slimming drugs. She died five days after being prescribed a cocktail of diuretics, appetite suppressants and hormone drugs at a private London clinic.

An inquest was told that she died from multi-system failure, which a medical expert said on the 'balance of probabilities' was brought on by the drugs. The General Medical Council has warned doctors not to prescribe the drugs except in rare cases where patients need to lose weight quickly."

Today, 12 months since the last time that I brought such a Bill before the House, we are still talking about "considering" the use of those drugs. It is time we stopped considering and started doing something about it.

I put on record my thanks to the National Food Alliance working party on advertising, for publishing a report of its survey of slimming advertising, entitled "Slim Hopes". That is an excellent document, and I am really pleased that someone has taken seriously the role that advertising plays in that multi-million pound industry.

In fairness to the Advertising Standards Authority, it too has recognised that slimming advertising is a problem area, and its own survey found that a high percentage of advertisements for slimming products were in breach of the British code of advertising.

I shall summarise quickly what "Slim Hopes" found. The researchers examined 89 advertisements for 49 slimming products or services. Of those, 36 appeared in slimming magazines, 30 in women's monthly magazines, 14 in the popular press, and 18 in women's weekly magazines. Only one was found in a teen magazine, because slimming advertising is not allowed to be directed at the under-18s.

The advertised products and services included pills, creams, slimming clubs, food supplements, exercise equipment, body wraps, slimming belts, books, videos, alternative treatments, slimming courses, foods making slimming or calorie-control claims, and cosmetic surgery. So the survey took a thorough look at what the advertising industry goes in for.

Of the 89 advertisements, only 11—12 per cent.—were considered acceptable. Seventy-eight advertisements—88 per cent.—were considered to be in breach of the code. That is the scale of the difference between the claims that products and services can do something for people who are worried about their weight, and the truth of the matter.

Mr. Charles Hendry (High Peak): I have been following the hon. Lady's argument with great care. Does she think that the people placing the advertisements and the professionals involved in the dieting industry are deliberately misleading customers, or is it naivety on the customer's part? Does she not believe that more could be done by tightening a voluntary code, rather than by legislation?

Mrs. Mahon: I believe that a deliberate con trick is being foisted on women, after they have been led to believe that they are ugly if they are not incredibly thin. An awful lot of money is being made out of people's miseries and fears, as they lose confidence in themselves. I think that that is deliberate. People must know. Major multinational companies have every resource at their disposal, and they could soon find out whether a product that they were selling and advertising did what they claimed.

The largest number of advertisements considered to be in breach of the rules—33 advertisements for 21 products—were found in the four slimming magazines examined—*Health and Fitness*, *Slimmer*, *Slimming* and *Weight Watchers Magazine*. That is trading on people's vulnerabilities and misery.

In the 10 women's monthly magazines examined, 27 of the 30 advertisements were considered unacceptable. The 10 women's weekly magazines examined included only eight slimming advertisements, which were all considered to be in breach of the code. Six national tabloid newspapers and four Sunday newspapers were examined and found to contain 14 advertisements, of which 71 per cent. were considered to be in breach of the code. It is true that the majority of miracle weight-loss claims appeared in newspapers and not in magazines.

The "Slim Hopes" report says:

"The single largest category of advertised products in the survey were foods making slimming or calorie-control claims (37 such advertisements) of which only 6 advertisements for three products were considered acceptable. Virtually all were considered to be in breach because they failed to state that they cannot aid slimming except as part of a diet in which the total calorie intake is controlled."

That aspect was common to all the advertisements. Advertisers failed to say in the small print that a near-starvation diet is necessary to achieve what they claim.

[Mrs. Mahon]

The report goes on:

"Problem areas identified by the survey included 'miracle' claims, excessive weight loss claims, claims that failed to state the time period over which weight was lost, creams that claimed to have a physiological effect and exercise equipment and wraps which claimed weight loss."

The report clearly confirms that compliance with the code remains unacceptably low.

"Slim Hopes" made superb recommendations; I may have to change my Bill to catch up with them. "Slim Hopes" recommends that the Advertising Standards Authority

"should fully investigate all advertisements considered by this report to be in breach of the rules and to take effective action against all transgressors of the Code."

Some of us are putting pressure on the ASA to do just that.

On the vetting of advertisements, "Slim Hopes" recommends that

"Publishers should be instructed not to accept adverts for slimming products unless they have a certificate of pre-clearance from the ASA",

which seems to be common sense.

On effective enforcement, which is where we always encounter difficulties with a code of practice, "Slim Hopes" recommends that the ASA

"should implement more effective sanctions."

There have recently been one or two instances of fines being imposed on some of the more extreme elements of the industry, but they have been too low. The sanctions have not been sufficiently effective when they have been applied to transgressors, and I would certainly support making them more effective.

"Slim Hopes" also recommends that the ASA

"should undertake an annual review of slimming advertising to assess whether current measures are adequate to deal with the problem. The review should be undertaken in such a way that statistical comparisons can be made between years over time. If there is no significant improvement",

it should develop

"with independent experts and public interest groups, additional measures to tackle the problem."

I think that the Government should be involved in that matter.

On the specific claims that cause the worst and most worrying effects on health, as a consequence of the speed of weight loss, "Slim Hopes" recommends:

"The code should be amended to include a requirement that no advertising for a slimming product shall make any reference to the amount or speed of weight loss, or to a reduction in the sense of hunger or an increase in the sense of satiety. This should cover not only claims but also product names, testimonials and any other words or images associated with the product."

On dieting and people who are underweight, the final recommendation is:

"The Code should be amended to include a requirement that no advertisement for any kind of product should suggest that underweight is desirable or attractive or in any other way encourage individuals to become unnecessarily concerned about their weight. This should preclude the use of underweight models in advertisements."

We often see unhealthily skinny models, who are very young people and whom children sometimes regard as role models for how to be beautiful, which causes all kinds of health problems. Even if children and young people do not go to the extreme of suffering from anorexia or bulimia, they suffer from constipation and develop gallstones because they do not have the right diet, because they are worrying too much about their image and believe that they have to look unhealthily thin.

The United Kingdom's slimming industry is estimated to have an annual turnover of approximately £1 billion a year, yet the number of overweight and obese people is increasing. By the year 2005, it is estimated that 18 per cent. of men and 24 per cent. of women will be obese. At the same time, there has been a rise in the incidence of eating disorders such as anorexia and bulimia.

What is shocking about "Slim Hopes" is the number of well-known companies, almost household names, that it has caught out conning the public into believing that some miracle cure is available for those who have been led to believe that they are overweight.

I should like to give Sue Dibb, Claudia Grillo and Jenny Smith, the authors of "Slim Hopes", the last word. They say in their introduction:

"the dream that a physical ideal can be achieved through the latest diet fad retains its appeal despite the fact that the majority of people who embark upon diets to lose weight fail to do so in the long term. The medical and scientific consensus that has now emerged is that the way to maintain a healthy weight is to ensure that calorie intake does not exceed calorie expenditure; that is by eating a healthy balanced diet and by being physically active throughout life. Advertising plays an important role in maintaining the myth of 'miracle' or easy weight loss and thus undermining the important health message."

There we have it. The dieting industry and the advertising industry are contributing to the increasingly bad health of our nation. The Government have a duty to look into those matters seriously.

2.1 pm

Mr. Kevin Barron (Rother Valley): First, I congratulate my hon. Friend the Member for Halifax (Mrs. Mahon) on her excellent speech and on promoting the Bill. I know that it is second time around, and I hope that if the Bill goes into Committee and then completes its passage this year, my hon. Friend will not give up hope that we should look again at the industry.

As my hon. Friend said, her Bill would regulate aspects of the diet industry, or perhaps it would be more useful to refer to it as the slimming industry. First, the Bill would require slimming centres to display warnings about the damaging effects of rapid weight loss. She also advocates that those risks should be outlined in those centres' literature. Those are straightforward and sensible proposals. Regardless of the eventual fate of the Bill, I hope that the people responsible for such centres, who promote such weight-loss programmes, would want to inform potential customers of the risks. I am therefore disappointed that the slimming industry has not yet volunteered to do so.

Secondly, my hon. Friend suggested that dieting preparations and treatments should come under the Medicines Act 1968. That could be done almost immediately. Her proposal that the charges involved in an entire course of treatment should be detailed may cause some problems, but it is not an insurmountable hurdle.

My hon. Friend is not asking for a massive new regulatory framework for the slimming industry, but she is calling for proper and reasonable regulations designed to offer protection to consumers from misleading or inaccurate information. She is also calling for decent levels of product safety. I am sure that all hon. Members would agree that such protection should be offered to consumers.

There is nothing in the Bill on which a sensible Government could take offence. I am sure that the House will be convinced by my hon. Friend's arguments that the slimming industry is in need of control. It is not feasible to leave an industry with an annual turnover of £1 billion largely unregulated, and the scope for it to abuse its position is obvious. Concerns are already being expressed about the number of women and young girls who are suffering as a result of the enormous pressures that they face to be thin, from the fashion industry, the media and the slimming industry. I highlight the case of women and girls, because the overwhelming majority of dieters are female—about 90 per cent. of them diet at some time in their lives. The intense industry pressures also affect men and boys, growing numbers of whom are taking up the slimming craze.

We must be clear about the damage that a badly regulated slimming industry can cause. I shall deal later with the medical effects but first, I shall consider the advertising pressures. It is clear that the Advertising Standards Authority does not have the remit to cover all aspects of regulations necessary for the slimming industry. Its scope for action is limited to printed advertisements and does not cover the practices of so-called dieting experts in their clinics. The Bill would help to complete the regulatory framework for that. Given the findings of the survey that my hon. Friend the Member for Halifax mentioned, does the Minister agree that the ASA should investigate the advertisements that the survey found to be untoward in respect of its code?

The Bill seeks to address the medical aspects of slimming and the diet industry. We must make distinctions between the extremes of clinical obesity and thinning eating disorders, and healthy eating and frequent dieting. Obesity is a problem. I hope that the Minister will say a few words about the Government's progress towards securing "The Health of the Nation" targets for the reduction of obesity and associated complaints.

To feel a little overweight, especially when the feeling is deliberately heightened by the effects of the industry's advertising campaigns, is far from clinical obesity. Few people who diet, especially those who diet obsessively, are clinically obese. Clinical obesity is the cause of many illnesses. Stroke and coronary heart disease are real dangers and the risks of diabetes, gallstones and arthritis are also increased. Many of those who diet do not need to. More importantly, in some cases the preoccupation of obsessive dieters with unnatural slimness may be a cause of other physical and psychological illnesses. Not everyone who starts dieting ends up with an eating disorder, but everyone with an eating disorder started by dieting.

Both groups are a call on national health service resources, and we should do all that we can to reduce that resource usage and to put such resources, where they are available, to other uses. The Bill would help to regulate some of the excesses of the diet industry and reduce that pull on national health service resources. The Minister should tell us what other measures he is taking to counter the effect of the diet industry and to reduce the incidence of eating disorders.

In particular, I hope that the Minister will say something about the role of healthy eating as opposed to dieting. The Bill makes it clear that dieting and healthy eating are not the same and I hope that he does so, too. I welcome the initiative of the Minister's colleague, Baroness Cumberlege, to encourage people to take more exercise and to fund a campaign to get that message across. What similar initiatives has the Minister planned to teach the public more about healthy eating? I put that question because I believe that the slimming industry does not want people to hear the healthy eating message, that the best way to maintain reasonable weight and keep weight down is to eat properly and healthily and to exercise regularly. The other message that the industry insists on keeping quiet is about the real effects of dieting and rapid weight loss.

The House may wish to hear what the doctor's bible, the *British National Formulary*, says about appetite suppressants, which are a mainstay of the slimming industry. Of bulk-forming drugs—preparations that claim to make people feel full, so reducing their food intake—the *British National Formulary* says:

"The most commonly-used drug is Methylcellulose. It is claimed to reduce intake by producing feelings of satiety but there is little evidence to support this claim."

It states that centrally acting appetite suppressants

"are of no real value in the treatment of obesity since they do not improve the long-term outlook. Most have a pronounced stimulant effect on the central nervous system.

Use of the amphetamine-like drug Phentermine is not justified as any possible benefits are outweighed by the risks involved. Abuse may be a problem."

The *British National Formulary* continues:

"Fenfluramine is also related to amphetamine but in standard doses it has a sedative rather than a stimulant effect. Nevertheless, abuse has occurred and abrupt withdrawal may induce depression."

The pills and drugs used by the slimming industry could effectively be called uppers and downers—the term used in the drug culture. They are prescribed in private clinics throughout the country.

The *British National Formulary* states that an appetite suppressant should not be given

"to patients with a past history of epilepsy, drug abuse or psychiatric illness and is not recommended for periods of treatment beyond three months. It should not be used for cosmetic reasons."

Last year, the Minister's predecessor announced that he was seriously considering a ban on amphetamine-type slimming pills under the Medicines Act 1968 and that the Department intended to consult on the issue. He said:

"We are considering action because we know that many qualified practitioners are prescribing inappropriately, although legally, slimming pills which were not designed for people who are, or who believe themselves to be, slightly overweight."—[*Official Report*, 31 March 1995; Vol. 257, c. 1359.]

There are clearly clinical grounds for prescribing such drugs, but many of the people who currently receive them do not fall into that category.

The newspaper report from which my hon. Friend the Member for Halifax quoted seemed to suggest that the practice of prescribing slimming pills continues unchecked. The end of the article by Jenny Hope in today's *Daily Mail* states:

"The Department of Health said proposals for restricting the use of slimming pills were 'with Ministers'."

[Mr. Kevin Barron]

The Minister has plenty of time, so perhaps he will tell the House whether the proposals are with him and what he and his colleagues intend to do about them. When his predecessor announced a review a year ago, was it a serious suggestion or was it made merely to divert attention from my hon. Friend's Bill?

The loosely regulated diet industry sells us rapid weight-loss products that have no real benefit over time. It makes claims for its products that cannot be properly challenged and, in many cases, it has an open-ended charging policy. The diet industry thrives on its own failure to make us thin and it profits from promoting an unrealistic ideal. Those are matters on which the House should take a considered view. My hon. Friend the Member for Halifax has brought before the House a Bill that intends to regulate those matters. Her Bill deserves a Second Reading today and detailed consideration in Committee.

2.13 pm

The Parliamentary Under-Secretary of State for Health (Mr. John Horam): The hon. Member for Halifax (Mrs. Mahon) has introduced a Bill that seeks to regulate the diet industry. I should first, like the hon. Member for Rother Valley (Mr. Barron), like to congratulate the hon. Lady on her persistence. I think that this is not merely the second time, but the third time—

Mrs. Mahon: Second time, Second Reading.

Mr. Horam: As the hon. Lady says, second time, Second Reading. She originally introduced the measure as a ten-minute Bill, so this is technically the third time that she has had a go. The Government congratulate her on her persistence, and they share many of her concerns. The question is: how do we deal with these legitimate concerns which, from time to time, have divided us?

For most people, deciding whether to diet is a matter of personal choice—a choice in which they probably will not want the Government to interfere. However, the fact is that sometimes being overweight is serious enough to put health at risk. In Britain and in other developed countries, the proportion of obese men and women is increasing. The health implications include raised plasma cholesterol levels and raised blood pressure. In other words, obesity increases the risk of coronary heart disease and stroke which, together, are Britain's biggest killers.

Being overweight and obesity are the result, in simple terms, of taking more energy from food and from drink than is used up—in physical activity, for instance. The solution is simple: eat less and be more active. The hon. Lady spelt that out in her speech, and she is entirely right. However, it is easier said than done. Many slimming diets help people to lose weight and have been successful—the problems start when they try to keep the weight off in the longer term.

I shall outline what the Government are doing on the subject, in reply to the concerns of the hon. Lady and of the hon. Member for Rother Valley. We have consulted widely with experts on how to encourage effective, long-term weight loss. The hon. Lady will be aware of a report that was published in October last year, entitled "Obesity—Reversing the Increasing Problems of Obesity in England". We are considering future courses of action based on the report. For example, as a first step, we have commissioned a review of effective interventions, to identify what works to help people maintain a healthy weight in the long term.

We already have a major programme to promote healthy eating and to increase physical activity—the Eat Well programme is part of that. As part of the nutrition task force programme to achieve diet and nutrition targets, discussion set in train with the food industry on further reductions in fat and saturated fat content of foods will continue.

Hon. Members may have seen the new Active for Life campaign, to which the hon. Member for Rother Valley referred, which my noble Friend Baroness Cumberlege announced last week. During the last Health Question Time, I encouraged hon. Members to participate in the campaign and said that I was disappointed by the number of Members of Parliament who attend the Westminster gym and the Boothroyd studio. Nevertheless, one does not need to do that—one needs only a regular amount of modest exercise, which will do the trick. Exercise releases endorphins and stimulates people—it is of huge advantage to everyone.

All those things are a part of a structured programme to help with the problem. The hon. Lady and the hon. Gentleman raised the question of what we are doing about anorectic agents. The then Under-Secretary of State, my hon. Friend the Member for Bolton, West (Mr. Sackville), announced in the equivalent debate last year that he was setting up a process to look into the matter. I inform hon. Members that that is going well and that an announcement will be made shortly. It has taken a long time, but as the hon. Lady will recognise, there has been a huge amount of public interest in the matter. The number of people who wanted to be consulted was greater than we expected, and she will understand that it is important to get it right.

The Bill applies to any person, other than a doctor, who gives advice on diet or on weight loss. That will be a restriction on many other professionals who are not doctors, but who may be qualified to advise. At the same time, medicine is a broad church and we cannot assume that every doctor is an expert in every field. Treating obese people appropriately requires specialist knowledge, and weight loss is only part of the management.

Mrs. Mahon: I take the point that the Minister is making about the wider number of people who treat those who are deemed to be overweight. However, they have nothing to fear from the Bill. If they are not doing anything wrong—if they are just promoting healthy eating, calorie control and exercise—they have nothing to worry about. It is the diet industry—which is selling all the rubbish, selling poisons and promising medical cures—that the Bill intends to get at, not the genuine practitioner.

Mr. Horam: I understand that, but I believe that it is better to promote higher standards of knowledge and good practice among all relevant professionals. That is one of the ways to proceed. That is why the Government's nutrition task force has developed a core curriculum for nutrition in education for health professionals. That is a central element in the way in which we should proceed, and that applies not only to doctors, but to nurses, pharmacists and so on, who often say that slimming devices should be used.

Finally, it is essential to distinguish between good and bad advice. Although we well understand the thoughts giving rise to the Bill, we are worried that it is too general and too vague. We must consider specific products and work out which we can give advice on in a sensible way, leading to proper public education. Although the Government are sympathetic to the hon. Lady's concerns, the problem is the general, and I am afraid rather vague, outlines of the Bill. We prefer to work through the existing methods, which we believe are more specific.

2.20 pm

Mr. Michael Fabricant (Mid-Staffordshire): Again I find myself opposing the hon. Member for Halifax (Mrs. Mahon). I opposed her when she spoke against Sunday trading, and in the end she had to—

Mrs. Mahon: Sunday trading? No.

Mr. Fabricant: The hon. Lady says that she did not oppose Sunday trading. I certainly opposed her, though, when this Bill was introduced as a ten-minute Bill, and I stand again to oppose her again. I shall be brief because I do not intend to talk out the Bill.

The Bill would introduce costly, and in my view cumbersome, new regulation to prevent 18 million adults from taking responsible steps to improve their own health.

I have not, this year or any other year, had an axe to grind on behalf of the slimming industry—indeed, the occupational health therapist told me that it was time I put on weight—and I certainly do not receive any moneys or have any such connection with the diet industry.

The trouble is that the hon. Member for Halifax keeps getting confused about what the problem is. She is convinced that the British public are surrounded by a conspiracy—in fact, I believe she used the word "conspiracy" today—of unscrupulous people who are trying to con them out of their hard-earned cash by persuading them that they are fat when they are not.

The hon. Lady's Bill, however well intentioned, is doomed to failure for three reasons. First, it will do nothing to curb the activities of the unscrupulous people who cash in on overweight people by selling ineffective or dangerous products, because it lacks the necessary sanctions to do so. Secondly, the only businesses on which it is likely to have an impact are the reputable organisations on which the medical profession increasingly relies to provide safe, effective, long-term solutions to the problem of weight control. Thirdly, this cumbersome legislation will only heap greater burdens on the national health service, especially hard-pressed general practitioners.

Yes, there are unscrupulous people cashing in on overweight people and they need to be stopped, but the hon. Lady's Bill will not do anything to stop them. I shall explain why later.

In any event, that is not the real problem. The problem is that nearly half the adults in this country are overweight. One person in seven—nearly 6 million people—is so fat that his health is in danger. The problem is getting worse, not better. Throughout the 1980s, the number of women suffering from clinical obesity shot up by 50 per cent. That is clinical obesity—not fashion.

Last year, the Department of Health threw up its hands in despair and admitted that obesity was one of only two of the list of "The Health of the Nation" targets that had stubbornly refused to respond to measures to tackle them.

The hon. Member for Halifax thinks—or perhaps she has been made to think—that being fat does not matter. Some 50 per cent. of us are already too heavy for our height and one in four people will be clinically obese by 2000—heaven knows how many by 2010. Any doctor will tell her that that is not okay. Dozens of obesity experts will say the same thing, if only the hon. Lady would listen to them. Being fat can kill. Obesity puts people at risk from heart disease, strokes, diabetes, breast cancer, bowel cancer, ovarian cancer, bladder cancer, infertility, respiratory problems and painful joints—shall I continue?

Mr. John Carlisle (Luton, North): Yes.

Mr. Fabricant: Perhaps I should refer also to a Minister mentioned in the tabloids. They reported a lady as saying that making love with him was like having a double wardrobe fall on her with its little key sticking out.

Mr. Carlisle: Name him.

Mr. Fabricant: No, I will not—but it is a serious point. Fat people know that their obesity is often concentrated in their torsos: their guts become like pots of foie gras. That may seem an odd analogy—the Minister may laugh—but it is a serious problem because their organs are packed in fat.

Mr. Carlisle: I hate to stop my hon. Friend during his catalogue of disasters and descriptions, but he is depicting only the British people. Does he agree that one has only to travel across what is popularly known as the pond to see a far worse situation? The Americans are much more obese than British people. I am sure that some of their elected representatives would fit the description of the Minister whom my hon. Friend quite rightly chose not to name in the House this afternoon.

Mr. Fabricant: My hon. Friend is absolutely right: obesity is an even more serious problem in the United States. However, it is a problem here also.

Six million people in this country cannot run for a bus. They cannot sit in the same seats that we sit in, they cannot walk properly and they cannot get comfortable. More seriously, they are refused operations until they lose weight, because obese people cannot be stitched easily. Hip replacements will not work because of the excess pressure and the anaesthetic risk is too great in patients whose breathing and cardiac function are impaired by excess weight. We are not talking about a small minority: we are talking about 6 million people in this country alone.

My hon. Friend referred to the United States example. The most recent research in that country, based on a study of several hundred thousand people, has proved without doubt that the fatter one becomes, the more likely one is to die early. We should think about that: the fatter one is, the more likely one is to die before one's time. It is as simple as that.

Perhaps the hon. Member for Halifax does not care about the nation's health, because she thinks that it is not nice to tell people that they should not be fat. However,

[Mr. Fabricant]

she may care a little about how much obesity is costing the nation. It has been estimated that the cost to the national health service of trying to treat obesity and the things that happen to people's bodies as a result amounts to at least £200 million a year—money that could be spent providing other, perhaps more urgent, operations. The awful truth is that most of that money is spent on firefighting: treating the painful, disabling symptoms of the numerous health problems that are caused by excess flab. Those problems range from the merely unpleasant to the fatal.

The consequences of being overweight and obesity are among the most serious public health issues that face us today. It amazes me that we have a health problem of such enormous scale, which calls for urgent action, yet along comes the hon. Member for Halifax with a Bill that not only misses the point, but is completely ineffective against the problem that she hopes to remedy. It also fundamentally threatens some of the lifelines that are achieving results for many obese people. What is more, it is totally unnecessary.

What exactly is the hon. Member for Halifax hoping to achieve with the Bill? She has said that she wants to stop overweight people being exploited by businesses that try to cash in by selling them ineffective products. That is true, but who are the unscrupulous people running those businesses and how will her Bill affect them? We know that it is possible for people to buy powerful and dangerous amphetamines with only the most cursory of medical—

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed upon Friday 19 April.

Remaining Private Members' Bills

TOBACCO (PROTECTION OF CHILDREN AND RESTRICTION OF PROMOTION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 19 April.

COLD CLIMATE ALLOWANCE BILL

Order for Second Reading read.

Mr. Deputy Speaker (Mr. Michael Morris): Not moved.

ACCESS TO THE COUNTRYSIDE BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 19 April.

WATER (CONSERVATION AND CONSUMER CHOICE) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 19 April.

ENERGY CONSERVATION BILL

Read a Second time.

Bill committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

WELFARE OF BROILER CHICKENS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 19 April.

FINANCE BILL

Ordered,

That, notwithstanding the practice of the House as to the intervals between stages of Bills brought in upon Ways and Means Resolutions, more than one stage of the Finance Bill may be taken at any sitting of the House.—*[Mr. Bates.]*

Park Homes (National Grid)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Bates.]*

2.31 pm

Mr. John Hutton (Barrow and Furness): In 1988, the Department of the Environment calculated that there were some 2,000 park home sites in England and Wales and approximately 80,000 park homes. It is reasonable to assume that the figure is now significantly higher. There are probably more than 100,000 park homes in the United Kingdom, providing homes for nearly 250,000 people.

The reason for the increase is attributable to the attractions represented by park home living. It offers retired or semi-retired people the opportunity to realise the capital value of their homes and to live comfortably, often in beautiful rural or semi-rural locations. In my constituency, there is a large park home site on Walney island—West Shore park—with more than 300 homes and 500 residents.

Park home residents have recently been the victims of deliberate and totally unacceptable discrimination on the part of the regional electricity companies. I refer to the fact that the majority of the park home residents will not receive the £50 rebate payable to domestic electricity consumers in connection with the privatisation of the National Grid Company. That is despite the fact that all those people will have been life-long consumers of electricity—and, of course, still are—and, through their taxes, they have contributed to the industry through all the years of public ownership.

Withholding the £50 rebate from park home owners is not only unfair and unreasonable—it also contradicts the Government's policy of ensuring that all electricity consumers benefit from the sale of the national grid. It is worth repeating the comments of the Minister for Industry and Energy in a DTI press release dated 24 October 1995:

"I am determined to ensure that the full benefits of privatisation should flow through to consumers."

Quite simply, that is not happening.

In simple terms, the regional electricity companies, the Department of Trade and Industry and, to a lesser extent, the electricity regulator have failed to ensure fair play for electricity consumers and denied a valuable rebate to a large number of people, often living on fixed or low incomes. That deliberate discrimination might have saved the regional electricity companies more than £5 million—no doubt underwriting the huge profits made by a few people from the sale of the national grid—but it has tarnished the companies' image as well as reducing the already dwindling reputation of Ministers in ensuring that electricity consumers get a fair deal.

The reason for the rebate not being paid to park home owners is purely administrative, which is grossly unfair. Most park home owners purchase their electricity through the site owner and thus are not direct customers of the regional electricity companies. The site owner is the company's only direct customer, but will probably be regarded as a non-domestic consumer and therefore not receive a rebate. After consultation between the Government and regional electricity companies, it was agreed to provide the rebate only to direct customers so as to simplify the scheme. I fully understand the need for simplicity and for fraud prevention in administering the rebates, which will apply to nearly 21 million customers. I find it extraordinary, however, that it proved completely impossible to devise any acceptable scheme to ensure that park home owners receive the rebates to which they are obviously entitled.

The Director General of Electricity Supply approached the regional electricity companies directly last year, and they responded that they had considered his request carefully but had concluded that the legal and practical difficulties were such that they were not willing to extend the rebate to consumers living in park homes.

The north-west electricity consumers committee in my region was informed by Norweb on 28 November 1995 that the rebate scheme in the north-west would not be extended to park home owners who purchase their electricity supplies through the site owner rather than from Norweb. No reason or justification for that decision has ever been provided. In the interests of fairness, it should have been the policy of regional electricity companies and the Government that the rebate eligibility criteria would be widely drawn, but they were not. As a result, tens of thousands of people throughout the country have lost out, and there is no sign that the Government have any intention of pushing the regional electricity companies to extend the rebate scheme.

Most electricity consumers have received their rebates, which were included in their 1996 first quarter bills, but it is not too late to protect the interests of park home residents. I invite the Minister immediately to invite the regional electricity companies to discuss with him the implementation of the rebate scheme, to determine whether everyone who should have benefited from privatisation of the national grid has done so. He should also consider asking the companies to consider two methods of extending the rebate scheme to park home owners.

There is no reason for park home owners not being invited to apply directly to their regional electricity companies for the full rebate. They would need to establish that they are domestic consumers, which they could do easily by providing a copy of the electricity bill from the site owner. There is no objection in principle to the rebate being paid in the form of a cheque, in the limited case of park home owners. In a letter dated 8 November 1995 to the north-west electricity consumers committee, Norweb indicated that it was prepared to pay the rebate by cheque if requested.

I will quote that letter because it is important that the Minister should understand that the rebate does not necessarily have to be administered through the billing system. Norweb's letter to the chairman of the committee, which is signed by Joe Ashe, directorate liaison officer, states:

"As far as the method of reduction, there will be a one line entry on the bill, for regular bills/payment plan customers, and a cheque will only be given if requested by a customer . . . Customers will receive Royal Bank of Scotland cheques, which can be cashed at any of our shops, or Royal Bank of Scotland branches, free of charge."

In other words, Norweb has already accepted that the rebate can be administered through a cheque system. I hope that the Minister will raise that issue directly, not only with Norweb but with the other regional electricity companies, and that residents on park home sites can be alerted to the fact that the rebate scheme might be extended to them by the regional electricity companies simply placing advertisements in local newspapers.

[Mr. John Hutton]

Alternatively, the regional electricity companies could be asked to introduce a reduced unit price regime for park home sites for a limited period. There may also be other ways of solving this problem, but it is simply not acceptable for the regional electricity companies to wash their hands of the matter in the hope that it will go away, because it will not. Neither is it acceptable for the Government to say that these are matters for the electricity companies alone to determine. The Government have a wider responsibility to ensure fair play and it is simply not being discharged.

If it is possible for a way to be found to charge 8 per cent. VAT on domestic electricity supplies to park home owners, even though they are not direct customers of regional electricity companies, a way can and should be found to ensure that they receive the £50 rebate. I do not believe—and neither will park home owners—that it is beyond the wit of the regional electricity companies to solve this problem.

I hope that the Minister will announce today that he will pursue this matter further and take whatever action he can to help park home owners receive the £50 rebate to which they are without any doubt entitled.

2.40 pm

Mr. Andrew Miller (Ellesmere Port and Neston): I congratulate my hon. Friend the Member for Barrow and Furness (Mr. Hutton) on raising this subject on the Adjournment and on all the work that he does on behalf of people resident in park homes. My interest stems from three such sites in my constituency—Orchard park in Elton, and Wervin and Dunham Hill parks. I shall concentrate my remarks on the latter because I have some evidence, to which I hope that the Minister will listen carefully, which supports solidly the argument made by my hon. Friend and gives good grounds for the Minister to reflect and come back with a positive answer in the not too distant future.

The three sites house 260 electors in my constituency, living in 173 homes. In a letter dated 1 March to Mr. Wilton-King, the secretary of Dunham Hill park residents association, the Department of Trade and Industry made it clear that the problem lay with the regional electricity companies. There was a gentle buck-passing exercise from the Department down to the regional electricity companies. The Department said:

"Unfortunately the RECs have not been able to find a way of making the discount to this group of customers."

My hon. Friend made the important point that the RECs had managed to find a way of collecting VAT, so it seems ludicrous that they cannot manage to collect the information necessary to make the rebate.

In an earlier letter dated 12 December to a gentleman in Towngate Wood park in Tonbridge, Kent, the same official at the Department used exactly the same sentence. He preceded it by saying:

"I should point out that the National Grid Company belongs to the RECs and that it is they, not Government, who are making the fixed sum reduction to their domestic customers. In the end, it is they who will have to determine the means for making the reduction and how widely the net of eligible customers may be spread."

He went on to say that the Minister for Industry and Energy had requested that officials look for methods of extending it. He then went on to use the same sentence as in the letter of 1 March:

"Unfortunately the RECs have not been able to find a way of making the reduction to this group of customers."

Manweb, which services parts of the north-west, including the whole of my constituency, states that

"it would be impossible to extend any discount scheme to benefit all of those categories. There would clearly be serious problems arising as to the definition of those intended to get the benefit and methods of auditing their entitlement."

Manweb has also told me in writing:

"There would be no practicable process for identification or auditing indirect claims."

There are practical processes for collecting council tax and for charging VAT on electricity, so there must be a practical process for this objective, too.

The Dunham Hill park estate is owned by Mr. Hassall, who also resides on the site and therefore knows the situation facing the residents extremely well. He wrote to me recently to say:

"This park is for retired and semi-retired people, all of them registered customers of Manweb in their previous homes and now because of the way the system works they are paying more for their electricity than other people who are supplied direct by Manweb."

He then makes a proposition which I hope that the Minister will consider:

"With regard to Manweb saying it would be difficult to identify eligibility I would be happy to supply them with a list of residents or copies of my electric accounts to help them, or of course they could consult the electoral register."

So the information is readily available. I can understand the difficulties with people in caravan holiday homes and so on, but not with people who are on the electoral register and regularly making payments into the system. Mr. Hassall has been so open with me as to provide me with a copy of his electricity bill. It shows him, as a resident on the site with a Manweb account, getting his £50.56 credit—on a total bill of £1,872.66. That is considerably more than most of us would pay for electricity; yet he receives only one discount.

Why cannot we agree on a simple methodology along the lines suggested by Mr. Hassall? I urge the Minister to go back to the regional electricity companies, knock a few heads together and put in place a sensible system of rebates for people who are legitimately entitled to them as long-term electricity consumers.

2.47 pm

The Minister for Small Business, Industry and Energy (Mr. Richard Page): I thank the hon. Member for Barrow and Furness (Mr. Hutton) for raising this subject, aided and abetted as he was by the hon. Member for Ellesmere Port and Neston (Mr. Miller). I am grateful for the opportunity to respond and to clarify the issue involved. I too have a park home site in my constituency.

I am sure that hon. Members are aware of the background to the grid discount and of the tangible benefits it is bringing to 21 million domestic customers of the regional electricity companies, but for the record I should like to set out briefly how the discount came to be made.

When the industry was restructured in 1990, the national grid was separated from the Central Electricity Generating Board and its ownership transferred to the

RECs. They were the owners of the national grid, which was privatised along with the RECs in December 1990. From that date until December last year, the grid was the property of the RECs—of private sector companies, not of the Government.

In the five years since privatisation, private sector disciplines have created an industry and a national grid that are virtually unrecognisable from their nationalised days. Costs have been reduced, efficiencies introduced and investment in infrastructure has been secured without recourse to the public sector restrictions—all while reducing final prices to the public and improving dramatically the profitability of those companies.

As the industry evolved, the ownership structure of the national grid gradually became less appropriate. Flotation of the grid as an independent quoted company was seen by many as the sensible next step. The RECs made their proposals to float the company last year. The Government, the regulator, Stephen Littlechild, and National Grid all welcomed that as a step that would focus the company even more effectively and reinforce the grid's independent position in the electricity market. This is important in the light of its statutory duties as a facilitator of competition in generation and supply.

The Government supported the proposed flotation in principle and encouraged the RECs to share the considerable benefits of that flotation with their customers. The RECs saw the force of that argument and proposed a discount of £50 to all their domestic customers as soon as practicable after the flotation took place.

Let us be clear. Until December last, the grid belonged to the RECs. They made the discount to their domestic customers. We encouraged them to do so and we welcomed the sizeable benefit that customers have received. But it was for the RECs to decide how to make the discount to their domestic customers and whether the benefit could be extended to others.

My colleagues and I—as I am aware from my own constituency—are acutely aware of the disappointment that is felt by people who, for whatever reason, have not or will not receive the discount. Let me also make it clear that neither the RECs nor anyone else are discriminating against owners of mobile homes. The issue is simply whether one was a domestic customer of one of the 12 regional electricity companies on the register date. The vast majority of domestic customers in England and Wales are customers of the RECs, but some are not. They may buy their electricity from other companies altogether, such as industrial suppliers; others buy from their landlord or from a reseller, such as a site operator. Some are metered; some are not. Some are charged separately for their electricity; some are not.

Residents of many mobile home sites buy from their site owner. In that respect, the site owner is not a mere agent of the RECs, as some believe; he is a trader in his own right. The charges made by the reseller are not simply passed through to the RECs. The reseller buys his electricity from the RECs. He then resells it to his customers, charging for the units used and for making his private distribution system available to the final consumer. The local REC has no relationship with the final consumer. It is unlikely that he even knows who the consumer may be. Legislation exists to prevent overcharging, but beyond that the reseller is a commercial trader like any other. The hon. Member for Barrow and Furness asked whether I would discuss that with the RECs.

Mr. Hutton: I am grateful to the Minster for showing his usual courtesy in giving way, but I am afraid that he is splitting hairs. It is quite unrealistic to maintain that park home owners get their electricity other than through the RECs. Electricity comes to the site from the RECs. It is then passed on to the park home owners, but it comes from the RECs. It does not come from any other source, so it is quite irrelevant that there is a middle man who passes the electricity on to the park home owners. The RECs have a responsibility. As my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) said, it is easy to establish who the park home residents are. The RECs have a responsibility to find ways to pass that rebate on. I am afraid that the Minister does not seem to be willing to pursue that matter with them.

Mr. Page: What I was about to say dovetails with what the hon. Gentleman just said. When the details of the discount were being finalised by the RECs, my officials asked whether those who purchased electricity from resellers would receive the discount. The argument that has just been made was made at the time. The RECs were then, and are now, of the view that it is not possible to do so. I understand, and the hon. Gentleman confirmed this in his speech this afternoon, that Professor Littlechild also raised that matter with the RECs and received a similar response.

I know that some have argued that the discount could have been given in a different way. That is a point of view. I understand the disappointment of people who feel that they should benefit from a measure, but in the end do not. But let us remember that the discount is going to about 21 million customers across England and Wales. Let us also remember there are many other benefits to consumers already in the pipeline, which should feed through to all consumers.

Prices paid by both domestic and industrial customers are falling. Domestic prices have fallen by 7 per cent. in real terms, excluding VAT, since privatisation, and industrial prices by 10 per cent. in real terms. Those reductions are set to continue. The Director General of Electricity Supply has estimated that the new price controls introduced last year, with the further tightening of the regime and the whole environment that will take place this year, should reduce a typical annual electricity bill by about £21 in real terms. The reduction in the fossil fuel levy at the time of nuclear privatisation will bring further reductions.

Already considerable benefits to the consumer are in place, and are set to continue. As I said, I appreciate the feelings that have been represented in the debate. I know that the position of the RECs is absolutely clear, but undoubtedly they will see the substance of the debate, and will have to note the suggested solutions. It will be up to them whether to take up those suggestions.

Mr. Miller: If Stephen Littlechild and the RECs could get together and further examine the possibilities of finding such a solution, would such a meeting have the Minister's support? Would he encourage the RECs and

[Mr. Miller]

the regulator to get together and try to find a working solution, given the existence of that tightly defined group of people who pay their council tax, VAT, and so on?

Mr. Page: As I have already said, Professor Littlechild has already spoken to the RECs and is fully aware of the situation. My concluding sentence was to have been, and now is, that I would draw the attention of the RECs to the substance of the debate and to the solutions that have been suggested.

Question put and agreed to.

Adjourned accordingly at three minutes to Three o'clock.

House of Commons

Monday 25 March 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

DUCHY OF LANCASTER

Deregulation

1. **Mr. Alan W. Williams:** To ask the Deputy Prime Minister what assessment he has made of the effects of deregulation on employment protection rights for employees in small businesses. [20676]

The Deputy Prime Minister (Mr. Michael Heseltine): Essential employment protection rights must be safeguarded. But removing unnecessary burdens on employers reduces barriers to growth and to flexibility. The Government would give full consideration to all the issues before making any proposals.

Mr. Williams: Does the Deputy Prime Minister still have the same faith in deregulation when exactly that policy, when applied to the animal rendering industry, produced bovine spongiform encephalopathy in the 1980s and the crisis that we now face, which could cost £10 billion or £20 billion and untold numbers of human lives? Should not the interests of the consumer and public health always override those of the producer?

The Deputy Prime Minister: The hon. Gentleman will realise the serious way in which the Government are dealing with the issue. My right hon. Friend the Secretary of State for Health and my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food will make statements on our latest views later this afternoon. It does no good for the hon. Gentleman to produce a range of statistics, which can only raise public concern, when it would be better to judge the issue against the scientific evidence on which the Government take decisions.

Mr. Stephen: My right hon. Friend will be aware that many thousands of people work in small businesses that depend on the beef industry. Does he agree that the press and the broadcast media are behaving like a bunch of hysterical old women over the current beef scare? Does he remember the egg scare, which cost many thousands of jobs? Does he remember the panic over AIDS? Does he remember the flesh-creeping microbe which was going to wipe out the entire population? Does he agree that the British people do not want to live in a nanny state? They want to have the facts, but they want to decide for themselves whether they and their children should eat beef.

The Deputy Prime Minister: I am grateful to my hon. Friend for raising the issue. Although all of us in the House recognise that, in a democratic society, the press have responsibilities properly to question such matters, it must be highly questionable whether taking worst case scenarios, and presenting them in headlines as though they are likely scenarios, serves the public interest.

Mr. Mandelson: Should not the right hon. Gentleman recognise the difference between deregulation to cut out unnecessary red tape in business and deregulation that puts at risk people's safety, health and peace of mind? The current beef crisis started with the scrapping of Labour's regulations on the content of cattle feed. Key safety recommendations made following the Clapham rail crash have been dropped in the run-up to privatisation. Last week, the Government were forced to scrap their deregulation of children's play schemes in the wake of the Dunblane tragedy. When will the Government realise that their responsibility is to help and protect people, not hurt them and leave them prey to unscrupulous individuals and crude market forces?

The Deputy Prime Minister: That intervention is contemptible—even by the standards that the hon. Gentleman has made his own. The Government are paying the most serious attention to public safety: we are not prepared to prejudice public safety through our deregulation initiative. It would do the House far more credit to listen to what my right hon. Friend and my right hon. and learned Friend will say in under an hour's time based on the latest scientific advice that they shall report to the House.

2. **Mr. Jenkin:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement about the co-ordination of policy on deregulation and the best way to transpose EC directives into United Kingdom law. [20677]

The Chancellor of the Duchy of Lancaster (Mr. Roger Freeman): The best way to implement EC directives into United Kingdom law is that which imposes the least burden on business and others affected, while fully meeting our legal obligations.

Mr. Jenkin: Has my right hon. Friend become aware of the tendency to gold plate European directives when transposing them into United Kingdom law? Is he aware also that that tendency is driven by the legal basis on which directives are drawn up? It is safer for British officials to over-implement rather than under-implement directives and find themselves before the courts being prosecuted under European law. Should we not address the issue of the interface between European and domestic laws in order to sustain effective deregulation?

Mr. Freeman: The civil service and Ministers can best effect European directives by ensuring that they are written clearly in appropriate parliamentary language—it may not always be possible simply to copy out the original directive. It is possible to avoid what my hon. Friend describes as gold plating by ensuring that the language used in the text of any implemented United Kingdom legislation is clear, does not go beyond the purpose of the original directive and prevents misinterpretation and extension by the European Court of Justice.

Mr. Spearing: Can the Minister assure us that, if any European Community directive is more lax than the existing United Kingdom regulations, it is within the terms of the treaty for Her Majesty's Government to make our statutory instruments stricter than the original directive? Does the Minister agree that that is necessary because any regulation should be a protection for some and an obligation on others?

Mr. Freeman: I agree that it is important to ensure that, where regulations protect the consumer or the traveller and uphold health and safety standards, Parliament should decide the appropriate standard in most cases. Other countries may have domestic laws that impose lower standards. As to European directives, we should ensure that we sometimes take the opportunity to reform and repeal existing legislation. I draw the hon. Gentleman's attention to the recent changes in trade mark legislation: we repealed our legislation and introduced a new, common European standard which will save some £60 million per annum.

Mr. Ian Bruce: Does my right hon. Friend agree that we will face enormous problems in this country trying to implement the 48 hours work directive—leaving aside the question whether Madam Speaker would be able to continue to do her job? At the weekend, I spoke to people who are drilling for oil in the waters off my constituency, and they said that the regulations would make it impossible for them to do their job. One of the ways of ensuring that stupid regulations such as that are not imposed on the United Kingdom is for the Government to insist that every other partner country imposes those stupid regulations also; I think that other member states would then come to their senses.

Mr. Freeman: I agree entirely with my hon. Friend that there should be equal enforcement among all European Union member states. That enforcement should be even-handed and proportionate to the risks or the problems involved. I favour drawing attention to other countries, Governments and ministries that are not enforcing existing laws in a uniform and a fair manner.

Official Hospitality

3. **Mr. Tony Banks:** To ask the Deputy Prime Minister how much his office has spent on official hospitality during the current financial year. [20678]

The Parliamentary Secretary, Office of Public Service (Mr. David Willetts): The answer is £5,100.

Mr. Banks: I realise that the Deputy Prime Minister has a lot of sorrows to drown, as he is always the political bridesmaid, but is that not rather a lot of money to spend wassailing at public expense? Would the Deputy Prime Minister have had a celebratory party if his advice to the Cabinet not to let the public know about the connection between mad cow disease and the human food chain had been agreed to? Would he have had a party and, if he had, would he have been serving beef chipolatas on sticks?

Mr. Willetts: The Deputy Prime Minister's personal office spent £3,486 of that, largely on two dinners at Lancaster house, where I do not know what was served. As regards the latter part of the hon. Gentleman's question, he should not believe all the mad speculation that he reads in the press.

Deregulation

4. **Mr. Nigel Evans:** To ask the Chancellor of the Duchy of Lancaster what recent representations he has received concerning the impact of his deregulation initiative on small businesses. [20679]

Mr. Freeman: We announced a package of new deregulation measures on 11 March in direct response to the concerns raised by small businesses. The package has been widely welcomed by them. It includes a single notification point for tax and national insurance for new businesses, new rights for business in enforcement actions and a pilot scheme to provide at local authority level a single point of reference for development approvals.

Mr. Evans: Does my right hon. Friend agree that the Government should protect our small businesses from unnecessary rules and regulations that weigh heavily and on their profitability are of little or no benefit to consumers? Does he further agree that small businesses created an extra 1 million-plus jobs in the 1980s and that, if we lift those unnecessary burdens from them, small businesses will create the extra jobs that we need for the future?

Mr. Freeman: I agree with my hon. Friend absolutely. The Conservative party is the party of small business men and women, and so far our deregulation policies have been successful in reducing the burdens on small businesses. I draw my hon. Friend's attention in particular to a new initiative announced recently by my right hon. Friend the Deputy Prime Minister for a new information technology system, the prototype of which is on trial throughout the country, to bring together in a single information point details of all legislation and regulations affecting small businesses. That will be a great step forward and will help the creation of more small businesses.

Ms Eagle: In the light of revelations about bovine spongiform encephalopathy, is it not time that the Government stopped pressing ahead with their ideological obsession with deregulation when, by allowing the remnants of animals to be fed to other animals, they have made what may have been a cause for concern into a great cause for concern and possibly destroyed the beef industry in the process? When will the Government realise that deregulation sometimes puts people's lives at risk and causes more expense in the long term? It is about time they apologised to the British people for their disgraceful behaviour.

Mr. Freeman: Although it is a matter for my right hon. Friend the Minister of Agriculture, Fisheries and Food and the Meat Hygiene Service, it has always been the view of all Government Departments that we need—and we have—high-quality, cost-effective enforcement of the existing regulations.

Mr. Anthony Coombs: Has my right hon. Friend noticed the recent 3i-MORI survey of small businesses

which demonstrated the effect of over-regulation on the jobs market? No fewer than one third of the firms surveyed said that they would lay people off directly as a result of the minimum wage that the Opposition would introduce. Is my right hon. Friend aware that the figure rose to 60 per cent. in the north-east and 50 per cent. in the north-west, where unemployment needs to come down the most?

Mr. Freeman: My hon. Friend is right, not only about the minimum wage but about the jobs tax from Europe that the Opposition propose to accept when they accede to the social chapter. They are probably not aware that in Germany non-wage costs are almost twice ours and in France they are almost 50 per cent. higher than ours as a direct result of accepting the provisions for higher non-wage labour costs advanced by the European Commission and accepted by those countries.

Scott Report

5. **Mr. Gerrard:** To ask the Chancellor of the Duchy of Lancaster what are the Government's plans for implementing the recommendations of the Scott report in so far as they apply to the civil service. [20680]

Mr. Willetts: The Government are currently consulting on a number of the issues raised by the Scott report and will consider how the report's recommendations should be implemented in the light of comments received. A memorandum has been submitted to the Public Service Select Committee setting out the timetable for taking forward the individual recommendations of the Scott report. With the consent of the Committee, that memorandum was placed in the Library of the House this morning.

Mr. Gerrard: Does the Minister accept that the Government's response to the question of ministerial responsibility has left civil servants in an impossible position? If Ministers continue to deny responsibility for the actions of their Departments, the civil service will be left with no direct line of accountability to Parliament, which would be completely unacceptable to Parliament and the civil service. Does that not show the need for a freedom of information Act, so that Parliament and the public can be clear where responsibility for decisions lies?

Mr. Willetts: There is a clear understanding of the difference between ministerial responsibility for decisions that Ministers take, for which they must take responsibility in the House, and the wider doctrine of accountability. Of course people must be held accountable for everything that goes on in their Department, but not necessarily personally responsible. Of course it is important that civil servants understand their position. This Government have done more to bring into the open the clear position of civil servants, and the code for civil servants' behaviour takes us way beyond anything that we had before.

Mr. Derek Foster: Is not the Minister for open government shaken when the front page of the *Daily Express* clamours

"Can we still trust them"?

Was not Scott right to call for the fullest information to Parliament, so that it and the public can judge who was responsible? Will not full disclosure only come with a freedom of information Act, a civil service Act and the strengthening of Select Committees after the next election under a Labour Government?

Mr. Willetts: In a speech last week, the hon. Member for Hartlepool (Mr. Mandelson) said:

"We must be very careful before we edge civil service advice to ministers further into the public domain."

Those words explain the reason for Governments of all parties hitherto refraining from making civil service advice to Ministers generally publicly available.

As to a freedom of information Act, the crucial question is what exclusions there would be. We know that many such Acts around the world, such as that which operates in the United States of America, specifically exclude precisely the sort of advice that the right hon. Gentleman seems to want published in this country.

Government Policy

6. **Mr. Jacques Arnold:** To ask the Deputy Prime Minister to which Government policy he dedicated most attention in the week beginning 18 March. [20681]

The Deputy Prime Minister: I worked on a full range of those Government policies for which I am responsible.

Mr. Arnold: At a time when the media are getting extremely excitable over a number of issues, is my right hon. Friend aware that the public still expect the Government to work quietly and steadily on the fundamentals? Will my right hon. Friend highlight in particular the sterling work done in the Department of Trade and Industry on inward investment? It is important for the future that the UK has the highest inward investment of any country in the European Union, since thousands of jobs exist because of it.

The Deputy Prime Minister: There is a sharp contrast between the international industrialists who invest in this country because they know that it is the enterprise centre of Europe and Opposition Members who spend their life trying to pretend that it is other than that.

Mr. Beith: Is the Deputy Prime Minister telling the House that Government policy on the beef crisis did not engage the main part of the right hon. Gentleman's attention in the latter part of last week? If it did not, why not? Does the right hon. Gentleman appreciate that the British beef industry's export activities are so crucial to the British economy that the fact that the Government are not trusted in this country or abroad when they make pronouncements on the beef crisis is a tragedy?

The Deputy Prime Minister: The right hon. Gentleman could not have heard what I said, because I made it clear that I worked on a full range of policies for which I am responsible. I am not directly responsible for the policies of the Department of Health or of the Ministry of Agriculture, Fisheries and Food, although I was deeply involved in many meetings on the subject in question. That does not mean that there were not a lot of other matters with which I had to deal as the week proceeded.

Mr. Prescott: Can the Deputy Prime Minister tell the House, following a week in which his proposals to deregulate employment protection for millions of employees were overruled by the Prime Minister and in which the disastrous turn of events in the beef industry threatens the lives of British citizens and the livelihoods of those who work in the beef industry, whether he will now review the whole approach to deregulation to restore public trust and confidence in what is clearly an incompetent Government?

The Deputy Prime Minister: The right hon. Gentleman is doing his best to link events that have no natural linkage in order to maximise the anxiety of people who would be much better employed listening to the scientific advice, on which the Government have to act, as opposed to the scaremongering of the right hon. Gentleman and the hon. Member for Hartlepool (Mr. Mandelson) over that issue at the Dispatch Box today. If the right hon. Gentleman listened to what the Government have to say, it would be clear to him that we seek the best independent scientific advice and we act on that advice. That is the only responsible course that the Government can take.

Competitiveness

7. **Ms Church:** To ask the Deputy Prime Minister what steps the Government have taken in the last 12 months in respect of the relative competitiveness of the United Kingdom and other major states within the EU. [20682]

Mr. Freeman: The Government's plans for improving the competitiveness of the United Kingdom were set out in last year's White Paper on competitiveness. Progress on those plans will be reported in a third competitiveness White Paper in the summer.

Ms Church: I thank the Minister for his answer. I would be grateful if he would explain to the country how the splits and competition between members of the Cabinet—especially the Deputy Prime Minister, the Secretary of State for Trade and Industry, the Secretary of State for Defence and the Chancellor of the Exchequer over Europe—are assisting Britain's competitiveness in Europe.

Mr. Freeman: There are no divisions in the Cabinet. The Cabinet, unlike the Labour party, speaks with a united voice. To answer the underlying serious part of the hon. Lady's question, we have enhanced the competitiveness of the United Kingdom by not acceding to the social chapter or to the minimum wage advanced on us by the Labour party. That is why British industry, at the moment, is extremely competitive and will stay so with a new Tory Government.

Mr. Sykes: Will my right hon. Friend promise not to take any lectures from Opposition Members, especially from the hon. Member for Dagenham (Ms Church), who sits on the Deregulation Committee? Will my right hon. Friend remind the House and the country that the reason why companies of international status are queuing up to invest in Britain is that we have a Conservative Government and there is no prospect of a Labour Government?

Mr. Freeman: I agree with my hon. Friend. It is interesting to speculate about the attitude of those investors who are investing in the United Kingdom some 40 per cent. of all inward direct investment in the European Union and about why they come here and what their attitude would be if we ever had a Labour Government.

Mr. Janner: Does the Minister agree that the current awful beef crisis has destroyed the competitiveness of our agriculture industry to a large extent? What will the Government do about that?

Mr. Freeman: As my right hon. Friend the Deputy Prime Minister has said, and I am sure the hon. Gentleman will be in his place to hear them, two statements will follow immediately.

8. **Mr. Hanson:** To ask the Deputy Prime Minister what steps he is taking to improve the competitiveness of the small business sector. [20685]

Mr. Willetts: We are taking a range of measures to boost the competitiveness of small businesses. For example, my right hon. Friend the Prime Minister announced a fortnight ago that new businesses will no longer have to register separately with Customs and Excise, the Inland Revenue and the Contributions Agency. The benefits of our measures to boost competitiveness are coming through. Sixty-five per cent. of UK businesses expect to increase turnover this year, compared with less than 50 per cent. on the continent.

Mr. Hanson: Is the Minister aware of the recent survey of business opinion in Wales that has shown that the overwhelming majority of businesses there feel that the best way to improve their competitiveness would be to have statutory interest on late payments? Is the Deputy Prime Minister now the only living Welshman who does not support that policy?

Mr. Willetts: This is a subject on which we are consulting further. Whenever we have consulted on it in the past, we have found that many representatives of small business do not want a statutory right to interest, because they are afraid that such legislation would be used against them by larger businesses—precisely the point that my right hon. Friend the Deputy Prime Minister has been trying to make.

Mr. Steen: I wonder whether my hon. Friend is aware of the effect on competitiveness of the Merchant Shipping and Fishing Vessels (Medical Stores) Regulations 1995? They increase the cost of medical stores on small ships from £47 to about £900. Is he further aware that on boats taking day trippers out to sea the first aid stores have to include tablets used for the treatment of worm infestation? All this stems from a European directive. I cannot believe that the Government want our small boats sent out to sea on such anti-competitive terms.

Mr. Willetts: I am not sure that there is anything in my briefing on that point. My hon. Friend has a formidable reputation as an advocate of deregulation, and I shall ensure that our Department considers his point.

Scott Report

9. **Mrs. Clwyd:** To ask the Deputy Prime Minister what disciplinary action is being taken against civil servants in respect of the findings of the Scott report. [20687]

Mr. Freeman: Disciplinary action would not be appropriate if officials acted conscientiously, in good faith and in accordance with Government policy. The great majority of civil servants identified in the Scott report are in this category. Where there is evidence to the contrary, Departments will consider whether disciplinary action is appropriate.

Mrs. Clwyd: Is it not true that, if civil servants had been free to reveal to Parliament the truth about arms sales to Iraq and those involved in them, there would never have been a Scott inquiry or any prosecutions and £610 million of taxpayers' money would not have been lost in respect of lost export credit guarantees?

Mr. Freeman: There is, as the hon. Lady knows, a new code of practice in force for civil servants. If they feel that they have been asked to act improperly or have been subjected to political interference or direction, they have a right of appeal through their permanent secretary to the First Civil Service Commissioner.

As the hon. Lady will also know, a review is under way in the Ministry of Defence, as my right hon. Friend the Secretary of State for Trade and Industry and I reported to the House in the Scott debate. My right hon. Friend the Secretary of State for Defence will also have something to say in due course about the degree of disclosure on arms sales.

Secondments

10. **Mr. John Marshall:** To ask the Deputy Prime Minister how many temporary civil servants are currently seconded from private industry. [20688]

Mr. Willetts: Two hundred and eighty people were seconded from the private sector to Government Departments during 1995.

Mr. Marshall: Does my hon. Friend accept that many people feel that there should be greater cross-fertilisation between the practical men of the private sector and the civil service?

Mr. Willetts: I very much agree. That is why my right hon. Friend the Deputy Prime Minister has announced a target of a 10 per cent. increase in secondment to and from the private sector for 1996-97. I might add that the numbers involved in longer-term secondments as between the private sector and the civil service have trebled since 1979.

Mr. MacShane: The Minister is said to be one of the intellectuals or theoreticians of modern Conservatism. May I therefore put it to him that this mixing of the private and public interest may turn out to be unfortunate? It may prove impossible to distinguish between the private and profit-making interests of companies and the public interest, which concerns defending and representing the interests of the citizen. I invite him to consider that there may be a serious problem in that regard.

Mr. Willetts: The hon. Gentleman says that he is concerned about this issue. I assure him that of course the Government take steps to avoid any conflicts of interest. Any secondment must be looked at by the Department involved to ensure that there is no risk of any impropriety. I believe that the overall benefits to the quality of public sector management and civil service advice from secondment outweigh the risks about which the hon. Gentleman is worried.

Deregulation

11. **Sir Sydney Chapman:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on Her Majesty's Government's policy in respect of deregulation with particular reference to health and safety. [20689]

Mr. Freeman: The programme to review health and safety legislation recommended by the Health and Safety Commission will simplify the mass of legislation. New enforcement procedures have been introduced which are designed to improve fairness, transparency and consistency without jeopardising any necessary protection.

Sir Sydney Chapman: As there seems to be misunderstanding, whether genuine or contrived, will the Minister confirm that the purpose of the deregulation initiative is to get rid of unnecessary bureaucracy and in no way to compromise anyone's health or safety? Does he accept that there are at least some so-called health and safety measures which have nothing to do with protecting the individual or looking after their safety? Does he agree, therefore, that there should be an explanation of the purpose of every regulation and how it will be enforced?

Mr. Freeman: As I said in an earlier answer, there is no intention to remove necessary health protection for the consumer or for anyone else. We are after reductions in unnecessary bureaucracy, such as the abolition of 33 statutory notice and poster requirements. Many hon. Members will know of unnecessary and outdated regulations about posters, which are sometimes difficult to read. With the aid of modern technology, there are better ways to inform the work force of those regulations.

I can confirm that my right hon. Friend the Secretary of State for the Environment has issued guidance to all Health and Safety Executive officers informing them of new and sensible procedures to take, whereby inspected firms are informed of what is wrong with the premises and what must be put right and they are given an informal right of appeal before, ultimately, an appeal is made to the courts.

OVERSEAS DEVELOPMENT

Sub-Saharan Africa

26. **Mr. Hain:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has carried out of the impact of debt on the provision of basic social services in sub–Saharan Africa; and if he will make a statement. [20706]

The Minister of State, Foreign and Commonwealth Office (Mr. Jeremy Hanley): We are concerned about the low level of basic social services in sub-Saharan Africa. When debt reaches unsustainable levels, it has an impact on the whole of a country's economy, including the social sectors. That is why we have taken action, and why we are pressing for more action, to reduce to sustainable levels the debt of the poorest, most indebted countries and those which are pursuing sound economic policies.

Mr. Hain: The Minister's reply does not measure up to the scale of the problem. There is now £135 billion of debt in sub-Saharan Africa—more than three quarters of the region's annual income. Surely the Government should be supporting measures such as the use of World bank reserves, special drawing rights and the sale of International Monetary Fund gold stocks? If that action is not taken, sub-Saharan Africa will continue to drown in debt and there will be no possibility of eradicating the enormous poverty problems, let alone of rebuilding the economies. Will he discuss such proposals to solve the problem with the Debt Crisis Network?

Mr. Hanley: I accept that debt is a serious problem, but Britain has been ahead of most countries in dealing with it. The British Government have written off aid debts of 31 of the world's poorest countries—to the value of £1.2 billion—and for many years all new aid to the poorest countries has been on grant terms so as not to increase their debt burden. The British Government have also taken the lead in pressing for solutions to the official bilateral and multilateral debt burdens of the poorest and most indebted countries. I believe that we have made excellent progress.

Mr. Jacques Arnold: Is not one of the principal ways to help sub-Saharan Africa cope with its debt the writing off of the public sector debt to those countries? Is it not worth bearing in mind that it was a Tory Chancellor of the Exchequer who first put that idea forward at the Trinidad conference, which brought about the Trinidad terms which have already done so much to help those countries with their public debt problem?

Mr. Hanley: My hon. Friend is absolutely right. At the Paris club of Government creditors, 14 countries have now benefited from the Naples terms reschedulings which, as my hon. Friend says, were first introduced in 1990 by my right hon. Friend the Member for Huntingdon (Mr. Major) as the Trinidad terms. The British Government have also pressed for action on multilateral debt. At last year's annual meetings of the IMF and the World bank, it was our Chancellor who called on all international financial institutions to examine further measures to deal with the problems of multilateral debt for the poorest and most indebted countries. That work is currently under way and we expect firm proposals at the spring 1996 meetings of the World bank and the IMF next month.

Miss Emma Nicholson: Is the Minister aware that in Zambia President Chiluba inherited a situation in which his country pays more in debt interest than it can afford to spend on health and education? Given the impact of that on mothers and children, can the Minister assure me that he will do his very best to get Zambia and Tanzania, which has the same problem, included in the new IMF-World bank proposals?

Mr. Hanley: It has also been said that United Kingdom aid should not be used to service the debts owed to multilateral financial institutions, as with Zambia. The UK programme of aid to Zambia was used for that purpose in 1994-95, but that was exceptional. Our allowing it enabled the Zambian Government to allocate more of their own money to the health sector, and our aid was directly linked to a World bank programme which included conditionality to protect and enhance the share of public expenditure devoted to basic education and health care services in Zambia. Zambia is one of the countries where there has been great success, and where debt rescheduling has helped tremendously and I believe that Zambia is the better for it.

Mr. Foulkes: As countries in sub-Saharan Africa are forced to transfer four times as much to northern creditors as they spend on the health of their citizens, does the Minister agree that much more urgent action on debt is needed? When the Chancellor proposed at the IMF that gold stocks should be sold, he knew fine that it would be almost impossible to get agreement because it would need the support of 80 per cent. of the shareholders. What are the Government doing to get the necessary agreement on debt relief before more innocent children in Africa die? We need urgent action at the IMF, not fine words in the House.

Mr. Hanley: I do not mind fine words in the House—it is nice of the hon. Gentleman to say that my words are fine—because the fine words reflect a fine effort. We are making serious progress. After all, sub-Saharan Africa received nearly $1 billion more from the World bank than it paid in debt service in 1993, the last full year. The Paris club of official creditors has made tremendous progress in rescheduling debts, increasing the figure from 50 per cent. to 67 per cent. in suitable cases. As I have said, 14 countries benefited; they include Chad, Guinea, Guinea-Bissau, Cameroon, Mauritania, Senegal, Togo, Uganda and Zambia, and this week there will be a rescheduling for Sierra Leone. So tremendous progress is being made—it is not just fine words.

Palestine National Authority

27. **Mr. Janner:** To ask the Secretary of State for Foreign and Commonwealth Affairs what measures he proposes to take to ensure that funds provided by the United Kingdom for overseas aid to areas controlled by the Palestine National Authority are properly used for the purposes provided. [20707]

Mr. Hanley: All UK bilateral aid to the Palestinians is closely monitored and is channelled through reputable British project management organisations or international agencies with proven and reliable systems of disbursement.

Mr. Janner: What check is made at the other end as to the actual disbursement, and what safeguards are in place to ensure that none of the money properly and rightly raised in this country or by other international

donors for the Palestine National Authority is used in any way or at any time for the activities of Hamas or Islamic jihad, whether for so-called communal welfare projects or anything else?

Mr. Hanley: The hon. and learned Gentleman raises an extremely important issue about which I am sure that the House shares his anxiety. Overseas Development Administration projects on the West Bank and in Gaza are monitored by project managers under contract to the ODA, by regular visits from ODA staff and by the consulate general in Jerusalem, which I visited recently. Staff at the consulate general have been strengthened by the secondment of an ODA officer as field manager for our aid programme.

The UK receives great plaudits for the ODA's targeting of its aid. Its projects are extremely good—I can vouch for that. We have provided some £5.5 million of assistance to the police in Palestine over the past 18 months, and we are also helping with a number of health and education projects. I can confirm that the aid money going to the Palestinians is well spent, well targeted and well audited.

Not long ago, I attended the donors' conference at which $850 million was collected for the Palestinians from 51 sources. I do not believe that that money would have been raised if there had been serious doubts about its proper maintenance and disbursement. If we receive any evidence that money is being collected in this country by Hamas for terrorist activities, we shall not fail to act immediately. That is something that we would not accept.

Mr. Sumberg: I emphasise the point made by the hon. and learned Member for Leicester, West (Mr. Janner). It is vital to ensure that money does not get into the hands of terrorists. We call on the United States Government to ensure that money does not go to the IRA for its evil purposes, and we must call on the Palestinian authorities to ensure that money does not go to Hamas.

Mr. Hanley: I agree with my hon. Friend. It is vital that money raised for the Palestinians is not diverted to sponsor terrorism. That would be unacceptable to the Government and, I am sure, to all right hon. and hon. Members. The Charity Commission is investigating an accusation. If we, the Government, receive any information or evidence, we shall act on it immediately.

Aid Target

29. **Mr. Mike O'Brien:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set out the Government's policy in respect of meeting the United Nations 0.7 per cent. of gross domestic product target in relation to aid. [20709]

Mr. Hanley: We have agreed to try to reach the UN target as soon as possible, but like many other donors we have not set a timetable for doing so. Progress towards the target will depend on our economic circumstances and on other priorities for public expenditure.

Mr. O'Brien: If it is still a Government target, why does the Government's policy seem to be going in the opposite direction? They inherited from the Labour Administration a contribution of 0.5 per cent., which has decreased to 0.3 per cent. The ODA's recently published fundamental expenditure review discloses that the contribution is falling to 0.26 per cent. Why is Government policy moving in the opposite direction from that which it should be following? Do the Government lack a sense of direction or do they lack a sense of candour?

Mr. Hanley: No. The target still remains. Our ability to move towards it depends on the United Kingdom's future economic performance and on many public expenditure priorities. It is impossible to forecast how the economy will fare or what conflicting priorities may arise in the future. That statement might just as well be made by the Opposition spokesman, the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), because the Opposition have stated that they have the same target of 0.7 per cent. Yet they have refused to make a commitment or to set a time scale.

We believe that it is right to concentrate on ensuring that our substantial aid is effective. I look forward to hearing the hon. Member for Carrick, Cumnock and Doon Valley tell the hon. Member for North Warwickshire (Mr. O'Brien) exactly what the Labour party's time scale would be for achieving 0.7 per cent. if Labour were ever to be in Government.

Mr. Forman: Within what is still the fifth largest official aid programme in the world, will my right hon. Friend give due weight to the cost-effectiveness and importance of the pound-for-pound scheme, which was designed to contribute £1 of British taxpayers' money for every £1 that is raised and used extremely effectively by non-governmental organisations in the developing world, such as Oxfam and Christian Aid?

Mr. Hanley: My hon. Friend does the House a service in reminding it that we have the fifth largest aid programme in the world. That is entirely sensible, because we have the fifth largest economy. Our budget—it is well over £2.2 billion—is impressive. I know that the Opposition do not like me repeating these facts. This year Italy's aid expenditure fell by 36 per cent. Canada has reduced its aid budget by 20.5 per cent. The United States provides only 0.15 per cent. of its gross national product as development assistance, and it is reducing its programme still further. In other words, our contribution is extremely impressive—and we intend to ensure that it remains so.

Multilateral Aid

30. **Dr. Godman:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met his European counterparts to discuss the subject of multilateral aid. [20710]

Mr. Hanley: My right hon. and learned Friend the Secretary of State for Foreign and Commonwealth Affairs has discussed multilateral aid with his European counterparts regularly during meetings of the EU Foreign Affairs Council, the last of which was on 26 February. My right hon. and noble Friend the Minister for Overseas Development also has regular meetings with her opposite numbers.

Dr. Godman: Multilateral aid has an important role to play, but does the Minister agree that the PHARE-TACIS programmes—Poland and Hungary assistance for economic restructuring, and technical aid to the Commonwealth of Independent States—suffer from serious weaknesses and are poorly managed in Brussels? Why are millions of ecus wasted on expensive consultancy when NGOs are denied funding? Why not apply the principle of subsidiarity and ensure that those programmes are run by the Governments of the member states and not by Brussels?

Mr. Hanley: The hon. Gentleman is absolutely right that there are problems with the delivery of the PHARE and TACIS programmes. It seems that PHARE is slow. The causes of that include over-centralised control in Brussels, too few staff, and complex procedures. Recipient Governments can also cause delays. Improvements are planned. There will be better programme planning and more decentralisation of decision making. I can tell the hon. Gentleman that there will be more decentralisation and more use of financial intermediaries, which should bring faster project implementation. There will be strengthened EC delegations and improved monitoring and evaluation.

I believe that a certain councillor in Strathclyde had discussions recently with local NGOs which complained about the time that it takes to get the PHARE programme approved. I agree with her.

Mr. John Marshall: Will my right hon. Friend confirm that there is no correlation between economic aid which goes to countries and their economic growth, but that there is a strong positive correlation between private investment in the third world and growth in particular countries?

Mr. Hanley: My hon. Friend is absolutely right, and in terms of private investment from the United Kingdom to developing countries our record is second to none.

Rwanda

31. **Mr. Ainger:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on aid given to Rwanda. [20711]

Mr. Hanley: Since April 1994, Britain has committed nearly £100 million to the Rwandan crisis, including our contribution to European Union assistance which is worth some £41.5 million. I am pleased to announce that my right hon. and noble Friend the Minister for Overseas Development has added to that a further £4 million as Rwanda's share of an £8.5 million British contribution to the 1996 great lakes appeal.

Mr. Ainger: If Rwanda and Burundi are to return to some form of normality, does the Minister agree that there must be a working judicial system? He will be aware from my previous questions on this issue that there is a huge problem in relation to the large number of people in detention. Tens of thousands of individuals charged with possible genocide are not being processed through the judicial system. What assurance can the Minister give the House that this prime problem is being addressed with physical resources—personnel resources—rather than just financial resources?

Mr. Hanley: I agree with the hon. Gentleman that justice is an important prerequisite for rehabilitation in Rwanda. We remain concerned at the number of Rwandans being held in disturbing conditions in prison. The Rwandan Government have made some progress in recent weeks with the rehabilitation of the domestic justice system, and indictments have been issued by the international tribunal against 10 individuals for genocide and crimes against humanity. I agree with the hon. Gentleman that it is essential that justice should return, not just through money but through those who are committed to help the Rwandans to return to justice, and also to improve the ghastly human rights situation which has persisted for too long.

Mr. Llwyd: Has the Minister read the recently published multi-donor evaluation of the situation in Rwanda, which makes it clear that although humanitarian aid is very important the real answer for Rwanda lies in political moves and political changes? What steps is the Minister likely to suggest?

Mr. Hanley: I have indeed read the multi-donor evaluation of emergency assistance to Rwanda. We supported the study, because it is always necessary to assess the impact of international emergency assistance, and it makes a useful contribution to the international debate. We expect to discuss its recommendations with other donors, United Nations agencies and non-governmental organisations in the reasonably near future.

The United Kingdom's input in the Rwandan crisis was well regarded in the report. United Kingdom NGOs were at the forefront of the emergency response and are now contributing to Rwanda's recovery. It is an important study, and I agree with the hon. Gentleman that it would be worth the while of other hon. Members who are interested in the subject to read the report. It is in the Library.

CHURCH COMMISSIONERS

Divorced Clergy (Accommodation)

36. **Mr. Tony Banks:** To ask the right hon. Member for Selby, representing the Church Commissioners, what arrangements are made in respect of accommodation allocation following divorce among clergy. [20670]

Mr. Michael Alison (Second Church Estates Commissioner, representing the Church Commissioners): Where a clergy marriage has broken down and the diocesan bishop accepts pastoral responsibility for the spouse, he and his diocesan board of finance take steps to try to provide accommodation. If the diocese has difficulty in providing it, it may apply to the commissioners for a loan.

Mr. Banks: I thank the right hon. Gentleman for his reply. Is he aware, however, that no legal rights exist? When clergy marriages break down, accommodation can unfortunately be lost, pension rights can be sacrificed and lump sums can go at the same time. What talks is the right hon. Gentleman prepared to have with the commissioners to try to introduce an element of legality? Is it not perverse that the future head of the Church of

England can be discussing with his estranged wife who is to have which palace and who will pay for the colonic irrigation when all that the clergy whose marriages break up are left with is a pain in the butt?

Mr. Alison: It is purely a matter of history that both the leaders of the Church of England and the future monarch happen to live in palaces. We attempt not to be legalistic; in the past 10 years we have made advances of £10 million in nearly 190 cases, specifically to help spouses who have suffered a marriage breakdown and are without accommodation. Whatever the law may dictate, we try to be humane, reasonable and constructive.

Bequests

38. **Mr. Jenkin:** To ask the right hon. Member for Selby, representing the Church Commissioners, what estimate has been made of the number of bequests made to Church of England parishes in the latest year for which records are available; and what was their total estimated value. [20672]

Mr. Alison: In 1993 there were about 6,150 bequests to parishes of the Church of England, excluding cathedrals. The total value was about £18 million.

Mr. Jenkin: When people make bequests to parishes for the benefices of those parishes, why are the assets sequestered by the Church Commissioners? Why cannot the parishes raise money to better the livings of their clergy, as any other normal charity might be able to do?

Mr. Alison: As far as I know, the Church Commissioners do not sequester any property from parishes; that is more likely to be done by the diocese, and it will be done on the basis that assets flow back into the parish from the diocese. Parishes almost certainly do better by having such a relationship with the diocese. I shall verify the point, however, and write to my hon. Friend if necessary.

Investments

39. **Mr. Flynn:** To ask the right hon. Member for Selby, representing the Church Commissioners, what is the latest figure of the value of the annual returns on Church investments. [20673]

Mr. Alison: The Church Commissioners are finalising their 1995 figures, which will shortly be published in their annual report. They expect the annual returns to be similar to the benchmark return of 19.1 per cent. in 1995 in the independent WM all-funds index.

Mr. Flynn: Was not the right hon. Gentleman enunciating an extraordinary new Church of England doctrine when he told me on 29 January that the ethical investments in GEC were all right because GEC's arms production is below the 30 per cent. threshold? Does the Church of England now believe that it is okay for people to sin for 30 per cent. of the time if they are virtuous for 70 per cent. of the time? Is there to be a new doctrine saying that we can obey seven commandments and ignore the other three? How on earth can the Church justify the 30 per cent. threshold?

Mr. Alison: The hon. Gentleman is being almost pharisaical in his nit-picking about particular figures. Whatever the exact balance, if the hon. Gentleman wants figures I can tell him that the Church of England believes in 100 per cent. forgiveness and in a reasonable balance of investments that will maintain a flow of funds to maintain the pensions of elderly clergy widows, for example. Clergy in retirement now outnumber those whom we support as incumbents. That all has to be done through our investment assets, whether they be in land, businesses or armaments firms. The investment is valid and proper.

Business of the House

3.30 pm

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): With permission, Madam Speaker, I should like to make a short business statement. The business for Thursday 28 March will now be as follows:

Until about 7 o'clock, conclusion of the remaining stages of the Finance Bill. That will now be followed by a debate on bovine spongiform encephalopathy on a motion for the Adjournment of the House.

Ms Harriet Harman (Peckham): I thank the Leader of the House for his statement. It is acceptable to the Opposition.

BSE (Health)

3.31 pm

The Secretary of State for Health (Mr. Stephen Dorrell): With permission, Madam Speaker, I would like to make a further statement about the advice that the Government have received from the Spongiform Encephalopathy Advisory Committee.

I begin by briefly reminding the House of the background. The advisory committee brings together leading experts in neurology, epidemiology and microbiology to provide scientifically based advice on the implications for animal and human health of different forms of spongiform encephalopathy. As I have repeatedly stressed, its members are not Government scientists: they are leading practitioners in their field, and it is the function of the advisory committee to allow them to pool their expertise to assess the latest scientific evidence that is available.

Both the Opposition health spokesman, the hon. Member for Peckham (Ms Harman) and the Leader of the Opposition stressed last week the importance of reaching decisions on the basis of the scientific evidence. I agree with them. I also agree that it is important that both the evidence on which the committee reached its recommendations, and the recommendations themselves, should be made public as soon as practicable. That is why I published the committee's recommendations last Wednesday and why I have today put copies of its latest recommendations, accompanied by a statement from the chief medical officer, in the Vote Office. I can confirm to the House that arrangements are in hand to ensure that the evidence on which those recommendations are based will be published in the scientific journals within the next four to six weeks.

Science is not a substitute for political or personal choice, but it is the only basis on which an informed judgment about these issues can be reached. Last Wednesday, I informed the House of the advisory committee's conclusions about 10 new cases of Creutzfeldt-Jakob disease. The statement that the committee approved at its weekend meeting emphasises that only 10 cases of this previously unrecognised variant of CJD have yet been identified and that the committee is not in a position to confirm whether there is a causal link between bovine spongiform encephalopathy and the human disease. However, the committee repeated its view that the most likely explanation at present of this new form of CJD is that these cases are linked to exposure to BSE before the introduction of the specified offals ban in 1989.

Following receipt of its advice last week, I asked the committee to consider as a matter of urgency the implication of its findings for children. In considering that question, the committee was joined by three leading experts in paediatrics, gastroenterology and immunology. The committee considered carefully its knowledge of the transmissible spongiform encephalopathies and considered the evidence available from the 10 identified cases. Taking all that into account, the committee concluded that

"if human infection with the BSE agent occurs, infants and children are not likely to be more susceptible to that infection than are adults".

The committee also considered the possibility of increased susceptibility among patients in hospital, pregnant women and people who are taking immuno-suppressive drugs. Again, it concluded that

"if human infection with a BSE agent occurs, none of these groups is likely to have any increased susceptibility to infection".

The committee's statement goes on:

"Parents are naturally concerned about the risks to their own children. No human activity is without some risk; if the Government rigorously enforces the current and newly recommended controls we believe that this risk is likely to be extremely small; however the Committee recognises that parents will often choose to reduce risk to their children beyond that which they are prepared to accept for themselves.

It is important to be aware that many foods are associated with health risks and that changing from beef to non-beef products is not necessarily without risk."

Following the scientific evidence, there is clearly no reason for the Government to advise local education authorities to remove beef from school menus. I understand, however, from my right hon. Friend the Secretary of State for Education and Employment that it is customary for schools to provide a choice of menu to accommodate different dietary and cultural practices. The Government believe that that choice should continue. Local education authorities will be sent copies of the advisory committee's statement so that they can be aware of the precise terms of its findings.

The committee reconfirmed the recommendations that were published last Wednesday concerning the deboning of cattle carcases aged over 30 months, and it has made a number of other recommendations concerning the treatment of specified bovine offal. My right hon. and learned Friend the Minister of Agriculture, Fisheries and Food will deal with those questions in his statement.

The committee also made two recommendations concerning research. It recommended, first, the reinforcement of the CJD surveillance unit at Edinburgh university and, secondly, the commitment of substantial additional resources to long-term, basic and applied research, to improve our understanding of these diseases. The Government accept those recommendations. We have already made plans to strengthen the CJD surveillance unit. In addition, I have today instructed Professor John Swales, the NHS director of research and development, to prepare a directed programme of research in this sector involving the Department of Health, the Ministry of Agriculture, Fisheries and Food, the Medical Research Council and the Biotechnology and Biological Sciences Research Council.

Against the background of those findings, the advisory committee reports two central conclusions. First, it reasserts that, provided that the restrictions that it recommends are fully implemented and sustained, any BSE-related risk from eating beef or beef products is likely to be extremely small. Secondly, the committee's statement concludes with these words:

"the Committee does not believe that any additional measures are justified at this stage but the situation needs to be kept under careful review so that additional significant information can be taken into account as soon as it becomes available".

Throughout their consideration of those questions, the Government have made it clear that our policy is to base our own decisions on an up-to-date assessment of the scientific evidence. We have also made clear our commitment to making that evidence public. That remains the position.

The statement of the advisory committee that I am publishing this afternoon makes clear recommendations both to the Government and to the public. The chief medical officer is taking steps to communicate that new advice to all doctors. The Government accept the recommendations and they will act on them.

Ms Harriet Harman (Peckham): Once again, I thank the Spongiform Encephalopathy Advisory Committee for its work. It appears that the Secretary of State has learned no lessons from last week, when I said that public confidence was hanging by a thread. Now, public confidence has collapsed. Why did he not recognise that public confidence was draining away? Even though he was advising that beef was safe, 10,000 schools had already taken it off the menu.

Will the right hon. Gentleman admit that it is his Government's reckless disregard for public health and their dogma on deregulation that have swept us into this crisis—*[Interruption.]*

Hon. Members: Unparliamentary.

Madam Speaker: Order. Did I hear hon. Members saying that there was some unparliamentary language?

Mr. Tony Marlow (Northampton, North): I said that the hon. Member for Peckham (Ms Harman) was a stupid cow. If that is unparliamentary, I certainly withdraw it.

Madam Speaker: It is certainly unparliamentary. I hope that the hon. Gentleman will have the grace to withdraw that remark.

Mr. Marlow: As I said, Madam Speaker, I certainly withdraw the remark.

Ms Harman: Is not it the Government's reckless disregard for public health and their dogma of deregulation that have swept us into this crisis? Will the Secretary of State admit that even after bovine spongiform encephalopathy was discovered, the Government dragged their feet? There was delay before making BSE notifiable; delay before banning animal protein; delay before compulsory slaughter and compensation; and delay before banning specified bovine offal.

Will the right hon. Gentleman admit that the roots of this crisis lie in his Government's repeated failure to take prompt and effective action to protect our food? Instead, deregulation dogma fuelled by complacency has caused a nightmare scenario for consumers and farmers alike.

Does the right hon. Gentleman recognise that in 1978 the Labour Government put forward extra controls on animal feed, but that when the Tory Government took office, they changed those planned controls and said that the industry could decide for itself on cattle feeding?

SEAC says that there is an extremely low risk if all its proposals for slaughterhouse and food safety rules are fully implemented and enforced rigorously. But why should anyone expect that from this Government, when they have allowed flagrant breaches of the rules in the past? We must now have rigorous enforcement of the rules and tough penalties for those found breaking them. Will the right hon. Gentleman ensure that the enforcement

[Ms Harman]

authorities have the powers they need, the resources they need and strong Government backing? Is it not now time for full information and tough action?

Will the Government publish full information for the public, on the relative risk of eating beef compared with other meats? SEAC's statement barely touches on that. That is the question the public are asking. Will the right hon. Gentleman publish full information for the public on the relative risk of eating different parts of cattle? That is the question the public are asking. Will he publish a full list of all the food products that contain bovine material? Why should the public have to search the newspapers for that information? People cannot make their own choices if they do not know what they are eating.

Why is there to be a delay of four to six weeks before the publication of the scientific evidence? That evidence must be published by the right hon. Gentleman and it must be published now.

On the issue of children, SEAC recognised:

"parents will often choose to reduce risk to their children beyond that which they are prepared to accept for themselves."

When it comes to children, must not the Government therefore err on the side of caution? For school meals, should he not say, "Better safe than sorry," at least for the next nine months, during which time we shall see whether there are any further cases? Has he considered advising schools and local education authorities, to ensure that parents decide whether their children eat beef and whether there should be no beef in school dinners? To assist consumers, has he considered identifying and publishing a list of herds that have never brought in calves and where the cattle have been fed only on grass and hay? That would identify to consumers the herds that are less at risk.

Why has the Secretary of State not told the House today of all the other options that SEAC considered and that he could have acted on? Why did he reject the option of removing all cull cows or all cows over 30 months from the food chain? We should have that information. Why did he reject the option of deboning all cows—not only those over 30 months? We need to know why he has made his choices.

Does the Secretary of State not understand that he has still not done enough to restore British consumers' confidence in British beef? They will continue to buy beef, but it will not be ours. Does he not understand that it is only by tough action, which goes beyond the minimal recommendations of the scientists, that there will be any chance of restoring public confidence? Does he accept that there is a clear conflict of interest in the Ministry of Agriculture, Fisheries and Food about food regulation? Will he therefore establish a separate food standards agency? Will he restore the strength and independence of the Department of Health's chief medical officer, who has been marginalised and weakened by the Government?

Is not the business of government about more than just occupying the high offices of state, but about occupying a position of respect in the public's mind? This crisis has shown that the Government can no longer govern because people do not trust them. How can the Government restore public confidence when the public have no confidence in the Government?

Mr. Dorrell: I think that the country, listening to the hon. Lady, will find it deeply offensive that she has opened up a wide chasm between the principles that she says inform her policy and the ferreting around for party political advantage that has manifested itself in both her interventions on the subject. She started off last Wednesday, as she did this afternoon, by stressing the importance of basing our decisions on this subject on science. That position was reinforced by her right hon. Friend the Leader of the Opposition from the Dispatch Box on Thursday afternoon.

The science has been published. What the House and the country want to know from the hon. Lady is that if she does not accept the Government's actions on the basis of that science, what actions does she recommend to the House and the country? What is the way forward that she would want us to take, which is different from the way that I announced this afternoon, as recommended by the scientists who the hon. Lady says should inform our policy?

The hon. Lady talks about a dogma of deregulation. If she had examined the Southwood inquiry into the background of BSE, she would have found that it specifically dismissed that charge. She alleges that there has been delay, but has produced no evidence at any stage in the proceedings on the issue of any delay whatever. She asks for rigorous enforcement; I have committed us to rigorous enforcement. She asks for information to be published. Let her tell the House which information she wants published that I have not committed the Government to publishing from the Dispatch Box this afternoon. She asks why the information will not be made available in the scientific journals within less than four to six weeks. The reason for that, as the hon. Lady should know, is that the marshalling of scientific evidence to prepare it for a form for publication in a scientific journal normally takes between six and nine months. I have undertaken that it will be made available through that source in four to six weeks.

The hon. Lady asks about schools: I have set out clearly the position on schools. She says that we should base our decision on the science—let her explain which bit of the science would justify the removal of beef or beef products from school menus. There is no scientific conclusion available to the House that would justify that conclusion.

The hon. Lady asks why the Government are not proceeding with a culling policy and a range of other actions. The answer lies in the quotation from the scientific advice which I gave to the House and which I shall repeat to the hon. Lady:

"the Committee does not believe that additional measures are justified at this stage but the situation needs to be kept under careful review".

That is what will happen. The hon. Lady is asking the House to substitute her scientific judgment for the advisory committee's scientific judgment. I can think of no more absurd proposition.

Mrs. Marion Roe (Broxbourne): My right hon. Friend will be appearing before a joint meeting of the Agriculture and Health Select Committees on Wednesday morning, where he will be a witness on this very important matter. Will he give an assurance that, faced with such complex matters, the Government will respond swiftly and decisively, but always based on the informed views of

scientific experts, not on some of the uninformed and occasionally hysterical views that we have seen expressed in recent days?

Mr. Dorrell: Yes, I can give my hon. Friend an absolute assurance. That assurance is not that we substitute, as I said in my statement, the judgment of scientists for personal or political judgment, but that we agree with the principle—although not with the practice of the principle—espoused last week by Opposition Front Benchers, that decisions on the subject should be based on the science.

Mr. Simon Hughes (Southwark and Bermondsey): I thank the Secretary of State for his statement and for his commitment to the research recommended by the committee. Does he agree that although questions may have to be asked about recommendations made in the late 1970s and 1980s, those are not the principal issue for today? The principal issue for today involves what steps need to be taken for the public to be reassured and people to be safe. In that context, will he do all that he can to ensure that the committee's principal conclusion that children and young people are not more at risk than adults is disseminated and understood by radio, television and newspapers, and that the media, the outlets and politicians who are willing to join him, seek to win over the public to an understanding of the issues, not to an understanding only of prejudice and prejudiced self-interest?

On the basis of the expectation that the Government will apply the precautionary principle, does the right hon. Gentleman agree that the most useful thing for the Government to consider now is whether beef that is entirely unaffected by the risk of BSE—particularly herbivore beef—can be separately labelled and identified, so that people can distinguish between the different types of beef?

As the offal ban came into effect in 1989, does the Secretary of State agree that there may be a precautionary reason for placing children under seven in a different category from children over seven?

Will the right hon. Gentleman reinforce the fact that the main question that should drive all our considerations is not where the beef comes from, but whether it is infected?

Mr. Dorrell: I am grateful to the hon. Gentleman for welcoming the stand that I have taken on research. I assure him that, where research is necessary in order to improve our understanding of those conditions, the Government will ensure that there is support available to allow that research to be undertaken.

I agree entirely with the stand that the hon. Gentleman has taken, both in the House and in the community over the weekend, regarding the importance of ensuring that decisions are based in science. He is correct to restate and to remind the House this afternoon of the advisory committee's finding that there is no scientific basis for concluding that children are at any greater risk than adults.

The hon. Gentleman asked whether beef producers whose herds have hitherto been BSE-free for a variety of reasons should promote that fact. They are able to do that and there are examples of it having occurred. The scientific questions that lie behind some of the hon. Gentleman's assertions are reasonably complex, but it is open to producers to take that course of action.

The hon. Gentleman's key point is that, to the extent that there is a risk of infection to human beings from BSE-infected cattle, it is related to the specified bovine offals that were removed from the human food chain by Government order in 1989. Because those offals were removed from the food chain, the advisory committee concluded that the risks associated with eating all beef and beef products are extremely small.

Sir Patrick Cormack (South Staffordshire): In order to help to quell the urban panic that is being fomented on the Opposition Benches, will my right hon. Friend point out that people of all ages are at far greater risk from active and passive smoking than from BSE? Is he aware that this afternoon we are seeing a crude attempt to create the steak-rejecting economy?

Mr. Dorrell: My hon. Friend is absolutely right: there is a far greater risk associated with tobacco use than with beef consumption. He makes his own point about stakeholding in his own way.

Mr. Joseph Ashton (Bassetlaw): Is the Minister aware that, throughout this long, sorry saga, he has talked only about the human food chain? Is he aware that many people are concerned about the meat that is used in pet food for domestic cats and dogs? Can he assure millions of pensioners that the liver and lights used in pet food are also examined? Will he confirm that pets cannot be contaminated by the BSE strain and will he ask the research experts to examine that question as well, as many jobs are involved in the pet food industry?

Mr. Dorrell: I do not, I am afraid, apologise to the House for being concerned principally with human health in the past week since the advisory committee first made its information available. I am absolutely certain that the Government have got their priorities right. I am advised that specified bovine offals are also kept outside the pet food chain. SEAC—which is responsible for providing advice about pet food as well as human health—has, quite properly, concentrated its considerable attentions on human health questions in the past few days.

Mr. Michael Jopling (Westmorland and Lonsdale): A few minutes ago, the Secretary of State said that the resources will be found if further research is necessary. Will he look specifically at, and take advice about, whether two areas need urgent further research: first, finding ways of better diagnosing BSE in cattle at an earlier stage; and, secondly, trying to find an effective way of treating CJD in human beings?

Mr. Dorrell: My right hon. Friend is entirely correct on both counts. We would be in a much better position if we had an accurate live test for cattle and if we could diagnose accurately the condition CJD in humans. We shall ensure that sufficient resources are made available to allow those programmes to continue, as well as—critically, as my right hon. Friend rightly points out—examining the options for producing a treatment regime for humans in particular, which would enable us to cure the condition.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Is the Minister aware that most mothers and grandmothers are not scientists? They are just terribly worried. They

[Mrs. Gwyneth Dunwoody]

have no way of knowing whom to trust and they need clear and simple statements. If a doctor or a medical researcher says that there is very little risk, although that may be absolutely correct, it engenders real worry among parents who are not clear about the present position. What would the Minister regard as a significant change in the circumstances? Ten cases a year may be one thing, but 10 cases a month would be very significant, and the House would need to know about it urgently. All the parents who are totally bewildered would need a clear statement about what the Minister was doing to save them.

Mr. Dorrell: As regards the position today, parents have a very clear statement. I quote it again:

"infants and children are not likely to be more susceptible to that infection than are adults".

That is a clear statement. I entirely agree with the hon. Lady on the important point that she made about ensuring that we conduct accurate and timely surveillance of CJD cases and draw any further lessons that are available to us from that evidence. That is why I have provided extra resources to the surveillance unit in Edinburgh. It corresponds directly with a SEAC recommendation. The Government are taking that forward for precisely the reasons that the hon. Lady mentioned.

Mrs. Teresa Gorman (Billericay): Does my right hon. Friend agree that we should learn the lessons of the scare eight years ago, when a relatively small group of scientists extrapolated information from a small outbreak of salmonella food poisoning that had caused some fatalities, and drew conclusions that led the House to implement legislation which caused the death of more than 1 million chickens and the destruction of some 300 million eggs? Those regulations were quietly dropped about a year later, when it became perfectly obvious that the cause of that outbreak was kitchen hygiene and not farmyard practices.

Does my right hon. Friend agree that it is imperative that scientists should publish their work, especially when it is based on a relatively tiny sample, and have it evaluated by their colleagues in the scientific community before we in the House cause the slaughter of herds of cattle and the destruction of our industry? Will he take my assurance as a historian of science that history is replete with people who advanced hypotheses on limited evidence, only to have them refuted at a later date? We must put that line of argument to the public, to reassure them that, if a disease breaks out in one group of animals, it is not necessarily transmittable to another group of animals that may or may not have had contact with them.

Mr. Dorrell: I entirely agree—that is not something I can always say to my hon. Friend—with every word that she said. It is just as important not to overreact as it is not to underreact, as I said to the House last week. We must base our conclusions on the evidence. We are responsible for those conclusions, but they must be firmly based on the evidence and justified by it.

Dr. Jeremy Bray (Motherwell, South): If there is no evidence of age specificity among the 10 cases that were examined, is the low average age of cases explained by the process of selection? Are there other cases that were not included in the sample study?

Mr. Dorrell: There are two separate issues that could relate to the relatively young age of the 10 cases. One is their susceptibility because they were relatively young, and the other is the possibility of increased exposure to infected material before 1989. I remind the House again that we are talking about a risk associated with a product that has not been available since 1989, because that was the date when the agents of infection were removed. The background to the 10 cases may be susceptibility or exposure.

The question of susceptibility was specifically analysed by the committee, and it concluded that there was no evidence of any increased susceptibility among children, and therefore that parents and families should not proceed on the basis that children are at any greater risk of susceptibility to the condition.

Sir Teddy Taylor (Southend, East): I congratulate the Secretary of State on dealing with this sensitive issue so effectively. Can he give any guidance as to why the health problem has apparently not existed in countries where British beef is consumed or where suspect beef has been used? Can my right hon. Friend give any guidance to parents and young people as to whether there is any truth in press reports of special dangers associated with sausages, liquorice allsorts and a certain kind of digestive biscuit?

Mr. Dorrell: As to my hon. Friend's second question, the answer is no—there is no truth in those press reports. The evidence has been analysed. This is a scientific question—it is not susceptible to political argument. There is no evidence available of increased age sensitivity, which is the basis on which the Government and the scientific community are advising families to proceed in their affairs.

As to whether CJD overseas may be related to the consumption of British beef, there is currently no difference between the incidence of CJD in many different countries. There is certainly no evidence to support the assertion that the condition has emerged in other countries related to the consumption of British beef. The advice to the export market—potential overseas consumers of British beef—is exactly the same as to the domestic consumer. The risks associated with consuming the product are extremely low.

Mr. Dennis Skinner (Bolsover): Is not the truth that the one thing that has characterised the Government during their entire period of office is that they have been telling the British people that deregulation is good for them? The net result is that there was bound to be a day when there would have to be a reckoning up. The British people are scared about the result of relaxing the rules. The Government had a judgment to make many years ago, as to whether to relax the rules in favour of animal feed manufacturers or stand four square with the British people. The Government chose deregulation. The consequence is that the British people are in fear. They have to pay for the Government's decision, and the farmers will have to sup the mop as well. The Government made the judgment and they should carry the can. It is time that they went.

Mr. Dorrell: There is not a scintilla of truth in anything that the hon. Gentleman just said. That is the worst kind of scaremongering—ferreting around for party political advantage in the sewer of politics.

Sir Michael Spicer (South Worcestershire): Is it true that, whereas the rate of BSE has been rising over the past 15 years, the incidence of CJD has fallen over the past two years? Does not that put in question the relationship between the two?

Mr. Dorrell: My hon. Friend is quite right in his interpretation of the figures on CJD. Attention has focused on the potential link between CJD and BSE, because the 10 cases to which I referred are of a particular sort of CJD of which we have not been previously aware. That specific group, having specific symptoms, has led people to conclude that there may be a link. The opinion of the advisory committee is that the most probable explanation for that specific group of 10 cases is that it is related—again I make the point—to the consumption of the infected material that was available before 1989. The controls introduced in 1989 led the committee to conclude that the consumption of British beef and beef products is now associated with a low level of risk.

Mrs. Alice Mahon (Halifax): Is the Secretary of State aware that on Thursday the Select Committee on Health was told that, in 1989, the Government stopped using bovine serum made in Britain and imported it for the manufacture of vaccine? If that is the case, why were not the rest of us told? Is he further aware that after a decade of deceit, prevarication and denial, nobody believes a word the Government say?

Mr. Dorrell: This process has been carried on in public. The advice on which the Government have acted has been published. The evidence that led the committee to reach those conclusions and give that advice has been published, and the recommendations made last week and this week will be published. The Government have nothing to hide because they do not want to hide. What they want to do is to provide well-founded scientific recommendations based on published evidence.

Sir Anthony Grant (South-West Cambridgeshire): In order to bring a sense of proportion to the hypochondriacal hysteria of the Opposition, will my right hon. Friend consider publishing a list of the comparable risks in our society, based on statistical evidence, which would probably show that one is as likely to win the jackpot in the lottery and one has a much greater chance of being murdered than of dying from this disease?

Mr. Dorrell: My hon. Friend makes an important point. The risks associated with eating this product are extremely low and are well within the normal range of risks that every citizen of this country takes every day of his life.

The hon. Member for Peckham said earlier that parents will be concerned about the taking of risks by children. I am a parent of a seven-year-old and a three-year-old, and I understand that parenting involves taking risks to develop a child's self-confidence. The risks associated with parenting are many and various. The risks associated with this product are defined by science as extremely low.

Mr. Andrew Faulds (Warley, East): In view of the unsatisfactory nature of an earlier reply, what research does the right hon. Gentleman intend to set up and what research is presently under way into the spread of BSE, because of the cannibalisation of feed, across the species barrier into pigs, sheep, cats and dogs? *[Interruption.]* Do listen, you silly berks. This is not a joking matter. You should all be put out of the House. Because none of you can do it well, do not be envious of those who can.

On a related issue, should not all transgenic experimentation cease forthwith?

Mr. Dorrell: The hon. Gentleman is on to an important point, which is the possibility of this disease being transmitted across the species barrier on farms. It is precisely for that reason that the rules on meat and bone meal were changed last week, and the advice has been given today. In particular, SEAC advised that meat and bone meal

"must not be incorporated into any feed for any farmed animals, including fish or horses, or into fertiliser likely to be used on land to which ruminants have access."

The issue about which the hon. Gentleman asked is covered by the advice, and the Government have made it clear that they intend to take that advice.

Mr. Tim Yeo (South Suffolk): Does my right hon. Friend agree that it would have been an act of gross irresponsibility on his part to overreact to the hysterical demands coming from Labour Members? Does he further agree that if the British beef industry is destroyed as a result of that hysteria, voters in the rural economy, which will have suffered a devastating blow, will know whom to blame? Does my right hon. Friend also agree that if billions of pounds of extra public money were suddenly to be available for the purpose of protecting children's health, it would certainly not be sensible to use that money to pay for the slaughter of millions of healthy British cattle?

Mr. Dorrell: My hon. Friend simply paraphrases the advice that is available to the Government, the House and the public. What those on the Opposition Front Benches have totally failed to do, in their comments on the issue, is to endorse the advice and make it clear that they carry through their commitment to observe science into action; or to say what they think we should do; or, crucially, to give any justification for taking different action from that advised by the scientists. That is the question that the Opposition have not answered.

Mrs. Margaret Ewing (Moray): Today the Secretary of State has consistently referred to the research issue. What time scale does he consider necessary for further research to be undertaken? What funding will the Government provide to ensure the highest quality of research? Will that include a live test of the nature of the disease? Many people attach considerable importance to the fact that Professor Lacey, who was involved in developing a live test, found his evidence dismissed because he was seen as politically unsound.

If this research is to be effective, will it include an assurance that BSE-free herds will be allocated the quality assurance mark that is already available to 6,000 farms in Scotland with Aberdeen Angus herds? We do not see why farmers with BSE-free herds should be affected by this panic.

Mr. Dorrell: There are two aspects to the research that the Government are undertaking. First, there is the expansion of the work of the surveillance unit at Edinburgh university—the unit that has been responsible for identifying the 10 cases and for leading the pathology work on which the advisory committee's findings have been based. I have committed extra resources to the surveillance of cases as they arise, at Edinburgh university and also at St. Mary's hospital in Paddington, which supplied the pathology service to Edinburgh.

Secondly, we must ensure sufficient resources to allow us to conduct a planned, directed research programme of original scientific research, so as to better understand the causes of the condition, and how it can be diagnosed and treated. That programme of research is what the NHS director of research and development, Professor Swales, will be preparing over the next few weeks. So resources have been provided for conducting the surveillance and the research necessary to improve our understanding of the underlying science of this condition.

Mr. Robert Banks (Harrogate): Has my right hon. Friend had time to read the article in *The Times* today, written by William Rees-Mogg? Is it not the case that BSE has probably been in cattle for the past two centuries and was previously known as the staggers? Is it not also the case that Britain has built its reputation on roast beef and Yorkshire pudding—and there is nothing wrong in that?

Mr. Dorrell: The advice of the scientific committee confirms and reinforces my hon. Friend's view that there is nothing wrong with British roast beef and Yorkshire pudding. I therefore agree with that. The proposition that BSE is the same as the staggers has a rather more doubtful background. The key point is that the steps that have been taken ensure that we are able to say that the risks associated with eating the traditional Sunday joint are extremely low.

Mr. Barry Sheerman (Huddersfield): The Secretary of State is responsible for health. One would be forgiven for not understanding that 10 youngish people had died recently of the new strain of this disease—that shows how serious this matter is. Is it not a fact that public confidence has disappeared because for 10 years the Government have failed to react quickly enough or effectively enough? Just a few moments ago, in response to my hon. Friend the Member for Warley, East (Mr. Faulds), the Minister said that the ghastly business of feeding animals dead animals across the food chain and across species had been stopped only in the past few days. Are not many people likely to die of this disease? If so, how many will die before the right hon. Gentleman resigns?

Mr. Dorrell: I find it objectionable when we are alleged to have acted with delay, when what we have actually done is take scientific advice and act promptly on it at every stage.

The hon. Gentleman asked about the feeding of animal-based bone meal back to farm animals. It was actually in 1988 that, on the advice of the scientists then, the feeding of ruminant-based meal to ruminants was banned. On the advice available last week, but not before last week, the feeding of meat and bone meal to other species has also been banned. It is no good saying that it is unnatural for one species to eat the remains of another—that is what the meat industry is all about. The feeding of animal remains across the species barrier is what the meat industry is all about. We want to ensure that it is only done safely, and we rely on the experts on questions of safety.

Mr. John Redwood (Wokingham): Is the Secretary of State telling those who make and sell beefburgers in this country that it would be quite safe for them to buy any kind of British beef again for their products?

Mr. Dorrell: I do not want to paraphrase anyone, so I am saying that the risks associated with it are extremely low. I see absolutely no reason for any responsible citizen not to buy British beef or beef products of any kind in the shops today.

Ms Angela Eagle (Wallasey): Will the Secretary of State admit that, had the previous Labour Government's draft guidelines on animal feed been put into effect by this Government when they came into power, the BSE outbreak would have been completely contained and 10 young people would perhaps not have lost their lives? Will he apologise for the obsession with deregulation, which threatens to destroy the beef industry and which has scared every member of the public? When will he get up and say sorry?

Mr. Dorrell: The House is now being asked to compare the scientific expertise of the hon. Lady with that of Sir Richard Southwood, a former vice-chancellor of Oxford university. Given the choice, I prefer Sir Richard's.

Mr. John Marshall (Hendon, South): Will my right hon. Friend confirm that if we were to cull all cattle aged 30 months and over, as the hon. Member for Peckham (Ms Harman) recommended, it would eventually cut milk output by 70 per cent.? Does he believe that the subsequent import of container-loads of continental milk would improve food hygiene in this country and the health of the nation?

Mr. Dorrell: My hon. Friend makes an important point. I would respond to such a suggestion with a simpler question: on what basis would we justify behaving in that way? Where is the evidence to prove that it is a necessary and proportionate response to the problem that we face? The evidence is that it is not a proportionate response. The evidence now available tells us that products benefiting from the protection of the ban imposed in 1989 can be consumed with extremely low levels of risk. I therefore see no justification for doing more against the background of advice from the experts, who said:

"the Committee does not believe that additional measures are justified at this stage".

That is the advice of the scientists, and I have not heard any argument that could lead me to cast it aside.

Mr. John Evans (St. Helens, North): Are the scientists who have advised the Secretary of State that there is no risk to children the same scientists who have been advising him and his predecessors for the past 15 years that there is no risk whatever from eating British beef? In view of his statement about the advice given a week ago,

will he give a categorical assurance to the House and the public that there is no health risk whatever from eating British sheepmeat?

Mr. Dorrell: As I have already said on several occasions, there are no human activities where the level of risk is zero. I cannot give an assurance that eating any product, crossing the street or engaging in a variety of other activities is 100 per cent. safe. There is no human activity to which no risk is attached.

The hon. Gentleman asks me about the advisory committee, on whose evidence I rest. It was established not 15 years ago, but in 1990. I have heard nobody call in question the competence and expertise of the members of that committee. Indeed, yesterday morning I appeared in a television programme with Professor Richard Lacey, with whom I do not agree about everything. It was he who said that he accepts the scientific validity and authority of the committee.

Mr. John Gunnell (Morley and Leeds, South): As the Minister has quoted Sir Richard Southwood, will he comment on the statement made by Sir Richard, which appeared in this morning's edition of *The Daily Telegraph*? Sir Richard said that the Government did not react properly to his report in 1989. He stated that the Government should have said that meat was unsafe. He observed:

"They did not address it"—

that is, his report—

"with the kind of panic I th. ik it . . . deserved. We are now fulfilling what was the inquiry's nightmare scenario. We acknowledged that there was a slight risk to human health. Our fears are now being realised."

What does the Minister now say to Sir Richard? Does he agree that if children and adults face the same risk, we are all at risk?

Mr. Dorrell: We have acknowledged for some years that there is a possibility of risk of infection from BSE. It was because of that acknowledgement that we put in place the specified offals ban in 1989. If there was no risk of infection of CJD from BSE, what was the justification for putting in place the specified offals ban? It was put in place precisely to guard against the possibility of cross-infection. Sir Richard Southwood's central recommendation was that we should establish the Spongiform Encephalopathy Advisory Committee, and that that committee should provide us with scientifically based evidence on which to base our judgments. That is what we have done.

Several hon. Members *rose*—

Madam Speaker: Order. We shall move on to the second statement.

BSE (Agriculture)

4.27 pm

The Minister of Agriculture, Fisheries and Food (Mr. Douglas Hogg): With permission, Madam Speaker, I would like to make a statement about the beef industry.

My right hon. Friend the Secretary of State for Health has informed the House of the advice that we have received from the Spongiform Encephalopathy Advisory Committee earlier today. I hope that this will help to reassure consumers as to the safety of British beef, and that this in turn will lead to an improvement in market conditions.

Some of the SEAC recommendations are for Agriculture Departments to take forward. In particular, SEAC has given advice on the treatment of trimmings from cattle over 30 months of age, on meat and bonemeal, and on the status of heads from animals over six months of age. The Government have accepted these recommendations in full and I will bring orders before the House as soon as possible. Because of the nature of the advice given by SEAC, these require consultation with the interests concerned. However, I propose to proceed as expeditiously as possible.

The House will appreciate that the orders will be complicated since, in particular, a new system of licensing for plants authorised to bone out animals over 30 months of age will be required.

I turn now to the consequences for trade and for the beef market. The House will be aware that certain EC member states have banned the import of some beef products from the UK, and in some instances live animals as well. I do not believe that these measures are justified by the SEAC findings, which explicitly referred to exposure before the imposition of the specified bovine offal ban in 1989. My officials are arguing in Brussels that the bans are unjustified.

The House will also be concerned, however, about the effect of recent alarm on the beef market and on the livelihoods of the many thousands employed in the several industries connected with it. As I made clear to the House last week, a number of mechanisms exist within the common agricultural policy to support the beef market. These include intervention on young male animals, including safety net intervention if prices fall to particularly low levels, export refunds, and other measures such as aids to private storage, and aid for the slaughter of young male calves from dairy herds.

Obviously the precise use that we wish to make of these, or other, mechanisms will depend upon the extent of the market reaction. It is too early to judge this with confidence, but I am in touch with the Commission so that measures can be put in place as soon as it is clear that they are justified.

I believe that second to putting in place the necessary measures recommended by SEAC, the most important task is to rebuild consumer and market confidence, a process helped by today's statement from SEAC. However, confidence is fragile. I shall monitor it with scrupulous care and I shall not hesitate to come before the House with further measures if it is clear that they are justified by the circumstances.

Dr. Gavin Strang (Edinburgh, East): Does the Minister accept that, in the light of last week's announcements, his first priority should be to ensure that the BSE agent does not enter our food? Is it not clear that to do that he must first ensure that all the necessary regulations are in place; and, secondly, he has a responsibility to ensure that they are properly enforced? I remind the Minister that, in announcing new measures last week, he assured the public that they could eat British beef with confidence. He has announced further new measures today. When does he expect all these measures to be implemented? Enforcement of BSE control legislation is crucial. I remind him that, as recently as last summer, the state veterinary service found that BSE controls were being flouted in our abattoirs. Will the Minister give me an assurance today that the state veterinary service and the Meat Hygiene Service have all the resources and statutory authority that they require properly to enforce all the regulations?

As regards the new steps that the Minister announced today, will he confirm that if a carcase or part of a carcase is believed to be contaminated with bovine specified offal it will be kept out of the human food chain? Can he say who will be responsible for deciding whether that carcase is kept out of the food chain; who will have to implement that decision; and who will be responsible for enforcing that measure?

Will the Minister consider ensuring that all cull cows are slaughtered? I ask him to consider three further steps: first, to ban from human and animal food all calf bovine specified offal—I still put it to the House that it is not wise to allow the specified offal of cattle under six months to enter our food; secondly, a random testing programme for BSE of the brains of cattle going through our slaughterhouses, as recommended by the Tyrrell committee in 1989, which would be of great epidemiological significance—and, thirdly, the safety of mechanically recovered meat in the light of the new concerns.

For the sake of farmers and consumers alike, I make it clear to the Minister that only when consumers are satisfied that the necessary regulations to protect them are in place and are being effectively enforced will they be confident that our beef is as safe to eat as any other beef or beef products in Europe. Will he recognise that his prime responsibility to the British people is to ensure that the food in our shops is safe to eat, and that the British public will judge him not by his words but by his actions?

Mr. Hogg: May I deal with the hon. Gentleman's last point first? Yes, I accept that the prime responsibility of the Minister of Agriculture, Fisheries and Food is to do what he or she can to ensure that human food is wholly safe: that is our prime duty, and it overrides all others. It is, of course, true that as Minister of Agriculture I have a responsibility to the agricultural and farming communities, but my overriding duty relates to public health and the national interest.

The hon. Gentleman asked whether we accept that it is important to keep the agent out of the food chain. Absolutely so—and that is the justification for the SBO controls, together with the new controls. He asked whether we could ensure proper implementation. He will remember that towards the end of last year I called in representatives of the slaughterhouse industry on, I think, two occasions; I have seen them subsequently, and so have my colleagues in the Ministry. This is an extremely important issue, and last Wednesday I issued express instructions to the Meat Hygiene Service relating to the vigorous enforcement of controls. I believe that the state veterinary service and the Meat Hygiene Service have both the authority and the resources that they require.

Diseased cattle should not enter the food chain. Confirmed cases should be disposed of and destroyed before they enter the slaughterhouses, and in any event the SBOs of all cattle should be taken out and destroyed.

The question of cull cows has been put in a variety of ways, but SEAC considered the position of cattle over the age of 30 months, and sought to deal with the problem that the hon. Gentleman has in mind by means of the deboning requirement that was announced last Wednesday. As for mechanically recovered meat, it was banned last December.

Mr. Paul Marland (West Gloucestershire): I know that my right hon. and learned Friend will agree that we are all here this afternoon because we care about public health. Does he also agree that, given that we are all here for that reason, it is nauseating for Opposition Members to try to claim this as their own public domain? I commend my right hon. and learned Friend: his actions have been taken on the basis of the best scientific advice available, not just today but historically. With the benefit of hindsight, it is easy to criticise what has gone on in the past, but the Government and the Ministry have always acted on the basis of the best available scientific advice. The Government have been very responsible in that regard.

Is my right hon. and learned Friend aware that a considerable amount has been written in today's newspapers about what is known in Europe as mineral deficiency, or manganese staggers? Is he entirely convinced that that is not just another name for BSE in France or Holland? Should it not be examined very carefully? I have a feeling that our European Union partners are using the current difficulties here as an opportunity to do down our beef industry to the betterment of their own.

Mr. Hogg: I am grateful to my hon. Friend for his support. He brings a great deal of knowledge to the issue, partly as a result of his time on the Select Committee on Agriculture and partly because of the nature of his constituency.

On the question of public health, my hon. Friend is entirely right. I have already stressed that maintaining public health is our paramount and overarching duty. He is also entirely right about the question of acting on scientific advice. As my right hon. Friend the Secretary of State for Health has made absolutely plain, we have always published the scientific conclusions and recommendations and have acted on them fully and promptly. I was asked whether there is BSE on the mainland of Europe. There are indeed cases—I suspect that there are more than have been disclosed—but I proceed on the basis that the problem is greater in Britain than on mainland Europe.

Mr. Paul Tyler (North Cornwall): The Minister and the Secretary of State for Health have rightly laid great stress on the need to act only on the best possible scientific advice. Does the Minister think that it was

alarmist of him and the Secretary of State in media interviews to give such weight to the suggestion of mass slaughter, even complete slaughter of the national herd? Will he consider the circumstances of replacement in that eventuality since, as I hope he will be able to confirm, in some cases young stock imported from France and Holland and from other continental breeders were subsequently found to have BSE? Would it not be a case of out of the frying pan into the fire if we found that we were re-importing BSE after having slaughtered our own herd? Is it not equally absurd for the burger giants to import beef that is not controlled, regulated and inspected to the high standards that we have in this country?

Mr. Hogg: One needs to go on repeating that, in all probability, the exposure to BSE occurred before 1989. That is the considered judgment of SEAC. The scientific committee also concluded that the risks associated with eating British beef are extremely small. It follows that in logic and on the scientific evidence I must agree with the hon. Gentleman that it is not necessary for anybody to stop eating British beef or to stop using it.

I was asked about a cull policy. The announcements that my right hon. Friend the Secretary of State for Health and I have made today reflect our considered policy. They are based on the recommendations that we have received from the scientific committee and we have no other recommendations to make to the House at the moment.

Mr. James Couchman (Gillingham): Will my right hon. and learned Friend ignore the hysterical politicking by the Opposition and the mass, whipped-up scaremongering by the media over the weekend? Rather, will he listen to a dairy farmer in my constituency whose herd has never had BSE and who is desperately worried about the hysteria? What does my right hon. and learned Friend propose for dairy-bred calves that are now virtually worthless and unsaleable? Can he find some sort of scheme to help my constituent? If he is forced into a slaughter policy, what will happen to milk quotas? I gather that we are heavily over quota for this year, but that a slaughter policy next year or in the near future would make us very heavily under quota. If a slaughter policy is introduced, what compensation would be available to my constituent whose herd has never had BSE and who has not felt it necessary to insure against BSE because he did not feed his cattle on the sort of feed that has led to it?

Mr. Hogg: My hon. Friend has asked a number of important questions reflecting the concern of his constituent and, I have no doubt, the concern of other people in his constituency and elsewhere. I shall begin by dealing with his question about calves. In my statement, I drew attention to the mechanisms in the common agricultural policy—in particular, the aid mechanism for the slaughter of young male calves from dairy herds. However, it is important first to try to restore confidence in the market. Confidence should be restored on the basis of what SEAC and others have said. If consumer confidence is restored it will have a very important and beneficial impact on the market. However, if for any reason that does not happen, I anticipate that I may have to come back to the House with further proposals. But that is not the position at the moment and, consequently, I am not doing that. Rather similar propositions apply to compensation. My hon. Friend will note that I have not in any way suggested a cull policy. That being so, I am not suggesting a compensation policy.

Mr. Calum Macdonald (Western Isles): The Minister and the Secretary of State for Health keep hiding behind what they say is the best scientific advice. But surely the problem is that the scientific advice has been constantly overtaken by events and has been shown to be wrong. In 1989, the Southwood committee said that the cumulative total of cases by 1995 would be 20,000. It is now 155,000. The best scientific advice said that it was unlikely that the disease could be transmitted from cattle to humans, but it now says that it is likely to be so transmitted. *[Interruption.]* The word used is "likely". Before it was said that it was highly unlikely, but the scientists now say that the cases are likely to have been transmitted by BSE in cattle. Therefore, the Government's responsibility is to go beyond the scientific advice and get ahead of events: they should not wait for public confidence to plummet again. The first step that they should take is to ban the feeding of offal to cattle under the age of six months, as was recommended by the Select Committee on Agriculture in 1989.

Mr. Hogg: Of course Ministers have a responsibility, and that may sometimes go beyond simply acting on scientific advice. I accept that, but it is absolutely the case that any policy that one presents to the House must be considered and informed and proportionate to the risk. When one determines against those criteria what it is proper to bring to the House, one inevitably and rightly places enormous weight on the scientific advice. That is not to say that Ministers are thereby exonerated from making decisions, but it is to say that our decisions have to be justified in rational and informed terms. As I say, that means placing great weight on the expert and scientific advice that we receive.

Sir Jim Spicer (West Dorset): My right hon. and learned Friend has rightly laid great stress on the competence and integrity of SEAC. Its recommendations are accepted, and we are all delighted that it has come out today in the way that it has. Can he assure us that the informed views that are being heard today by the standing veterinary committee in Brussels and which will be put to it again on Wednesday will be received by people who are, first, qualified to understand exactly what they are being told and, secondly, will not have been got at by their Governments in an attempt to defend the situation that they have brought upon themselves by imposing a unilateral beef ban on no basis whatever?

Mr. Hogg: My hon. Friend is wholly right to draw attention to the importance of ensuring that those who serve on the standing veterinary committee and the scientific veterinary committee in Brussels are fully aware of the facts and arguments as they are determined by SEAC. SEAC probably contains the most prestigious and informed group of scientists on this topic anywhere in the world. We have taken enormous pains to ensure that members of the veterinary committees are aware—and will be continually informed—of the facts and considerations that have led SEAC to its conclusion.

Mr. D. N. Campbell-Savours (Workington): Is it not true that for six long years there has been consistent abuse by abattoir owners of the procedures that were recommended at the time of the original SBO ban—so much so that last year the Minister's officials undertook two studies, one of 163 slaughterhouses and the other of 120 slaughterhouses? It seems that they found abuses of the procedures in half the slaughterhouses that were surveyed. How is it possible that over all those years, while we were being told that the rules were being complied with in slaughterhouses, all this happened without officials in the Department or the state veterinary service even knowing that it was going on?

Mr. Hogg: It is true, and the hon. Gentleman knows, that instances have been found of non-compliance with SBO controls. In the latter part of last year in particular, those instances were made known by way of parliamentary answers.

Mr. Campbell-Savours: I told you in a letter early last year.

Mr. Hogg: The hon. Gentleman makes a sedentary intervention, but it matters not because I accept that there has been a degree of non-implementation of the controls. As I say, I made that plain by parliamentary answer. I called in the industry on at least two occasions. One of the important functions of the Meat Hygiene Service, which has taken over responsibility from local authorities for the enforcement of the requirements, is to supervise and enforce the controls more vigorously.

Mr. Quentin Davies (Stamford and Spalding): In retrospect, do not the Government deserve much credit for the regulations in 1989 banning the use of offal and for setting up the scientific advisory service in 1990? Despite this afternoon's reassuring statements, for which hon. Members and people outside will be grateful, do not two major problems remain? One relates to the single market. How can we possibly have a single market where there are national bans on certain products? Surely, if there had been a danger to human health through eating British beef, that beef should have been banned everywhere, including in this country. As there is no danger, there is no justification for its being banned anywhere else. What will my right hon. and learned Friend do to restore the integrity of the single market?

Secondly, is it not a problem that this country's beef industry has progressively become a by-product of the dairy industry? The overwhelming majority of beef comes either from dairy cattle or from crosses with dairy cows. Would it not be a good idea to consider whether beef farmers who wish to specialise in pedigree beef herds and to produce pure beef cattle should receive full recognition for that? Should we therefore not consider some form of certification procedure such as exists, I believe, in France?

Mr. Hogg: My hon. Friend makes a number of important suggestions. As to the latter suggestion, essentially, that is a matter for the industry, but, clearly, his suggestion has considerable force, although most prime beef that he would eat comes from specialist beef herds.

My hon. Friend suggests that the Government should claim credit for putting the SBO controls into place. The Government were performing their duty in that respect. It is important to remind the House that, when those controls were put in place, the best evidence that we had and the best views that we could form were that the condition was not transmissible, but it was against a possibility of error that those controls were put into place. We thus had a belt-and-braces approach to the control of the disease.

For all the reasons that have been outlined to the House by my right hon. Friend and me, European Union countries are not entitled to erect a barrier against the importation of British beef.

Mr. Peter L. Pike (Burnley): The Minister will recognise that, today, he cannot say with 100 per cent. certainty why we should believe the expert advice, which has been wrong on so many previous occasions. Nor can he say with 100 per cent. certainty that he will not have to return to the Dispatch Box to make yet another statement. Who appoints these so-called independent experts? Will he give an assurance that other people who may believe that they are experts will have all the evidence that is available so that they can check whether what we are now being told is correct?

Mr. Hogg: As to the publication of the evidence, my right hon. Friend the Secretary of State for Health has already made it plain that the relevant considerations will appear in the scientific journals. Consequently, anyone who disagrees with or wishes to criticise the considerations that have led SEAC to its conclusions can readily do so—the material will be available in the scientific journals, as has been consistently the case throughout the management of this business.

On the question of SEAC's standing, again, my right hon. Friend made a clear point on that. Professor Lacey, who is a critic of the conclusions, does not for a moment impugn the quality of the advisory committee. I believe that, in SEAC, we have the most qualified, eminent and distinguished group of people operating in this sector of disciplines anywhere in the world.

Mr. William Cash (Stafford): Will my right hon. and learned Friend take this opportunity to redress the balance that has been created by people in other countries who are seeking to take commercial advantage from beleaguered British farmers, in respect of both dairy and beef farms, and from other people who depend on them for the goods that they sell here and abroad? Will he ensure that, in other countries, a proper summary is put in newspapers by way of advertisement, for example, so that people have an objective analysis against which they could form their judgments on British beef, which I ate on Sunday and again today?

Mr. Hogg: My hon. Friend makes an important point. Essentially, it is this: how best do we try to ensure that the debate in other European Union countries is as rational and as considered as that which we are seeking to have in this country, and that people can make decisions in the informed and considered way that we are able to do in this country because of the quality of the advice that we receive.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Is the Minister aware that I am astonished at his complacency while countries around the world are banning British beef, while slaughterhouses are closing,

while farmers in my constituency have been telephoning me all weekend distraught at what is happening and while meat renderers, butchers and processors are paying people off? All that is happening not because of any scaremongering by Labour Members—[HON. MEMBERS: "Oh!"] Not at all. It is caused by the Government's panic, indecision and dogma. It is about time that they dealt with the matter with the urgency and seriousness that it deserves.

Mr. Hogg: We should go back to the basic facts: if CJD has been caused by BSE—and it seems that it may have been—that resulted from exposure before 1989. The advice that we have received and accept is that beef now is extremely safe—the risks are extremely small. Against that background, our common duty is to ensure that the public understand those basic facts because, if they do understand that the risk is extremely small, consumer and market confidence will be restored. The criticism that is properly made of Opposition Members—especially the hon. Member for Peckham (Ms Harman), whose comments are unjustified in many respects—is that their comments damage the confidence of both the consumer and the market.

Sir Peter Emery (Honiton): Will my right hon. and learned Friend pursue the instances of BSE in Germany, Holland, France and Italy so that those facts can be published and it can be shown that their regulations are much less stringent than ours? Will he consider the position in relation to marketing beef from herds that are absolutely free of BSE? It is wrong that farmers who have gone out of their way to keep BSE-free herds should suffer in the same way as other farmers. Cannot he design a way of either labelling or inspecting that meat for the market so that those farmers are not caught up in the general panic that has been expressed by Opposition Front-Bench Members?

Mr. Hogg: My right hon. Friend makes an important point about the quality of beef in Britain compared with the quality of beef in countries in mainland Europe. It is true that, in a number of important respects, those other countries are operating a much less tight regime than Britain, in particular in the handling of SBOs and the contents of feed rations for ruminants. In those two respects, our controls are very much tighter than those operated in mainland Europe.

My right hon. Friend made an important point about marketing, although it is more specifically for industry to take advantage of the status that he identified than it is for MAFF to advise.

Mrs. Ann Clwyd (Cynon Valley): Surely one of the lessons to be learnt from this whole sorry saga is that food policy in this country should be rethought. Whatever Ministers have said today, the belief is that consumer interests have been subjugated to the interests of producers. *[Interruption.]* That is the general belief in this country and nothing that has been said today will change that.

Scientists have said today that people who may be worried about beef should not think that they can simply change to chicken, pork or any other meat because they are full of antibiotics which may bring their own risks. The consumer is totally confused.

The Minister boasts about taking note of scientific advice. Why did not the Government take note of their own committee's advice in 1989—the Tyrrell committee—which recommended research into the brains of slaughtered cattle to examine the incidence of unknown diseases? Why was that not done?

Mr. Hogg: On the question of food policy, it is clear that these sort of incidences will inform the way that we think about food. Lessons will be learnt. It is nonsense to suggest that policy does not develop against the background of emerging problems. We learn from experience and draw our lessons from what we now know. The hon. Lady can be certain of that.

The consumer interest is heavily protected in Britain. The weight of regulations currently in place shows the significance and importance attached to the consumer interest. I shall cite one example. The House will remember that in the latter part of last year I introduced restrictions on mechanically recovered meat. Now, I am being sued for having acted in, it is said, an irrational and disproportionate manner in doing that. That shows that we put public health first.

Several hon. Members *rose—*

Madam Speaker: Order. I am conscious of the need to safeguard the remainder of today's business. I appeal to hon. Members to put brisk questions. I am sure that the Minister will oblige with brisk answers.

Mr. David Nicholson (Taunton): I welcome the fact that the Government are not overreacting to the hysteria generated over the past few days by certain of the media, by the self-interested action of some of our competitors and, in particular, by the hon. Member for Peckham (Ms Harman) and some of her colleagues—in sharp contrast to the restraint shown by the Liberal Democrats on this issue.

Bearing in mind what has been said by my hon. Friend the Member for West Gloucestershire (Mr. Marland), my right hon. Friend the Member for Honiton (Sir P. Emery) and the hon. Member for North Cornwall (Mr. Tyler), and also that McDonald's and other organisations in this country that are banning British beef intend to import beef from Ireland, France and elsewhere, will my right hon. and learned Friend inform the House of the risk of BSE infection being imported into this country by that means?

Mr. Hogg: I agree with what my hon. Friend said about the hysterical reaction of a number of Opposition Members—and I include the nationalist parties in that. My hon. Friend referred to importing beef into Britain to satisfy the requirements of McDonald's. On the advice of SEAC, we believe that the position adopted by McDonald's is not justified on any assessment of the facts.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I do not wish to be hysterical, but I am sure that the Minister realises that his statement will do nothing for consumer confidence, and nor will it help the industry. I respectfully refer him to the fact that in Ireland the problem was virtually eradicated by selective culling in 1989, at a

[Mr. Elfyn Llwyd]

comparatively small cost of £12 million. When will the Minister take a real, decisive step and not pass the buck and waste time?

Mr. Hogg: A number of policies can be pursued, but it is important to rest our conclusions on the best possible evidence and assessments. We have two important strategies. The first is to try to eliminate the incidence of BSE from the cattle herd. It is falling rapidly, but not fast enough. That is the justification for excluding from the animal feed chain the ruminant protein to which my right hon. Friend the Member for Honiton (Sir P. Emery) referred. Secondly, on the question of public health—and we have concentrated for most of the past hour and a half on this—we believe that the arrangements now in place ensure that the risk from eating British beef is extremely low.

Mr. Robert Hicks (South–East Cornwall): Is my right hon. and learned Friend aware that throughout the west country, which is a major livestock area, there is considerable resentment that premature judgments have been made about the safety of beef, largely on the basis of certain irresponsible statements by politicians, journalists and other so-called instant experts? Does he agree that the greatest need now is to restore confidence in the beef market and the consumption of British beef? If a further package of measures is required to achieve that objective, it should be implemented sooner rather than later.

Mr. Hogg: We have a clear duty to inform the public and the House of any important conclusions or recommendations that come to us from SEAC. It was for that reason that my right hon. Friend the Secretary of State for Health and I came to the House as expeditiously as we did last week with the information that we had, namely, that CJD may have been caused by BSE, the exposure having taken place before 1989. That we have to do. The central point is that exposure probably occurred before 1989. Thereafter, controls have been in place. My hon. Friend referred to confidence. I believe that there should be confidence in the safety of British beef, for the reasons that my right hon. Friend and I have been outlining over the past hour and a half.

Mr. Nick Ainger (Pembroke): Does the right hon. and learned Gentleman accept that the only way in which confidence in British beef will be restored among British and European consumers and the market generally is an assurance that no BSE-infected meat will enter the human food chain? Can he explain to the House why the research carried out by Mr. Narang in Newcastle, which was to develop a live test for BSE, was not continued and developed? If there were to be a live test, we would be able to begin to solve this horrendous problem.

Mr. Hogg: Obviously, it is vital to keep infected beef out of the human food chain; that is the purpose of the SBOs and that is why we have reinforced them. It is also true that it is highly desirable to develop a live test as soon as possible. At the moment, we do not have one and the best estimate is that we will not have one in the near future. I wish that it were otherwise, but I believe that what I have said represents the facts.

Mr. Mark Robinson (Somerton and Frome): My right hon. and learned Friend has been absolutely right this afternoon to keep underlining the importance of restoring the confidence of consumers in British beef. Will he call in the heads of those retail chains that are refusing to serve British beef and at least ask them to offer a choice between Dutch or other beef and British beef?

Mr. Hogg: That is an interesting suggestion, and I should like to reflect on it.

Mr. David Hinchliffe (Wakefield): Has the Minister had an opportunity to study the *Hansard* report of the debate on BSE and CJD that I initiated on 10 January? If he has, how it is possible for him to state that stringent controls are operating to ensure that unsafe meat is removed from the food chain? May I express my appreciation of his Department, particularly the hon. Member for Tiverton (Mrs. Browning), for arranging, following that debate, a briefing on BSE and CJD with his officials, which is due to take place on Wednesday? Why are his officials refusing to allow me to take along to that briefing as an advisor Dr. Stephen Dealler, a consultant microbiologist who has studied the issue since 1988?

Mr. Hogg: I am grateful to the hon. Gentleman for his kind words regarding my hon. Friend the Under-Secretary. I am glad that the briefing to which he has referred is being held. I do not dispute, as I said in response to the hon. Member for Workington (Mr. Campbell-Savours), that, from time to time, there has been non-compliance with SBO controls, to which the hon. Member for Wakefield apparently referred in his debate and which I am afraid I was unable to attend. That information was volunteered by my Department by way of a parliamentary answer. We are doing our utmost to ensure full compliance. I believe that now that people fully realise the significance of non-compliance, there will be infinitely better compliance, to the extent that one can say in any meaningful way that there will be full implementation. What I cannot guarantee is that we shall always avoid the possibility of some slight error. I think that we will get full implementation in the sense that it is ordinarily meant. If one asked whether that would be 100 per cent., the answer would be not always.

Sir Hector Monro (Dumfries): Does my right hon. and learned Friend agree that the two statements today have been encouraging, especially to those who have to make decisions on school meals? Does he further agree that those who stand back and take a practical, sensible and cool look at SEAC's advice must realise that the risk is infinitesimal? Does he also accept that those who are selling prime cattle this week, next week and the week after will face substantial losses? Will he assure me that if intervention buying is essential, it will be introduced quickly?

Mr. Hogg: I am grateful to my right hon. Friend for his support. As I mentioned on—I think—Wednesday, he has considerable experience in this field. I am conscious of the possibility that farmers who live in his constituency will be seriously affected by the loss of market confidence. It is for that reason that I drew attention to market support mechanisms in the common agricultural

policy. I am also grateful to him for welcoming what our right hon. Friend the Secretary of State for Health said regarding the risks to children and food provided in schools.

Mr. Tony Banks (Newham, North–West): It would have been helpful if Conservative Members who are farmers had declared their interests when they asked questions. We are in this situation mainly because we have interfered with nature. Feeding animal protein, especially diseased animal protein, to herbivores was clearly going to have severe implications.

On scientific evidence, would it not be appropriate for the Secretary of State to talk to Professor Richard Lacey, who, before 1989, was warning of a connection between humans and mad cow disease, but was dismissed as either making it up or as being lucky with his evidence? Was he making it up? Was he lucky with his evidence, just as he was about listeria and salmonella? Will the Secretary of State add Mr. Lacey and Dr. Narang to the committee of experts?

Mr. Hogg: It is perfectly true that different scientific opinions have been expressed on occasions during the past eight or 10 years. The Government have however brought together, as I have said before, probably the most authoritative group of experts on this subject in the world. We placed before the House last week the result of new information, and we did so with all possible speed.

Mr. Richard Alexander (Newark): May I congratulate my right hon. and learned Friend on the dispassionate way in which he has dealt with the subject this afternoon and on his refusal to be panicked into taking drastic action—which was widely predicted in the press—that was not justified by scientific evidence? Has he learnt today that two further outbreaks of BSE have occurred in France? If it is appropriate for countries to ban our beef because of BSE, surely it is entirely appropriate, if BSE occurs in those countries, that we should institute such a ban against their products.

Mr. Hogg: I am very grateful to my hon. Friend and neighbour for his support. I was not aware of the two cases in France. It is right to say that the scale of the problem on mainland Europe is quite different from the scale of the problem here, and that fact should inform our considerations. My hon. Friend does, however, make an important remark regarding the controls in Europe. It is right to keep in mind, as my right hon. Friend the Member for Honiton stressed, that in a number of important respects, most especially relating to feed content and SBO controls, our regime is very much tighter than that which is found on mainland Europe.

Mr. Robin Corbett (Birmingham, Erdington): Can the Minister clarify that the scientific advice that he has had about the safety of eating beef makes no distinction between beef from pedigree Aberdeen Angus herds, for example, and beef products such as sausages, pork pies, black pudding, and so on? Will he draw the lesson that it would be in everybody's interest—feed manufacturers as well as food processors—if all compounds that derived from animals were listed on product labels?

Mr. Hogg: One has to start from the basic proposition that, in the judgment of SEAC, British beef is safe and the risk involved in eating it is extremely low. As the hon. Gentleman will have noticed from its statements—I am sure that he has read both statements, which were issued on Wednesday and earlier today—it has focused on the particular status of the older cow. For these purposes, that is the cow over the age of 30 months. To reinforce public confidence, it has introduced a deboning regime in respect of older beasts.

Mr. Patrick Nicholls (Teignbridge): Does my right hon. and learned Friend agree that although consumers in my constituency can take great heart from the fact that the risk is extremely small, for farmers and their families in many areas, the results could yet be devastating? Does he also agree that if there comes a time when compensation in some shape or form has to be paid, we should be entitled to receive the same compensation from Europe as our European partners would demand for themselves? Does he further agree that the reason why the incidence of BSE may seem less on the continent is precisely because, as he said a few moments ago, their efforts to control it are the less?

Mr. Hogg: On the question of controls, I have no doubt that, as I have already said, our controls are very much tighter than those that one finds on mainland Europe. However, it is also true that the scale of the problem here is very much greater than that on mainland Europe, and I would not want to pretend otherwise in the House. I very much hope that we can get financial support from Europe—indeed, I expect to because of CAP market support mechanisms, to which I have already referred. I look to our colleagues in Europe to play their part in ensuring that the market is supported in Britain, if that is required.

Miss Kate Hoey (Vauxhall): As someone who has always eaten British beef, and will continue to do so, particularly if it comes from organically raised cattle, may I ask the Minister to clarify one issue as there are some concerns about the meat that McDonald's and other chains are bringing from Europe? What evidence has he that the cattle, from which the beef that is now being imported has come, have never been fed on contaminated foodstuffs?

Mr. Hogg: That is an important question, but it is best put to the Dutch Minister and, of course, to McDonald's.

Mr. Roger Gale (North Thanet): May I express my sense of relief at the fact that my right hon. and learned Friend and my right hon. Friend the Secretary of State for Health have based their decisions on scientific evidence, not the scaremongering emanating from the Opposition Front Bench which, if followed through, would undoubtedly have led to the unwarranted slaughter of the millions of animals that make up the national herd. Is it not time that we clearly expressed the view that the continental ban on British beef has everything to do with commercial advantage and nothing to do with health? If the Commission approves the continuation of that continental ban, should not my right hon. and learned Friend follow it through to its logical conclusion and ban

[Mr. Roger Gale]

the importation of veal, much of which, regrettably, still emanates from animals originally exported from this country?

Mr. Hogg: My hon. Friend has supported the recommendations and I am extremely grateful to him. It is important that we base our policy on an informed discussion of the facts and I am grateful to SEAC for making that possible. I have no doubt that some of the reaction that we have seen in Europe is motivated as much by commerce as by any other consideration. Some Ministers in Europe certainly do not question the scientific position that we are adopting, but are simply seeking to respond to anxiety among the public, which is quite different.

Mr. Hinchliffe: On a point of order, Mr. Deputy Speaker. Could you advise me and clarify the rules in the House on the disclosure of personal interests during statements? I sat through last week's two statements on BSE and CJD, as well as today's statements, and I am concerned that a number of Conservative Members, who have direct pecuniary interests—

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Order. I assume that all hon. Members know the rules and it is for them to decide whether to declare an interest.

Orders of the Day

Family Law Bill *[Lords]*

Order for Second Reading read.

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Before I call the Minister, I should inform the House that Madam Speaker has placed a limit of 10 minutes on speeches between 7 pm and 9 pm.

5.22 pm

The Chancellor of the Duchy of Lancaster (Mr. Roger Freeman): I beg to move, That the Bill be now read a Second time.

Let no one doubt that marriage is intended for life. The current level of divorce at about 160,000 each year in England and Wales is a matter for regret and its relatively high rate in comparison with that of other European nations is a matter of concern. The purpose of the Bill is to strengthen the institution of marriage by encouraging the process of reflection and consideration and by giving couples every opportunity to effect a reconciliation before divorce is granted. It will better protect the interests of the children of a marriage by reducing unnecessary acrimony and by ensuring that conduct is taken into account where it is relevant to the upbringing of children. In financial settlements, conduct will continue to be taken into account where it would be inequitable to disregard it.

Divorce should not be available effectively on demand. Commitment to a lifetime of marriage should be emphasised to all those who propose to enter upon it.

Mr. Julian Brazier (Canterbury): I apologise for asking my right hon. Friend to give way so early in his speech. He used the word "continue" with regard to conduct in financial settlements, but surely he must acknowledge that, in almost all cases, courts currently disregard conduct. Two courts did so in a case where a wife had ousted her husband on false testimony and had assisted him in an attempt to commit suicide. The case went all the way to the Court of Appeal before even some account was taken of the conduct in it.

Mr. Freeman: I am grateful to my hon. Friend for raising that important issue and I know full well that he and other right hon. and hon. Members are concerned about it. However, that is a matter for the Standing Committee, and I hope that my hon. Friend will have a chance to advance his argument in the Standing Committee if the Bill receives a Second Reading. My hon. Friend will also be able to return to the subject when the Bill is on Report.

The provisions of the Family Law Bill were brought forward after wide-ranging consultation. One of the most striking aspects of the consultation is that hardly anyone has supported the present method of dissolving marriages. The overwhelming majority of people agree that the present system is not working properly. Therefore, the Government have a clear duty to bring forward legislation to address the problem.

The Bill has been the subject of careful and detailed scrutiny in another place. The Government have been able to draw on the considerable expertise on the subject

available in the other place and have been able to strengthen and refine the Bill's proposals in the light of suggestions. In particular, we have inserted in clause 1 a statement of the general principles underlying marriage, divorce and mediation.

At present, the ground for divorce—the reason given to the court for seeking a divorce—is the irretrievable breakdown of the marriage. That can be proved by one of five facts, three of which are fault-based: adultery, intolerable behaviour and desertion. The other two facts are two years' separation with mutual consent and five years' separation without mutual consent. Most people use the fault-based facts. Under those facts, a divorce is often granted in less than six months and before arrangements for children, finance and property are settled. Allegations of fault are often exaggerated and unsupported.

Mr. Andrew Rowe (Mid-Kent): Will my right hon. Friend take it from someone who has failed to maintain his first marriage successfully that the idea that people going through divorce do not feel at fault is nonsense? Nearly everyone of whom I can think wants their marriages to succeed and if their marriages break down, they feel very much at fault. Does my right hon. Friend also accept that the idea of being asked by a solicitor to list the most unreasonable behaviour that can be dreamt up for the other spouse while he or she is asked by his or her solicitor to do the same makes the possibility of either a reconciliation or making appropriate arrangements for children very much harder to achieve?

Mr. Freeman: My hon. Friend has put succinctly one of the main reasons for changing the procedures and criteria for divorce. I know that my hon. Friend the Parliamentary Secretary agrees with the position put forward by my hon. Friend, and I am sure that when he winds up the debate he will refer to that crucial fact: recourse to the law and the disclosure of evidence concerning the alleged facts lead to acrimony and bitterness and, in many cases, are not in the children's interests.

Figures for 1994 from the Office of Population Censuses and Surveys show that, in a total of nearly 160,000 divorces, 26 per cent. used adultery as a reason for divorce, 45 per cent. used behaviour, 1 per cent. used desertion, 22 per cent. used two years' separation with consent and 6 per cent. used five years' separation without consent. Hence, in 72 per cent. of all cases, fault was the basis for the divorce—leading to divorce taking place in less than a year and often before arrangements are decided for children or financial matters. At present, the median period for all divorces in England and Wales is about seven months.

Mrs. Elizabeth Peacock (Batley and Spen): I am listening carefully to what my right hon. Friend is saying and I read some of the things that were said in the other place. I am concerned that we may be sending out the message that it is easy to marry and plan a divorce in 12 months. If one signs a hire purchase agreement on the same day, one has a longer commitment to that financial agreement than to the marriage. That worries many people and perhaps my right hon. Friend could comment on that.

Mr. Freeman: My hon. Friend, of course, appreciates that the present law prohibits divorce taking place within one year of marriage. Under the Bill, that period would be extended by a further 12 months. I hope that my hon. Friend will bear with me as I develop my argument; it is important to lay out the arguments carefully for the benefit of the House, and I shall be dealing with some of them.

I hope that hon. Members will listen to the reasons that we shall give for introducing the Bill. I appreciate that we should not send signals to the community—particularly to young people—that encourage the attitude that divorce is easily reversible or that marriage or divorce are available on demand. However, it is important to understand the underlying reasons why my right hon. Friend the Lord Chancellor brought the Bill before the House of Lords, and my hon. Friend the Parliamentary Secretary and I shall enlarge upon them today.

Mr. Peter Bottomley (Eltham) *rose—*

Mr. Freeman: If my hon. Friend will permit me, I shall make a little progress and then give way. I will not depart from the point to which I think that my hon. Friend wishes to refer.

Statistics published by OPCS show that the incidence of decrees based on allegations of behaviour to establish irretrievable breakdown has doubled from 21 per cent. in 1973 to 45 per cent. in 1994, whereas the use of five years' separation has dropped from 16 per cent. in 1973 to 6 per cent. in 1994. I shall outline the proposals and then give way to my hon. Friends.

Under the proposed new system, which is intended to come into effect about two years after Royal Assent, the ground for divorce will remain the irretrievable breakdown of the marriage. That will be established by the passage of a fixed period. It should substantially reduce the acrimony, hostility and legal costs associated with the current system. The Government want to ensure that there is an adequate period to test whether the marriage has genuinely broken down and to enable the couple to consider whether the marriage can be saved.

Marriage involves mutual legal obligations of support and sharing that other relationships do not. Under the new system, during the minimum period for reflection and consideration before divorce can be granted, the couple will have to consider those obligations and decide arrangements for children, finance and property before the divorce can be granted. The couple can take longer than the minimum period to decide arrangements if necessary. Professional mediation services will assist in such matters. In some circumstances, the court can refuse to grant a divorce after the minimum period if one party can show hardship, either financial or non-financial.

Mr. Bottomley: I refer my right hon. Friend to the comparison with hire purchase agreements. Is my right hon. Friend saying that, whereas almost three quarters of marriages break up in less than a year at present, no marriages would be ended in less than a year under the legislation? Has he seen the evidence gathered in Canada—where people must wait for at least one year for a divorce—which shows that up to one fifth of divorce petitions are withdrawn? In New Zealand, where the problems of the first marriage are tidied before a second marriage is possible, the success rate of second marriages is far higher than it was. Should we not view the legislation as a pro-marriage measure?

Mr. Freeman: I am grateful for my hon. Friend's observations. He reminds the House that, under the present procedure, people can be divorced in a few months. Under the Bill as it is presently drafted—even with a 12-month minimum period for reflection and consideration—no divorce can take place in less than a year. Therefore, by definition, the median length of time between marriage breakdown and divorce will rise.

I am not familiar with the Canadian experience—perhaps my hon. Friend the Parliamentary Secretary will refer to it in due course. However, evidence gathered by Bristol university revealed that 53 per cent. of men and 28 per cent. of women regret having entered into divorce, which can become largely irreversible once one relies on fault under the present system and begins the process of legal argument.

Mr. Anthony Coombs (Wyre Forest): I recognise that the Government wish to remove the rancour surrounding divorce and that the Bill may have the effect of reducing the number of quickie divorces based on fault. However, it is important to remember that our divorce rate is 41 per cent. Should we not do all that we can to minimise that figure? The effect of no-fault divorce in the United States in those states that introduced the measure more than four years ago—from about 1990—was a 24 per cent. increase in the number of divorces. While I understand the Government's intention in trying to promote the institution of marriage via their proposals, will they not have the opposite effect?

Mr. Freeman: I believe that the evidence points in the other direction—therefore, the answer must be no. The Bill provides a mandatory 12-month minimum period for reflection and consideration. I believe—speaking personally—that that will lead to a downward pressure on the number of divorces. We are providing a cooling-off period during which individuals can reflect on the consequences of divorce, both on their children and financially. I hope that many will reconsider their decision.

Mr. David Alton (Liverpool, Mossley Hill): Notwithstanding the good faith of the Minister, and of the Lord Chancellor, does he accept that there is genuine concern on both sides of the House that, as was the result of other legislation enacted in the past 20 years, it will lead to more rather than fewer divorces? Perhaps the most devastating change in the social landscape in the past 20 years is the number of children who are caught up in divorce, not least the 750,000 children who no longer have access to their fathers—something that results in all sorts of adverse consequences, of which the Minister is well aware. Would not the Bill be better if it contained more about reconciliation rather than mediation, more about preparation for marriage and about the impact that policies have on family life? In other words, would we not do more for family life if we helped families to stay together rather than making it easier for them to break up?

Mr. Freeman: The reconciliation part of the process—to which I shall refer in detail in a moment—is as important as the mediation proposals, if not more so. I agree entirely with the hon. Gentleman: advice before and during marriage when there may be a breakdown is very important. It must be funded and the normal sources of marriage guidance information should be reviewed to ensure that they are effective.

Several hon. Members *rose—*

Mr. Freeman: Before I give way again, I shall confirm for the convenience of the House that the Government recognise that the Bill involves important issues of confidence. Therefore, we intend that there should be free votes on clauses 5 and 7—which I hope that hon. Members will accept encompass most of the key points on fault and on the length of period for reflection and consideration. I am well aware that there are free votes and free votes. The votes that I describe are genuine free votes, in which my right hon. and hon. Friends on the Front Bench are included.

It is my intention, and that of my hon. Friend the Parliamentary Secretary, to facilitate the drafting of amendments after Second Reading to ensure that they are accurate and, if passed, can be incorporated in the Bill. Effective from tomorrow, I offer the facilities of parliamentary draftsmen to all hon. Members who may wish to draft appropriate amendments to those two broad clauses in order to promote an informed debate.

Mr. Patrick Nicholls (Teignbridge): Initially, I had considerable misgivings about the way in which the matter was handled politically. For 12 years, I dealt with virtually nothing but divorce law in practice and I learnt that the fault structure does not provide time for reflection: it provides an instant divorce, which exacerbates the opportunity to bring people together—if only to produce a good funeral for their marriage.

If there is a defect in the Bill—I appreciate my right hon. Friend's comments—it is that it should emphasise more strongly the need for time for reflection and consideration so that people realise that it is harder to get out of marriage than they may have thought. They can use that time constructively. We should consider extending the one-year period to 18 months or two years. However, the idea that a moral audit can take place which will satisfy the concept of fault is not borne out by the experiences of divorce practitioners like me.

Mr. Freeman: I thank my hon. Friend for those comments. Consideration of the Bill in Committee should reflect genuinely the divisions of opinion in the House: it should not be a narrow reflection of those views that might nominally be regarded as appropriate. My hon. Friend seems to be talking himself on to the Standing Committee.

Dame Elaine Kellett-Bowman (Lancaster): Will my right hon. Friend assure the House that the genuinely free vote will apply to parliamentary private secretaries also? They should not be obliged to vote: they should be allowed to absent themselves and not vote. Why can we not have a free vote on the whole Bill?

Mr. Freeman: The answer to my hon. Friend's specific question is that it will be a genuine free vote. All Ministers and parliamentary private secretaries, including my own, will have a genuinely free vote. We are considering important matters of conscience. My hon. Friend asked why is it a Government Bill. The Lord

Chancellor, on behalf of the Government, has introduced a Government Bill that needs to be supported by a majority in the House, and to receive proper consideration on the Floor of the House, in Standing Committee and on Report. Perhaps I should remind the House that, in certain circumstances, even issues that are discussed in a Committee of the whole House can be considered again on Report.

Several hon. Members *rose—*

Mr. Freeman: I shall give way first to my hon. Friend the Member for Birmingham, Edgbaston (Dame J. Knight), then to my right hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten) and then to my hon. Friend the Member for Shoreham (Mr. Stephen).

Dame Jill Knight (Birmingham, Edgbaston): I am not sure whether he finished the point that he was making, but my right hon. Friend has laid it clearly on the line that the Bill abolishes the concept of fault. Some Members are in favour of that and some are not. Others are somewhat puzzled by its reference to conduct. Surely bad conduct is a fault. I do not understand how no fault will be judged, yet conduct will be judged. Will my right hon. Friend address that point?

Mr. Freeman: I speak as a non-lawyer, but in the past, we have spoken about fault in a rather narrow, legalistic sense. Fault has been a reason for bringing a divorce action. Conduct is extremely important, however, and my hon. Friend the Member for Canterbury (Mr. Brazier), who raised the matter in an earlier intervention, was alluding to what he believes to be the need to strengthen schedule 8. That needs to be argued through, but I believe that the Standing Committee is the right place to do that.

The conduct of a partner is extremely important in matters concerning children and the division of financial assets. I hope that my hon. Friend will not get caught up in too narrow a legalistic argument. There are faults on both sides in marriages that either continue or end in divorce. The aim of the Bill is to save marriages, not to create more divorces. Its main thrust is to create a period for reconciliation through advice and mediation on the division of assets, and that is one reason why we hope that it will reduce the number of divorces.

Mr. John Patten (Oxford, West and Abingdon): I warmly congratulate my right hon. Friend on his speech thus far. I am sure that he is dying to get to the end of it, so I shall try not to delay him too long. As I am sure that he will appreciate, I do not necessarily agree with everything that he said; however, I congratulate him warmly on his splendid new constitutional convention of the real free vote as opposed to the free vote. We constitutionalists have longed to see that drawn out of the closet.

Will my right hon. Friend wind his mind back to the point that he was making before this serial intervention? He said that, in his personal view, he judged that the Bill would bring about a reduction, and not an increase, in the number of divorces. I am sure that he recognises that he is speaking not in a personal context, but as a Government Minister. What is the Government's prediction and what is his firm policy view as to whether the Bill will reduce or increase the number of divorces?

Mr. Freeman: I am sorry if I confused my right hon. Friend. As the Bill provides for a minimum period for reflection and consideration of 12, 18 or 24 months—at present, it contains a provision of 12 months as agreed in the other place—there will be a lengthening in the period before divorces can occur. That must be mathematically correct because, at present, it is possible to obtain a divorce after a matter of a few months. As to supporting the argument about the total number of divorces, it is probably more accurate to reflect that as a proportion of the number of marriages rather than as an absolute number, but however we define it, I understand that my right hon. Friend wants some evidence or argument in detail. It is a central point, and the Parliamentary Secretary is planning to deal with it when he replies to the debate.

Mr. Michael Stephen (Shoreham): Is it not important that a clear signal goes out from Parliament that those who faithfully abide by their marriage vows will not be treated in exactly the same way as people who deliberately violate their marriage vows? I agree that it would be inappropriate to bring in concepts of fault at the dissolution stage, or the stage at which custody of the children is considered; however, the concept of fault or conduct should be an important factor for the court to consider when dividing property between a husband and wife.

Mr. Freeman: That is clearly understood. The matter has already been referred to in interventions. I assure my hon. Friend that the courts already have the power to take into account conduct and the implications of conduct. The point has been made that that power is not discharged as efficiently and effectively as some hon. Members would like. That is best dealt with in Standing Committee rather than on the Floor of the House.

I shall endeavour to make rapid progress, as it is important to lay some facts before the House and I am aware that other right hon. and hon. Members wish to speak.

Let me turn to the proposed new separation and divorce procedures. It is obviously of critical importance that marriages should not be dissolved if they can be saved. The mechanism for testing breakdown must be clear and unambiguous. The Government's proposal in the Bill is, therefore, that the irretrievable breakdown of the marriage should be established solely by the passage of a fixed period of time. It will be a period for reflection, and for consideration of whether the marriage can be saved, and it will provide an opportunity to effect a reconciliation or to think about what arrangements can be made for the future should divorce be inevitable.

We recognise that whether allegations of fault should have any place in the divorce process is a matter of conscience for some hon. Members. As I have already said, the Government intend to allow a free vote on that issue.

The period of time for reflection and consideration would start by the lodging of a neutral statement that one or both parties believed that the marriage had broken down. Such a statement would not contain allegations, nor would it state that the marriage had broken down irretrievably. One of the concerns that emerged most strongly in debates in another place was the need to ensure

[Mr. Freeman]

that proper emphasis was placed on reconciliation through the divorce process. The Bill has been strengthened in that area by ensuring that the possibility of reconciliation is always before the parties. As it now stands, the Bill states that one of the purposes of the period is to provide an opportunity to effect a reconciliation.

It is important to make it clear that the Bill will allow the door to reconciliation to remain open throughout the divorce process. Couples will be able to attempt reconciliation at any time during the period without prejudicing their position and may also suspend the period if they want longer to attempt a reconciliation.

Between 20,000 and 30,000 couples each year start divorce proceedings, but do not proceed to divorce. I believe that the number proceeding to divorce is likely to decrease under the new system. At the information meeting, parties will be told about marriage counselling and other support services, about the importance to be attached to the welfare, wishes and feelings of children and about how they may acquire a better understanding of the ways in which children can be helped to cope with the breakdown of a marriage. They will be told about the financial issues that may arise on divorce or separation and the services that are available to help, such as mediation and the availability to each of them of independent legal advice about the divorce and separation process. Couples will be much better placed than at present to understand what divorce is likely to entail. As a result, I expect more couples to decide to try to keep their marriage going. I have already dealt with the Bristol university study on those matters.

The Lord Chancellor has taken over the funding of marriage support services so that there can be the best possible integration of the policy on supporting marriage with that on divorce law. The Government have set up an interdepartmental official working party on marriage to see how best use can be made of the resources available to support those who are considering marriage and those whose marriage is in difficulty.

Research since the last major reform of the ground for divorce has shown us how important it is to try to reduce conflict in separation and divorce cases, to reduce at least some of the damage caused to children. It is clear that the children who do best after divorce are those whose parents reach amicable arrangements for the future of their children and co-operate in the upbringing of their children even though living separately. In those important respects—the improvement of communication and the reduction of conflict—mediation has been shown to be most effective.

Mediation has enormous potential in appropriate cases, so part III provides for the Legal Aid Act 1988 to be amended, to allow parties who are eligible to apply for state funding for the use of mediation. Any mediation will not become compulsory.

Legal advice will be available in support of mediation for those who need it and will be state funded for those who are eligible. When couples mediate, they negotiate together with the help of a neutral mediator—in other words, they represent themselves in negotiations. They should not need a lawyer to represent them in those same negotiations. They may, however, need legal advice and assistance in support of mediation and, as I said earlier, that will continue to be available when needed.

It is important that a couple should face up to the practical consequences, including the financial consequences, of divorce before they end their marriage. By confronting what life will be like after divorce, they may realise that it is not what they want. Clause 9 requires the couple to have decided their financial arrangements before they can divorce. The court is currently under a duty to take the conduct of the parties into account when considering financial provision on divorce, where it would be inequitable to disregard it.

The most significant change to the present law is that financial provision and property adjustment orders can be made before the separation or divorce order is made but cannot take effect before that time. The only circumstances in which such orders can take effect before divorce or separation is where the circumstances are exceptional and it would be just and reasonable for the orders to do so. It is important that the orders are capable of being made before the divorce order or separation order, so that the couple are compelled to focus on the consequences that will result, if they go ahead and get divorced.

Mr. John Redwood (Wokingham): What would my right hon. Friend say to a man or woman who feels that he or she has done nothing wrong, and would like their marriage to continue for their own sake or that of their children, but whose spouse has decided to petition and would—as I understand the Bill—be granted a divorce 12 months later? Is that not a grave change from current law, whereby the spouse has to wait much longer, separated, before he or she can get a divorce?

Mr. Freeman: I understand the strength of feeling of people who—on moral, religious, spiritual grounds—feel that they cannot become party to a divorce and for whom, at present, divorce might have to wait five years. When we debate clause 7 on the Floor of the House, my right hon. Friend may advance an amendment to protect those persons who feel strongly that the minimum period of reflection and consideration should be longer. Without over-emphasising and placing too much weight on clause 10, which contains the hardship bar, I draw my right hon. Friend's attention to the fact that an application to extend the minimum period depends on not only financial but non-financial hardship. That point will be debated, argued and perhaps further amended in Committee.

Mr. Edward Leigh (Gainsborough and Horncastle): My right hon. Friend knows that a large number of us are opposed in principle to the Bill, but while we can exercise our conscience, some hon. Members on the payroll might find that more difficult. Can my right hon. Friend give the assurance that, in addition to the genuine free votes on clauses 5 and 7, he will consider free votes on the hardship bar in clause 10 and on court orders, which are dealt with in clause 14 and schedule 2, on the Floor of the House? Those provisions are also germane and central to the Bill, and it is important that those of us who can exercise our consciences look after the interests of those hon. Members who cannot.

Mr. Freeman: My hon. Friend will have read the committal and business motions. I am prepared to reconsider those issues as grounds of conscience, but I am

not persuaded at present. If my hon. Friend can persuade me, we can return to those issues on Report, on the Floor of the House.

Mr. Brazier: I am grateful to my right hon. Friend for indulging me a second time. My right hon. Friend referred to property settlements. As someone who supports the Second Reading, I put it to my right hon. Friend that unless we make the one-year bar—some of us would like the period to be a little longer—absolute on final orders on property, without any just and reasonable let-out of the sort that my right hon. Friend described, and through which our liberal-minded judges could run a coach and horses, we would find that although the divorce on paper would be held for a year, de facto the family home could still be broken up in a matter of weeks. The divorce would take effect in those cases that the court ruled to be exceptional—which, as asylum seekers and everyone else finds, can be case after case after case in far too many instances. We must tighten up the Bill and remove the exceptions.

Mr. Freeman: I understand my hon. Friend's strength of feeling, as he represents the Conservative family forum. There may be cases in which one party becomes terminally ill, disabled or desperately needs somewhere to live, to facilitate seeing his or her children. I give my hon. Friend an undertaking that that matter will in Committee receive the attention of my hon. Friend the Parliamentary Secretary, who is well aware of the amendment that my hon. Friend the Member for Canterbury has in mind—he too seems to be talking himself on to the Standing Committee.

Mr. Bill Michie (Sheffield, Heeley): Concern is felt by many people, including by couples who go for mediation—which I certainly encourage, for the reasons that the right hon. Gentleman outlined—that they may be disfranchised. They can take legal advice for mediation, but that may jeopardise taking a second opinion because mediation is not to do with negotiation but with trying to work things out. Either spouse might want a second opinion from a solicitor or lawyer. Is the right hon. Gentleman saying that legal aid will not be available in that respect?

Mr. Freeman: My understanding is that mediation would not jeopardise the ability to seek a second opinion. My hon. Friend the Parliamentary Secretary, who is more qualified than I in such matters, will clarify that point if necessary.

Sir Jim Lester (Broxtowe): Does my right hon. Friend agree that all the evidence is that children are the principal sufferers in a divorce, whether it is amicable or contested? The majority of divorces are petitioned because of fault in the short term. Those of us who have served constituencies for a long time know that the most pressing reason for change is the effect that divorce has on children. Everything that my right hon. Friend has suggested so far will improve the situation, not destroy it.

Mr. Freeman: I am grateful to my hon. Friend for his observation. The interests of the children in a divorce must be paramount. I am sure that the House will support anything that can be done to protect their interests and to avoid wounds that can last a lifetime.

I refer next to the minimum time for reflection and consideration, and to pension splitting. Some individuals who have contributed to discussion of the Government's proposals have suggested that the longer the period, the more chance there is that there will be a reconciliation. The Bill sets the minimum period at one year. On the one hand, the period should be sufficiently long to give parties a realistic amount of time in which to reflect on whether the marriage could be saved, but also a realistic time within which the practical questions about children, home and finances can be resolved. On the other hand, the period is meant to be an active period of reflection and consideration. If it is too long, the parties could postpone active consideration of their situation—thereby making it more likely that their marriage breakdown becomes irretrievable, as the longer the time the more likely it is that attitudes will become hardened. Alternatively, they simply walk away from the marriage that has broken down into a new relationship, without any of the practical questions being resolved.

The majority of responses to the Law Commission and the Government's consultations favoured a period of 12 months. In particular, that period was regarded by the main children's organisations as being long enough, and they recently repeated that advice. An extremely important factor in deciding the appropriate length of time is that when children are involved, uncertainty is bad for them. It cannot be stressed too strongly that 12 months is a long time in the life of a young child living with uncertainty. Too long a period would prolong the agony not only for the adults, but for the children. Children are after all the innocent victims of marriage breakdown. It is vital that the divorce law should do all that it can to minimise the damaging effect of divorce on children. Recognising that, it is vital that, so far as possible, children emerge after the divorce having a good relationship with both parents.

There have been suggestions that if the minimum period for reflection and consideration was lengthened to say 18 or 24 months, the period should be capable of being abridged in exceptional circumstances. The Government believe that there should be an absolute minimum period to demonstrate irretrievable breakdown. It is the Government's view that there should be no abridgement below 12 months. Provisions elsewhere in the Bill are adequate to deal separately with circumstances of domestic violence.

I accept that this issue is controversial and a matter of conscience and I repeat my offer to meet any right hon. or hon. Member to begin the process of drafting amendments.

Mr. Anthony Coombs: My right hon. Friend is right that this is an area of controversy. Many people might regard the fact that children thrive better after an amicable divorce as a myth that is perpetrated by people who want a divorce. Is not it true that recent research shows that even those children who live in unhappy marriages thrive better in the long run—because they have both parents at home—than those who are subject to divorce?

Mr. Freeman: I understand the strength of feeling and that is precisely why we are determined to have genuinely free votes, for Ministers and Back Benchers alike. I look forward to a serious debate and my hon. Friend's contribution to it.

Mrs. Peacock: To add to that point, there is great concern also that when divorce takes place children are left usually with their mother and sometimes another relationship develops. The father is not present and, on occasions, children are ill-treated by the mother's new partner because they are not his children. There are statistics that prove that point and we must not say that children are so much better off once they are removed from a family through divorce.

Mr. Freeman: My hon. Friend is right that one cannot be dogmatic about this issue. There is evidence on both sides and it is a question of reaching a balance, as in most of our legislation, on what is in the interests of children overall.

We have modified the provisions of the current hardship bar contained in clause 10. As the Bill now stands, if the court is satisfied, on the application of one party, that the legal dissolution of the marriage would cause substantial hardship to that party or to a child of the family, for financial or non-financial reasons, and that it would be wrong in all the circumstances, including the conduct of the parties and the interests of any child of the family, for the marriage to be dissolved, the court may order that the marriage not be dissolved. That will apply to all cases, not just to the 6 per cent. of divorces that proceed on the basis of five years' separation, as at present. There have been criticisms that, because of the way in which the hardship bar operates under the present law, it is ineffective. The changes we have made demonstrate the Government's commitment to making it an effective protection against substantial hardship caused by the divorce itself, where such protection is needed.

Mr. Alton: May I draw attention to a case in Liverpool two years ago, in which a constituent of mine, when she said that she wanted her marriage to continue, was told by a judge that she was living in mediaeval times if she dared to suggest that she was being divorced against her will? Will the Minister assure the House that this new provision will be transmitted to judges in such a way that they will realise that when people involved in divorces say that they do not wish to be divorced against their will, their feelings will be taken into account?

Mr. Freeman: On behalf of the Lord Chancellor, I can give that assurance. It is not only important to get the legislation right, but it is important to communicate the intentions of Parliament to the judiciary in a fair and impartial way. I take the hon. Gentleman's point.

Pensions can be an important element in the totality of assets, financial and otherwise, that form the basis for an equitable financial settlement between divorcing couples. The Government have already taken a number of steps to ensure that pensions are fully recognised in such settlements.

In the Pensions Act 1995, we clarified the courts' existing duty to take pensions into account in financial settlements, which had not always been recognised in practice. The courts already have the power to order maintenance payments to the ex-spouse, payable from the former partner's income including pensions. But the Pensions Act 1995 extended that power to allow the courts to order a pension scheme to pay the relevant sum from the scheme member's pension, including any lump sums payable, directly to the ex-spouse, when the pension comes into payment. I take the opportunity here to clear up any confusion on this matter—the courts will not be constrained to order a 50:50 allocation: they will have the flexibility to order whatever allocation or none, as seems appropriate. Those provisions will take effect from July this year.

During the passage of the Bill through the other place, some of the noble Lords argued that the courts should be given the power to split the pension fund itself at the time of divorce—again, not necessarily 50:50. We have always recognised the force of the arguments in favour of pension splitting, especially the contribution towards achieving clean-break settlements.

However, the technical complexities of pension splitting should not be underestimated. Let me mention just two. An occupational pension is deferred pay, and it is the relationship between employer and employee that governs the pension scheme and the related tax reliefs and benefits. If the pension is split, the former wife would effectively become a pension scheme member on an entirely different basis from the other scheme members. The employer's obligations to this new member would have to be defined, making sure that the scheme's tax-approved and, in some cases, contracted-out status was not placed in jeopardy. Similarly, it would be necessary to define the obligations of the pension scheme's trustees and managers and what rights the ex-wife might acquire, including benefits for her dependants.

We must also have regard to the effects on public spending of any changes. It is vital to ensure that former spouses—usually wives—are not able immediately to withdraw their portion of the pensions of members of unfunded public service schemes. Otherwise, that could mean immediate public expenditure costs of up to £500 million a year in the early years. The position of the state earnings-related pension scheme and its interaction with guaranteed minimum pensions must also be safeguarded.

Those are just two sets of complications. There are many others. We have already identified some 30 Acts of Parliament that would need changing. That is why the Government resisted the Opposition's amendment in the other place which sought to achieve immediate pension splitting. Indeed, the scale of the complexity is demonstrated by the fact that the Opposition's amendment, drafted with the help of some of the best minds in the pensions industry, is still defective and insufficient. It fails to give the wide powers necessary to make pension splitting a reality. Indeed, it would be quite unreasonable to take such wide powers before fully working through how they would be used.

We believe that the best way forward is to introduce proposals that are of genuine benefit to individuals, that are workable for pension scheme administrators, and that are affordable for taxpayers. Given the scale of the task, and the importance of getting it right, it is simply not feasible to introduce pension splitting in the Bill. No sensible person would want to foist an unworkable set of provisions on to courts and pension schemes.

The Government accept, however, that pension splitting is right in principle. We will publish a Green Paper in the summer to consult about how it can be achieved, and we will introduce legislation at the earliest opportunity thereafter to put that principle into practice. That legislation will replace or amend the Opposition's

amendment, which does not fully achieve what we assume is the intention and which could otherwise have undesirable and unintended consequences, given its acknowledged incompleteness. As a measure of our acceptance of the principle we will not be seeking to overturn clause 15.

Mr. John Butterfill (Bournemouth, West): I am reassured by what my right hon. Friend has had to say, but what would be the likely time scale of any new legislation? Much work has been done behind the scenes by those who are concerned about this matter, including the National Association of Pension Funds, the Association of Consulting Actuaries and others. It therefore seems likely that a Bill could be brought forward quite quickly if there were a quick consultation period.

Mr. Freeman: It will be for my right hon. Friend the Secretary of State for Social Security to commence the process. My hon. Friend the Parliamentary Secretary and I have discussed this matter with Ministers in the Department of Social Security and we will get on with it. The commitment to publish a Green Paper in the summer—probably July—is a firm commitment. I cannot give a commitment as to when a Bill will be introduced, but we agree with the principle and we are leaving the clause in the Bill. We shall issue a Green Paper and we will legislate as quickly as possible thereafter.

Sir Michael Neubert (Romford): Does my right hon. Friend agree that—on the question of pension splitting—not the least consideration is to come up with a scheme that will provide a deterrent to divorce, not an inducement?

Mr. Freeman: My hon. Friend touches on an important point—the tax consequences for those who are not married as compared with those who are. That is a matter for my right hon. and learned Friend the Chancellor of the Exchequer. I assure my hon. Friend that he and I are both aware of the issue. I shall draw to my right hon. and learned Friend's attention the comments of my hon. Friend—and I dare say of others—in this regard.

Dr. Robert Spink (Castle Point): Should people considering lodging a divorce petition and wanting to take advantage of the new pension splitting arrangements delay until after 1 July?

Mr. Freeman: The earmarking provisions come into effect this July—I refer to earmarking when the pension is paid. That does not necessarily, however, protect the spouses of those who have died. Sometimes a pension may not be in payment so as to be able to be earmarked or split. I can assure my hon. Friend, though, that the provisions will come into effect in July; and that legal advice should be sought from those competent to provide it, not from a Minister unversed in the law of pensions. For further information, my hon. Friend might like to write to me or to the Parliamentary Secretary, and we will endeavour to give him further detailed advice.

Mr. Donald Anderson (Swansea, East): Given the complexities of the issue the Government should obviously consult further, but am I right in thinking that implementation may not be delayed much in any event? The mediation element in the Bill will take two years to implement, so the processes of consultation in respect of pension splitting may have been concluded by then, and can thus be implemented at the same time.

Mr. Freeman: I am grateful to the hon. Gentleman for reminding the House of the timetable in which the measure will become effective. It is important not to send the wrong signal about pension splitting. The argument has to do with protecting the legitimate rights of spouses who get divorced but do not enjoy the benefits of a pension scheme. At the same time, we want to ensure that we have thought the subject through—both the policy and the practical implications, direct and indirect.

Sir Peter Hordern (Horsham): I am glad that the Government accept the principle of pension splitting, but it would seem from what my right hon. Friend has said, and from what some of us already know, that interfering with pension funds and occupational schemes is an immensely complex business. Indeed, my right hon. Friend has mentioned several Acts of Parliament referring to the issue.

Is it not possible, even at this late stage, to consider a scheme that splits the entitlement to a pension between the beneficiary and the original wife or husband, instead of trying to tamper with the pension scheme itself? If we do not do that, I fear that these problems will be resolved in the courts for years to come, so complex are they.

Mr. Freeman: I am grateful to my right hon. Friend. The courts already have the power to take into account the accrued rights of a pension scheme in the allocation of assets. This July, a further provision comes into effect: the allocation of a pension when it is paid—the so-called earmarking provision. I am agreeing on behalf of the Government to a third stage, which is a logical development: splitting the pension assets themselves. That gives rise to fundamental and difficult problems, and we shall have to consult thoroughly with the help of the National Association of Pension Funds.

I apologise for going on at length. I turn, finally, to part IV, which deals with domestic violence and the occupation of the family home. This part of the Bill substantially reintroduces the provisions of the Family Homes and Domestic Violence Bill, which was before the House in the last Session. Controversial points arose on that Bill at a late stage, and unfortunately the timetable did not allow it to complete its passage in that Session. A number of amendments have been made to the contents of the earlier Bill to clarify the principle that the courts must take into account the difference between marriage and cohabitation when settling occupation orders.

We shall introduce at the conclusion this evening a motion for committal to the Floor of the House of the clauses relevant to free votes.

As the Lord Chancellor has stated, and as I am sure all right hon. and hon. Members are well aware, this is an important Bill that deals with areas fundamental to people's lives. It will lengthen the median period in which a divorce order can be made. It gives couples both the information and the time that they need to consider whether they can effect a reconciliation; and it makes them focus on the consequences of divorce, regarding financial matters and, more importantly, children, before they take this step.

[Mr. Freeman]

Ministers have always said that we should be happy to listen to suggestions for the improvement of the Bill's proposals, consistent with the principles that we have set out. I commend the Bill to the House.

6.14 pm

Mr. Paul Boateng (Brent, South): Families are the natural, fundamental units of our society, and safe, secure marriages are the most certain buttress of those families. We shall be concerned in the course of our deliberations to ensure that nothing that we do here adds to the strain and stress already manifest around the institution of the family.

The history of the House legislating in the area of family law has not been altogether happy. In 1969, we stated as a House that the objective of what is now the law was

"to buttress rather than undermine, the stability of marriage, but when a marriage had irretrievably broken down, to enable the empty legal shell to be destroyed with the maximum fairness, and the minimum bitterness, distress and humiliation".

Dame Elaine Kellett-Bowman: With his knowledge of history, the hon. Gentleman may recall that it is almost 150 years since a Government introduced a Bill on divorce. The Leo Abse Bill was a private Bill taken through with Government assistance, but it is not usual for a Government to bring in such legislation.

Mr. Boateng: The hon. Lady makes an important point. It is because this is a Government Bill that we have a special responsibility to get it right, and we shall do so together for as long as it takes in the weeks and months ahead.

Since the Divorce Reform Act 1969, the incidence of divorce has escalated, with the consequential increase in bitterness and alienation on the part of the parties to it. All too often, the children are forgotten during the battles fought out in divorce proceedings. Moreover, the House Library estimates that the consequences of divorce cost the country about £5 billion per year.

The impact of the current law on marriage can be clearly seen in the statistics. Men and women are marrying later, and fewer of them are marrying. More and more people are divorcing younger and younger and after ever shorter marriages. In 1951, 10 per cent. of marriages had ended in divorce after 25 years. By contrast, 10 per cent. of couples who married in 1971 were divorced by their sixth wedding anniversary and 10 per cent. of those who married in 1981 had divorced within four and a half years. It is a problem with immense human consequences.

Labour Members will be guided by the following criteria: how we can best support marriage and family life, how we can best encourage shared parental responsibility and how we can best protect vulnerable family members. Each part of the legislation must be judged against those criteria.

We welcome the fact that the Government, in sponsoring the Bill, have recognised their responsibility to ensure that there will be free votes on those parts of the Bill which are peculiarly matters of conscience. Other matters, however, are equally important. I very much hope that there will be a prevailing spirit on both sides of the House that enables us to approach them in a manner that is free from partisan considerations. Partisan considerations should not apply because every hon. Member and every Government—present or future—will have to live with the consequences of the legislation that we make. We must approach our consideration of the Bill with that thought very much in mind.

At the heart of the Government's proposals is the notion that the family's interests are better protected by mediation than by the adversarial approach that is all too often associated with lawyers and with the current law. The Lord Chancellor has referred to that aspect on a number of occasions, and the Chancellor of the Duchy of Lancaster referred to it in introducing the Bill. That proposition must be tested with great care. While mediation undoubtedly has a role to play, and I welcome it, we must ensure that an infrastructure is in place for it and that it is undertaken by properly qualified people. There are gaps in the Bill in relation to such provision.

In appropriate cases, there is a role for mediation, but it is folly to believe that it is primarily concerned with justice and equity, because it is not. Mediation is about arriving at a settlement with a minimum of conflict, whereas conflict is sometimes necessary to achieve justice and equity. During our deliberations on the Floor of the House and in Committee, we must ensure that we do not propose a two-tier divorce system which says, in effect, "If you can afford a lawyer, you will receive justice and equity; if you cannot afford a lawyer, it will be the mediators for you." That cannot be right, and we must ensure that it is not a consequence of the Bill.

The matter does not end there, because there is another confusion at the heart of the Bill, which the Lords were beginning to tease out so as to remedy it. The confusion arises from the notion that mediation and reconciliation are somehow interchangeable; they are not. Mediators tell us that they are not concerned to effect reconciliation or to save those marriages which can be saved. They have another interest, which in some senses may be opposed to the achievement of reconciliation between the parties. Their interest is to achieve the speediest possible resolution of outstanding conflicts about the disposal of property, the children's future and parental responsibility.

Reconciliation is a very different matter. The Bill says much about mediation, but much less about reconciliation. The Chancellor of the Duchy of Lancaster, in his opening remarks, did not allay my concerns on that score.

Mr. Leigh: In the hon. Gentleman's view, is there an arguable case for extending the time so that people can have at least six months for reconciliation before mediation even begins?

Mr. Boateng: There is no point in approaching the issue on the basis that there would necessarily be greater attempts at reconciliation if one had 18 or 24 months to wait as opposed to 12 months. That would be a mistake. That is not to say that, in Committee, we should not try to ensure that some time is designated in which reconciliation is the focus and to discover where the link can be made between that opportunity—whether it is through meetings with marriage guidance counsellors or in some other way—and the information meeting. It is an illusion to suppose that at the information meeting a magic wand can be waved that will direct people in the "right direction" of mediators, lawyers and people concerned with reconciliation, because it will not happen.

In Committee, we must examine in much more detail what form the information sessions or meetings will take and what opportunities there will be for people to go from information meetings into a process that is primarily about reconciliation rather than mediation. We shall table amendments on that issue in Committee.

The Government also need to deal with the issue of infrastructure—I very much hope that the Parliamentary Secretary will deal with it at the end of this debate—and the related issue of resources. The Chancellor mentioned that it would be necessary to make resources available for reconciliation. I do not know what thought has been given during the preparation of the Bill to the exact scale of resources that will be necessary. It has been said—the Lord Chancellor's Department has gone on at some length about it—that the Bill is a cost-neutral measure, but that is impossible. As currently constituted, the measure cannot be cost neutral. If it is intended, in appropriate cases, that there should not be a reduction of access to legal advice, assistance and representation, that it will continue to be available under the legal aid scheme and that there will be access to mediation, reconciliation, marriage guidance and counselling, where will the money come from? How much will it cost?

Mr. Donald Anderson: Does my hon. Friend agree that it is not only a question of resources, however important those are, but of people? It is unlikely that an army of people will emerge like terracotta Chinese soldiers from the ground to reconcile and to mediate. Will such people be available and can they be trained in time? Will the effort be put in to ensure that the people are available as well as the money?

Mr. Boateng: That is another unanswered question. The Government must publish their figures, as we have asked them to do in the past. Some costing must have been done during the preparation of this measure. If the House is to give the Bill the detailed consideration that it must have, we must know how much it will cost. If we do not know that, anything that Ministers say about the importance that they attach to reconciliation will amount to little more than weasel words and pie in the sky. As the Chancellor recognised, one cannot hope to have adequate machinery for reconciliation without resources being made available for it. We ask that the Government publish the figures, that we have an informed debate on the resource implications of the Bill and that the pretence that the Bill is cost neutral be abandoned. If cost neutrality is to be obtained by abandoning access to legal aid, I have to inform Chancellor of the Duchy of Lancaster and the Parliamentary Secretary, Lord Chancellor's Department that we shall fight them tooth and nail.

There are some cases in which mediation is simply not appropriate. That is most true in cases involving violence against women. To ask a woman who has been the victim of repeated assaults and who has been terrorised in her own home to sit down in the same room as her victimiser and oppressor and to believe that there can be a hope in hell of that resulting in adequate mediation is to live in cloud cuckoo land.

My experience of family law dates back to the very start of my career as an articled clerk—long before going to the Bar—when I acted for a marvellous woman called Erin Pizzey, who was a founder of the women's refuge movement. There is not an estate in south London around which I have not been chased by a wife batterer or partner, for the entirely innocent reason that I attempted to serve an injunction on him.

I know what it is for a woman even to contemplate bringing an action to deal with a violent man. We want to ensure that women have ready access to legal aid for that purpose and that disadvantaged women generally have access to legal aid. The Bill needs to be strengthened so that people responsible for the perpetuation of violence in the home are dealt with adequately.

Mrs. Teresa Gorman (Billericay): The hon. Gentleman's point is well taken but, as I understand it—I am sure that the Minister will confirm this—mediation is legally aided and not compulsory and those parties who do not want it can still obtain legal aid to consult solicitors in the usual way.

Mr. Boateng: Like the hon. Lady, we look forward to receiving the clearest assurances along those lines. The thrust of the Bill is to do little more than encourage people to move towards mediation. We are anxious to dispose of that element which comes perilously close to compelling the party relying on legal aid to adopt mediation rather than any other court-based remedies. There must be a free choice in that respect.

We want the scourge of domestic violence—for it is nothing less than a scourge—dealt with in the Bill. The Bill makes some welcome additions to the law in this area, but it is right to consider how it can be improved still further. On that point, we need do little more than consult those who deal daily with domestic violence and who are to be found in women's refuge movements and district courts across the country. District court judges have to deal with the nuts and bolts of family law in relation to domestic violence.

There is one point, to which we shall return in Committee, on which the Government may well need to think again. I refer to undertakings and their role in combating domestic violence. I am thinking especially of Judge Stephen Gerlis and his experience. He said that undertakings

"have clear advantages—they reduce confrontation, they avoid the need for full, often lengthy hearings and findings of fact, there are no winners and losers thus mitigating feelings of resentment. Because of these effects, they are breached somewhat less than injunctions. To put it plainly—they are popular and they work."

It is his view, and he is not alone, that elements of the Bill are a disincentive to undertakings. We want that examined in Committee. We also want to examine in Committee the link between the new warrant of arrest—the concept and the order—and undertakings themselves to see whether there is scope for new warrants of arrests to be attached to undertakings. These are all aspects of the law that we should approach with a view to ensuring zero tolerance of domestic violence.

The Bill will require careful scrutiny. It contains welcome elements, but its faults need to be remedied. In the area of family law, we cannot pretend that there is no such thing as culpability or that what is decided in the House and enacted in law has no bearing on the nation's approach to family and marriage or the nation's perception of family and marriage. Similarly, however, we would be deluding ourselves if we believed that it was somehow possible to reverse deep-rooted trends in our society simply by passing an Act of Parliament.

[Mr. Boateng]

We cannot legislate for domestic virtue—nor, in all humility, are we as a House especially suited to do so. What we can do, however, is to send important messages about what is valued in our society. We value families—the domestic relationship and the safety and security provided for children by families—and we must make it clear that we are not prepared to see the family continually eroded. That is why, in our consideration of the Bill, we shall make a specific proposition to change the way in which we approach and monitor family law.

Inadequate attention has been given to the impact of family law on the institution of the family. Reference was made to the experience of Canada and Australia. Australia is especially interesting. In the 1970s, the Australian Parliament held a debate similar to this and similar concerns were expressed about what the move to no-fault divorce would entail. There was concern about the message that would be sent out, and about the impact on family life and the institution of marriage. It has to be said that the evidence from Australia is that there has not been an escalation of divorce as a result of the move to no-fault divorces. The research also seems to show that there is much room for good work to be done—this was found to be so in both Australia and New Zealand—through early intervention in terms of marriage guidance and counselling and that marriages can indeed be saved if there is a proper approach to education for marriage.

All too often, of necessity—it is perhaps in the nature of the Bill—our consideration of what might be done has focused on almost the last moment. What about considering what we might do at the beginning? What about considering what we might do in introducing registration for marriage? What about provision of information for those who intend to marry? Despite the increase in marriage failures, in terms of numbers and earliness, the evidence is that most people still want to marry. Most people continue to share the fantasy of what a perfect marriage might be, but all too often the fantasies with which we surround marriage cause the failure of marriages. We have an ideal notion of what marriage might be, but unfortunately, when that ideal is confronted with the difficulties and challenges of sustaining a relationship, it is unable to endure.

Dame Elaine Kellett-Bowman: I have been blessed with two happy marriages. Would the hon. Gentleman agree, however, that even the happiest marriages include difficult periods? Surely it is far better to make divorce more difficult so that couples have to run through those difficult stages.

Mr. Boateng: We must ensure that people enter into marriage with something approaching a realistic expectation of what is involved. We must also ensure that when the stresses and strains of domestic life begin to emerge there is somewhere for the people concerned to confront those stresses and strains. There should be help available to show them a way through. That is a responsibility that the House must recognise.

The experience of Australia and Canada has shown that if no-fault divorce is to be given a chance of working and not contributing towards deterioration of the fabric of society, it must be introduced within the context of greater emphasis on counselling and guidance. That is what the House must commit itself to in the weeks and months ahead.

If the Lord Chancellor's Department is to take on the role of seeing through the pilot projects that are to be the precursors of the proposed legislation, and if it is to have the role of funding marriage guidance and counselling, it must itself seek guidance. I do not believe that the Department as constituted and the civil servants within it necessarily form the best structure and body of people to determine these matters. They are not necessarily the sole depositories of wisdom in this area. That being so, let us examine how we can bring other influences to bear which are sustaining and supportive of marriage.

Against that background, we intend at a later stage to propose the establishment of a Lord Chancellor's advisory committee on family law and marriage. There is ample precedent for that. There is an opportunity to set up a committee that will report to Parliament through the Lord Chancellor. It would be based, as with Australia's experience of family studies, on the notion and with the specific object of promoting the protection of the family as the natural and fundamental group unit in society. That would be its prime objective. That is necessary if we are to monitor pilot projects. It will also be necessary if we are to monitor the impact of the law on the family. The Opposition intend to share that proposition with the House, and we hope that it will find support on both sides of the Chamber.

We need a body of men and women with the requisite expertise and experience and committed to the notion of the family as the fundamental unit in our society. It will have the responsibility of monitoring pilot projects. We do not want a repeat of the Child Support Agency fiasco, but when I consider some features of the Bill, the spectre of that agency comes very much to mind. A great deal is left to the future. There are many hopes and aspirations, but there is not necessarily the will to see them implemented.

An advisory committee would be able to monitor pilot projects. It would be able to offer independent, objective advice which would be supportive of the family. It would not be clouded by any other consideration. Importantly, it would be able to ensure that we are in the business of commissioning research into why families break down. It would also be in a position to commission research into why some families succeed and endure.

We need to do all that, but not merely as a means of imposing another layer of bureaucracy. The approach should be taken as a means of preserving an institution which the House should be committed to upholding: the institution of the family. It is with that objective and determination—maintaining and developing the family and supporting the institution of marriage as the best buttress of the family—that the Opposition will approach the Bill.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael Morris): Order. I remind right hon. and hon. Members that Madam Speaker has ruled that from 7 o'clock until 9 o'clock speeches must be restricted to 10 minutes.

6.46 pm

Mr. John Patten (Oxford, West and Abingdon): I listened with great care to the eloquence of the hon. Member for Brent, South (Mr. Boateng), who spoke from

the Opposition Front Bench. I am sure that he was as right about the importance of reconciliation as he will turn out to be wrong in his evaluation of what has gone on in New Zealand and Australia. In those countries, despite all the best efforts of reconcilers and mediators, whatever they are called, divorce rates have shot up since the introduction of no-fault divorce.

I congratulate my right hon. Friend the Chancellor of the Duchy of Lancaster on the way in which he handled the House this afternoon. He has demonstrated open-mindedness and has introduced himself to the annals of parliamentary history with a new phrase. We have long known about the free vote, to which Ministers, parliamentary private secretaries and the payroll generally do not necessarily apply. We now have the Freeman vote, which really is a free vote. It will find its place in "Erskine May" in generations to come.

That having been said, I am sorry that the Bill is before the House. I greatly regret that I am unable to support it. My objections are twofold. They rest on principle and on the practical outcomes of the reforms, should the Bill reach the statute book.

I refer first to principle. I have a strong conscientious objection to the Bill as drafted. That objection does not rest on how the Bill might emerge after consideration in Committee. The core of the Bill is founded on the introduction of what is commonly thought of as no-fault divorce. No no-fault divorce, no Family Law Bill. That is absolutely central. The Bill would strip the marriage contract of commitment and thus meaning. It is my strongly held conviction that the vows exchanged and the contracts thus sealed, whether in a secular or religious ceremony, should be meaningful, not meaningless. In no other part of British law are we as a Government—I strongly support the Government—bent on stripping all responsibility from contracts.

In this instance, uniquely, the Government wish to take away the freedom of choice of my constituents to say, when they exchange their marriage vows, "I mean it; I want a binding contract." It is wrong for the Government to wish to remove that freedom. If the Government wish to do that, they should introduce legislation at least to give people a choice of having what might be considered a real marriage contract or what might be considered a no-commitment contract.

I have not received a letter or representation from any of my constituents in favour of the Bill. For example, my constituents, Dr. and Mrs. W. D. Halls—entirely unknown to me personally—wrote from Hurst Rise road, Oxford, to say:

> "If we continually dismiss our vows and pledges as worthless, we are undermining the very basis of our civilisation. Are our words to have no meaning at all? What conclusions will our children come to?"

To my mind, they are absolutely right, as is the head teacher of an infant school in Norwich, Mr. Keith Pearshouse—again unknown to me personally, and who wrote to me out of the blue. He writes from Christchurch road in that city:

> "Allowing marriages to wither away as though they were friendships that have merely been neglected demeans marriage."

How right he is, for marriage contracts are, apparently, no longer to mean, "till death us do part," but rather, "until the going gets rough."

The Bishop of Chester, who has said that the Bill

> "undermines the meaning of marriage, and will make it a temporary contract",

is surely right. Principles and contracts must be about setting out to try to keep one's word.

Dr. Spink: Does my right hon. Friend believe that more effort, counselling and guidance might be given to people and couples before marriage, so that they can resist and overcome the difficulties that inevitably come in marriage? Should not Churches give a firmer lead in preparing couples for marriage?

Mr. Patten: My hon. Friend is absolutely right. I have, in a spirit of helpfulness, a six-point plan to help Her Majesty's Government, with which I intend to conclude. One of those points is exactly the one to which my hon. Friend referred.

Several hon. Members *rose—*

Mr. Patten: I give way to my hon. Friend the Member for Weston-super-Mare (Sir J. Wiggin).

Sir Jerry Wiggin (Weston–super–Mare): Does my right hon. Friend recognise that although what he says will, I suspect, have the support of the whole House, the tragedy is that many of the evils that he describes exist in the present situation and that today's law allows all those things to happen? This is a genuine attempt to try to improve what is currently an outrageous situation.

Mr. Patten: I do not doubt that. I listened with great care to what my hon. Friend said. Of course, he is right when he puts forward the view that, on many occasions, there is no—or very little—fault when a marriage breaks down. People fall out of love, get bored with each other, drift apart, and, alas, a marriage dies on its feet and they end up in the divorce courts. It is wrong of the House to send a message to people in the real world outside, who know that from time to time a fault occurs in a marriage, that we in this place say that that fault can never happen.

That is why I was so interested to hear the hon. Member for Brent, South say that we must recognise that, in marriage, as in other areas of human relations, culpability exists. I remember exactly what he said and look forward to hearing what he has to say during later stages of the Bill as to how we can take into account that recognition of culpability. It does us no good, whichever party we belong to, to pretend to the outside world that something does not exist when the outside world knows jolly well that it does.

Mr. Tim Devlin (Stockton, South): Will my right hon. Friend give way?

Mrs. Gorman: Will my right hon. Friend give way?

Mr. Patten: I am trying, in the spirit of Madam Speaker's earlier ruling, to make a quickie speech, but I shall give way to my two hon. Friends and then try to crack on.

Mr. Devlin: Does my right hon. Friend agree that, if there is a fault in a marriage, it is not compulsory that one must immediately exercise one's right to divorce, and that

[Mr. Devlin]

many people gloss over faults to continue with a perfectly viable marriage; but on the other hand, people who have no wish to continue in an unhappy marriage will—and do—often manufacture a fault to divorce quickly? Given that that is the current situation, surely we should seek to ameliorate that process and make it more acceptable for everyone.

Mr. Patten: I am sure that my hon. Friend and I agree that much more effort will be needed in reconciliation. I sense from interventions that have been made that there is common ground on that between hon. Members on both sides of the House.

I now give way to my hon. Friend the Member for Billericay (Mrs. Gorman).

Mrs. Gorman: I am grateful to my right hon. Friend for giving way, and I address myself to his sincere remarks. Is it not a fact that the Catholic Church has welcomed the Bill, particularly because it helps to protect children?

Mr. Patten: His Eminence the Archbishop of Westminster, in an article in *The Tablet*, made his views perfectly clear and suggested ways in which he thought that the Bill could be improved, but I argue my case purely personally and on secular grounds, to which I now wish to refer.

Surely, practice must be about learning from experience. Bitter experience in this country has taught us that predictions made when the divorce law was last reformed, in 1969, have turned out to be entirely wrong. The hon. Member for Brent, South made that point. Experts told us then that as a result of that legislation, the divorce rate would stabilise, the rate of illegitimacy would drop, and cohabitation in place of marriage would become rare. Yet my distinguished constituent, Ruth Deetch, principal of St. Anne's college, Oxford, has demonstrated that nothing of the sort has happened.

Since 1969, the rate of births out of wedlock has risen from 6 per cent. to more than 30 per cent., and in 30 years the divorce rate has more than trebled. In 1969, doubtless for the best of motives, we in this place set out to make changes, which, alas, have made us the divorce capital of Europe.

These new reforms will, in their turn, considerably quicken the rate of divorce, for they will speed up the 27 per cent. of divorces that are currently granted on the basis of at least two years' separation. They will also speed up many divorces that are already based on fault.

Fortunately for the people of Scotland and Northern Ireland, the Bill does not apply there. I do not see many Northern Irish or Scottish Members here clamouring for the measure to be introduced in their countries.

Sir James Molyneaux (Lagan Valley) *indicated assent.*

Mr. Patten: I see my right hon. Friend from the Ulster Unionist party indicating assent. I do not think that he and his hon. Friends wish to have the Bill visited on them.

We already know that, in Northern Ireland and Scotland respectively, about 60 per cent. and 75 per cent. of divorces are granted after two or five years' separation. Why is this new divorce law being uniquely visited on England and Wales? Why is there no clamour for it in Scotland and Northern Ireland? Why have not those who bear the heavy responsibility of formulating this legislation harkened to the experiences of the United States, where individual states began to go in for no-fault divorce from 1969 onwards? Since then, they have reaped a social and economic whirlwind.

I was told in January this year that records in the state administrative office in Oklahoma show that, over the past three years, the number of marriage licences issued across the state has nearly been matched by the number of divorce petitions. There are as many divorce petitions as there are applications to get married. The reaction against no-fault divorce and its social and economic consequences, particularly for women, has led to the introduction of Bills to reform no-fault divorce in six states in the United States. As its journal, *Newsweek*, pointed out on 18 March, that movement is beginning to sweep America.

In America, many who would class themselves as feminists, some of whom once supported these forms of no-commitment marriage, now believe that they are creating a whole new class of people in poverty as a result—divorced women with children. As Mrs. Deech says, there is an equal danger in this country of accelerating the trend towards a two-tier system that disadvantages women; in other words, a world with husbands who can afford their own lawyers and where many wives will have to rely on mediation.

In conclusion, I shall make some practical suggestions, in the same measured and constructive way as my noble Friend and constituent, Baroness Young, did so far-sightedly in another place. These debates are certainly not a waste of time, for they have brought matters to a head, giving the Government the chance to stop and rethink what they are doing.

I have six suggestions for Her Majesty's Government. First, if they wish to proceed with the Bill as drafted, they should give my constituents the choice of a real marriage contract if they insist on trying to forge ahead with a no-commitment marriage contract. Secondly, we must introduce an element of consideration of conduct or of fault, or, to borrow the phrase used by the hon. Member for Brent, South, of culpability in the divorce process.

Thirdly, we should lengthen to 18 months—or perhaps two years would be better—the period during which couples with children should go through not just mediation but reconciliation procedures. That is very important. Fourthly—this deals with the point raised by my hon. Friend the Member for Castle Point (Dr. Spink)—Churches, voluntary organisations and others need to do much more to provide couples with courses explaining what marriage is like and how they can surmount the problems before they marry. That should be not just encouraged but supported by the Government.

Fifthly, if a divorce is contemplated, specific attempts at reconciliation should be made before mediation. They should involve frankness. Advice should be given to couples with children which spells out the uncomfortable facts that many do not wish to hear, although, sadly, they are true. For instance, despite the best efforts of many

divorced or divorcing parents, the children of such parents are five times more likely to live in poverty, and at least twice as likely to suffer from health problems or difficulties with employment or to take drugs.

That is the rough, tough stuff of reconciliation: putting the facts before a man and his wife before they split and help to wreck their children's lives—although they do not mean to. We should be talking about that rather than about mediation and the divvying up of spoils, which is a secondary and residuary matter. The Government must accept the consensus that clearly exists in the House. What is being said is hard-edged, nasty and not nice to say or to think about, but it is true.

Sixthly, the Government must have the courage to avoid relativism, and to make trying to reduce the divorce rate stated Government policy rather than merely regretting that divorce rate, as my right hon. Friend the Chancellor of the Duchy of Lancaster did in his excellent speech. The Government must face the fact that, under the present legal regime—which goes back to the 1969 reforms—they are bequeathing a great social challenge to their successors in the new century. The emotional, social, economic and health problems of the divorced generation that we are now breeding will be much worse for that generation than the problems of those who grew up during the depression or wartime years.

Worst of all, if the Bill is passed, it will compound three decades of error, dating back to 1969. It will also set in train irreversible trends. I predict that, by the year 2025, there are likely to be as many applications for divorces as for marriage licences. No Government should countenance that.

7.2 pm

Dr. Jeremy Bray (Motherwell, South): Given that this is a Family Law Bill, we should have started with a commission on marriage and the family rather than a Law Commission report on the grounds for divorce. Even to get divorce law right, we need to see what has happened to marriage.

Some of the Bill's sponsors seem to have an unrealistic concept of marriage. It is not a remote, irrelevant or unattainable ideal; it is a practical working arrangement in which most people still choose to live with a loved partner, to make love, bear children and raise them, and to live in circumstances that provide mutual help, society and comfort until they die. Even today, when Britain has the highest divorce rate in Europe, most people—for better or for worse—live out that commitment.

An initial mistake on the part of the sponsors was to suppose that divorce law has no effect on the breakdown of marriage. Of course, once a marriage has broken down, a tighter divorce law will not save it; but it might well have prevented that marriage, and other marriages, from collapsing under a strain. As hon. Members have pointed out, every marriage has its rough spots. If at the first sign of difficulty either partner can think, "I can walk out and be shot of all this in a year," the marriage will be weakened.

The law has a declaratory effect on behaviour. Even the climate of debate on divorce law has an effect on the resort to divorce. People are influenced for the rest of their lives by the contract that they thought that they were making when they were married. The Government demographer John Haskey has shown that the two groups of couples who married in the years when divorce law was being changed—in 1970 and 1981—are more ready to resort to divorce, and remain so for the rest of their lives, than those who married one or two years earlier or later. It is a small but clear effect. It is as if marriage were a bond in which the very act of bonding has a lasting effect on the strength of the union. Influences are difficult to trace if we look only at the surface, but there can be turmoil underneath.

The increases in marriage breakdown and divorce have occurred over the same period, and among the same age groups, as changes in the pattern of sexual behaviour. In the sterilised, fault-free world in which the Bill seeks to operate, it is almost necessary to remind the House that marriage and sexual behaviour are related—and both are related to other influences, such as contraception and the greater economic independence of women. The most systematic and objective evidence was provided by the recent "National Survey of Sexual Attitudes and Lifestyles" produced by Kay Wellings, Julia Field, Anne Johnson and Jane Wadsworth, and by Haskey's articles, which I have already mentioned.

In the 1960s, fewer than 5 per cent. of women cohabited with their future husbands before marriage; today, 70 per cent. do. Of people aged over 45 today, 52 per cent. of women and 20 per cent. of men were married or engaged to be married when they first had sexual intercourse. Of those over 25 today, only 3 per cent. of women and 1 per cent. of men were married or engaged when they first had intercourse, but 63 per cent. of women and 48 per cent. of men were in a steady relationship. In all age groups, about 90 per cent. of people had had intercourse by the age of 25. In all age groups, the proportion of both men and women who disapprove of a married person having sexual relations with someone other than his or her partner is rock steady at 80 per cent.

How do those sexual attitudes and experiences relate to divorce? Divorce rates have risen in all age groups. Among men and women over the age of 55, the annual divorce rate jumped from about 0.1 per cent. before the Divorce Reform Act 1969 to 0.4 per cent. after it, and has remained virtually steady ever since. The Act clearly had a lasting effect. Among those in their 30s, the annual divorce rate has risen to around 2.8 per cent. per annum, and is still rising. Among those in their 20s, there has been a marked fall in the rate of marriage; but among those in their 20s who did marry, the divorce rate peaked at over 3 per cent. per annum after the Matrimonial and Family Proceedings Act 1984, and has fallen sharply since then—to 2 per cent. per annum among those under 25.

The broad pattern that emerges is that the first act and the first years of intercourse used to coincide with the first years of marriage, and helped to create a life-long bond within which the marriage relationship could develop. With the first years of intercourse now preceding marriage, the bond from early intercourse does not contribute to the strengthening of a lasting relationship. Lasting relationships are still built, but that has become more difficult, and more relationships break down. Society has a deep sense of the underlying commitment that is required in love and marriage, but the Bill does not recognise or support that commitment.

The adverse consequences of marriage breakdown for the development of children, the plight of single parents, the burden of support costs for second families and the stability of family life in general are widely agreed on and

[Dr. Jeremy Bray]

must be addressed, but it is no good doing so in a way that increases the number of children in distress. What we should look for in a divorce law is a framework within which successive age groups can learn from their own experience, and from observation of their parents' and grandparents' generations, sometimes reacting against them and sometimes returning to them, so that they can shape their own relationships and the life and values of their own family. It has not helped that we have been presented with this somewhat sterile and morally anaemic Bill.

7.9 pm

Mr. John Butterfill (Bournemouth, West): When the Bill's predecessors were presented I had grave reservations about much of what they intended to do. I am grateful to the Government for ensuring that this Bill is a considerable improvement. My hon. Friend the Member for Canterbury (Mr. Brazier) and I went to see the Lord Chancellor to express our grave concerns about the Family Homes and Domestic Violence Bill. I am grateful that the Bill before the House differentiates significantly between cohabitation and marriage. It is absolutely right that it should.

In the context of divorce the Bill has emerged from the other place considerably improved, and I am grateful to the Minister for considering all the representations that he received and for giving due weight to the changes that were made in another place. As a result of that and because of the procedures that we now intend to follow, we shall ultimately ensure that the Bill is considerably improved, although I doubt whether it would be possible to accommodate the varying views in all parts of the House about its detail.

I am in favour of the removal of fault from divorce proceedings because I have seen many of my friends getting divorced in proceedings where one side alleges adultery and the other side counter-petitions for unreasonable behaviour. The resulting acrimony leads to untold misery for those concerned and to even more misery for any children of the marriage. It is incumbent on us to do anything that we can do to make the sad event of divorce more tolerable for all those who are affected by it. Unlike some hon. Members, I believe that mediation and the fact that one year will have to pass will play a powerful part in that.

The fact that the parties to a divorce will have to agree all the details in advance in relation to the children and finances will make many of them confront the reality of what they intend to do. In doing that and in realising what they face, at least some of them may withdraw from the course of action on which they have embarked. That would not be possible if we were to retain the present fault system under which people would immediately engage—in some cases, I regret to say, encouraged by their lawyers—in a process of mutual acrimony which can only be corrosive and destructive.

My principal concern is not about matters in the Bill but about pension splitting, and their Lordships were right to amend the proposals on that. They have done the House a service, albeit that the amendment is defective in some respects and major changes to other legislation will be necessary to give full and proper effect to it. It would not be understood by women or by any fair-minded man if we let this legislative opportunity pass without agreeing to split the assets of pensions in a way that may be determined by the courts. The alternatives are entirely unsatisfactory. Although the proposals in other legislation for earmarking go some way towards meeting the problem, they still leave the position very unsatisfactory for many divorced women.

Women who have to wait until their husbands retire before they can get any pension benefit are uncertain about when or whether they will receive it, and about the amount. We have a public duty to ensure that this is sorted out because many women are forced to rely on state benefits if they are divorced and retired, and that must be unsatisfactory. If we can at least remedy that we will have achieved a great deal.

I do not accept some of the Treasury arguments that people will be encouraged to seek a divorce to gain a tax advantage. Anybody who believes that a person would go through all the trauma and agony of a divorce simply to achieve a tax advantage must be living on a completely different planet. Even if in some extraordinary way that were the primary motive, all that it demonstrates is the fault within our existing tax legislation which discriminates against the institution of marriage and pays couples to live together rather than to commit themselves to marriage. None of those Treasury arguments is reasonable.

I am grateful to the Minister for confirming that the Government will leave their Lordships' amendment in the Bill unscathed but will seek to present their own legislation as soon as is practicable. I urge him to advance the time scale. I am puzzled as to why it should take until June or July to produce a White Paper because much of the work that needs to be done has already been done. The National Association of Pension Funds has studied the matter in great detail. As long ago as 1993 the Pensions Management Institute, sponsored by the Rowntree Foundation, produced a booklet on pensions and divorce which outlines in great detail the issues that the Government will need to consider. That booklet alone would be a good foundation for a Green Paper. The Association of Consulting Actuaries and the Law Society have done a great deal of work on the problem.

We do not need to wait until July for the Green Paper, and when it is produced I should like an assurance from the Minister that legislation will be presented within a reasonable time. If we have to wait until the summer for the Green Paper it would be reasonable to have the responses by the autumn so that we could decide on the form of the legislation by the end of the year and a Bill could be presented by the new year. I should like the Minister to commit himself to such a timetable, or some hon. Members will suspect that the matter will be shuffled off into the long grass until after a general election, and that after that everything may be somewhat different. I do not think that that will happen because there is determination in all parts of the House to achieve the appropriate legislation. I hope that when he responds to the debate the Minister will be able to give assurances on the concerns that I have expressed.

7.17 pm

Mr. Chris Davies (Littleborough and Saddleworth): The Bill divides Members of all parties and it is with some difficulty that I rise to speak as the spokesman for

the Liberal Democrats because I know that among our ranks opinions are equally divided. I hope that my hon. Friends will respect my views just as I respect theirs when they differ from mine.

I give the Bill a guarded welcome and support much that is in it. It is based on reality and its spirit credits individuals with intelligence and expects them to face the responsibilities that they have to face at a time of emotional crisis. It also recognises the limitations of Parliament in intervening in such matters, let alone in trying to resolve them.

Of course the Liberal Democrats support the family and the institution of marriage, but I am conscious that perhaps my interpretation of that institution and of the role that its members should play within it will differ from that of some of my colleagues and of other hon. Members. It is important, however, to recognise that the Bill is not about strengthening the institution of marriage, but about sorting out the problems when marriages fail. Some hon. Members may not have taken full account of that.

Marriage should be a partnership, entered into freely by individuals, which brings much good. It brings economic benefits. It is said that two can live as cheaply as one. That may be true, but there is no question that the accumulation of wealth is one of the reasons for the institution of marriage. The statistics and the evidence of single parents demonstrate that poverty hits people who are not part of that basic structure.

Marriage provides a framework for the rearing of children, security and happiness, I hope, for the individuals who are joined together it. It represents a commitment, publicly entered into by two individuals, that can strengthen both. That, however, is not always the case. Just as the individuals freely chose to come together, so either one or both have the right to choose at any time to take steps to dissolve that partnership and to go their separate ways. Parliament's job should be not to stand in the way of that choice, but to ensure, so far as possible, that the responsibilities that the individuals accept when they enter into a marriage are properly exercised, if necessary for the rest of their lives.

I hope that the right to exercise free will does not blind couples to the truth that almost all successful marriages have their ups and downs. The hon. Member for Lancaster (Dame E. Kellett-Bowman) referred to that earlier. There are many ups and downs, as well as much simply getting along. Rather than speak from my experience as a husband—although the years are starting to accumulate and to provide me with some respectability on that score—I shall speak from the perspective of a long-distance runner.

Anyone who has run 100 miles at a single stretch will know that we go through some bad and good sections. A niggling problem with a knee at 40 miles disappears by the time we get to 50. We may feel absolutely low one moment and, a few miles later, suddenly run strongly again and feel high. Some hon. Members may think that an illustration more of hell than of marriage, but a good marriage is not unlike that. The problems that an ultra-distance runner can experience may be an appropriate metaphor. When we look back from the finishing line, we appreciate how much we have enjoyed the experience, but it is not Parliament's job to force people to go the whole 100 miles. Individuals must make their own decisions.

I am sorry that the Bill does not deal enough with how marriages can be encouraged, how counselling can be provided where that is appropriate and how the difficulties of marriage can be explained to couples thinking of joining together in matrimony. The Bill is aimed at dealing with problems when marriages fail, but its strengths would be brought to the fore if emphasis were given to the desirability of encouraging the family and the institution of marriage. Some of the opposition to the Bill would thus be reduced.

Members of a marriage partnership must balance their short-term wishes with the fact that the break-up of the marriage and of their family unit can lead to much distress. It can lead to economic hardship, to which I have referred. It can cause great unhappiness among the children and, not least, for the partner who has been spurned by the other partner, to whom he or she has looked for so many years. It can also, however, lead to great unhappiness for the person who spurned the other partner because, in time, he or she may realise that the grass on the other side was not all that greener.

Sometimes, those misfortunes are all wrapped up together. All hon. Members have had experience at their advice centres of members of the public asking for assistance in dealing with Child Support Agency matters. Hon. Members have felt the full burden placed on people whose marriages have failed and who face difficulties, but let us remember that divorce is by no means a disaster for all. In many cases, it is a liberation for one party; sometimes it is a liberation for both parties.

Statistics were bandied about earlier suggesting that a high proportion of people who have become divorced regret that they entered into the process, but I have yet to meet a divorced person who still wishes to share a bed with or to live under the same roof as the person from whom they are divorced. On the contrary, more often, the venom with which people refer to their former partner is a stronger and more frequent emotion than the desire to recover that which they have lost.

The House has no power to revive a marriage that is emotionally dead. We should not seek to prevent individuals from making a free choice or add to the misery of an already distressing position. It has been said that the Bill will make divorce easier and that it will therefore contribute to an increased number of divorces. I do not think that it is true. By abolishing the concept of fault and by standardising arrangements, the Bill makes the process of divorce more clinical, perhaps even more acceptable, but it does not make it easier for people to drift out of a marriage or to run away from it.

In relation to cases where emotions run at their highest and, often, where the hurt goes most deep—where one partner is revealed as an adulterer—the Bill ensures that there is probably greater time for reflection and for a sense of perspective to be restored than at present. By abolishing the notion of fault and by clarifying the administrative arrangements for divorce, the Bill may increase the number of marriages. The majority of couples live together before getting married. A growing number choose never to get married. I suspect that fear of the future and of love eventually being replaced by the degrading procedures of a divorce court are reasons why they are reluctant to enter into the public avowal of commitment that marriage entails. The Bill may lessen those fears and make that initial commitment easier.

[Mr. Chris Davies]

What about the children when a divorce takes place? Adults may have the right to choose to do as they wish, but I recognise that children have no such freedom. As hon. Members have said, there is evidence that children prefer their parents to stay together, however much they may argue. That may be so. Every loving parent will take that factor into account when considering their future relations, but now that the stigma of having divorced parents has, in effect, passed—because, sadly, it is commonplace—it must be recognised that the emotional upset of rows between parents who do not wish to be together is also a cause of pain. It is difficult for children to be in the middle of a household in which their parents have come to loathe each other. We must treat parents as adults in every sense of word and trust that they will place their children's interests high on their scale of priorities. I am not sure that we have the right to do other that than.

The 12 months of preparation before the granting of a divorce should be sufficient for the views and wishes of children to be impressed on the parents. I do not accept the argument that, in all circumstances, people who loathe each other must stay together for the sake of children. I welcome the Bill's provisions requiring agreement over responsibilities for the care of children, although it may be easier written in statute than undertaken in practice. I will seek clarification about that when the Bill returns from Committee. I hope that those matters can be resolved there.

Throughout my remarks, I have stressed the importance of individuals being ultimately free to make their own choice, but the initial commitment to a marriage implies the acceptance of responsibilities that may be lifelong. Where there are children, it includes parental care and a financial contribution. Where one person has developed a career while the other has maintained the home, it involves a recognition that both parties have a right to the economic benefits of that partnership. My party is united in its determination to support the pension splitting arrangements that were insisted upon when the Bill was considered in the other place. I welcome the Minister's commitment to the principle of that, but I endorse the view of the hon. Member for Bournemouth, West (Mr. Butterfill) that we want more detailed undertakings about the timetable for the necessary legislation. We see no reason for delays in bringing it forward.

I can think of no worse advertisement for the institution of marriage than the 60-year-old business man who runs off with a young woman, leaving his partner of 30 years or more living on a pittance. The House must protect the weaker partner in such circumstances and stand up for the principle of equality within marriage.

I want briefly to refer to mediation. It is often said by former couples that the divorce was proceeding amicably until lawyers became involved. Whether or not that is true, the Bill's encouragement of mediation is welcome. It is a sensible, practical and humane step. However, I have reservations about whether the funding will be adequate and whether the resources exist to provide high-quality assistance. I fear that whatever the good principles involved, the practice may prove sadly lacking.

7.31 pm

Dame Jill Knight (Birmingham, Edgbaston): I must confess puzzlement tonight on two counts. The first is about the name of the Bill. Why is it called the Family Law Bill? I would have thought a more appropriate name to be the Break-up of Family Bill. If we talk about these matters in the House, we should call a spade a spade and call it the Divorce Bill 1996.

The second reason for puzzlement is that I do not understand why Conservative Members are whipped to support the Bill. From what the Minister said, it appears that because the Lord Chancellor introduced the Bill it had to be a Government Bill and therefore there could not be a free vote on Second Reading. I think that that is quite wrong. Hon. Members should understand that when the Minister spoke previously about a free vote, he was dealing not with tonight's vote, but votes in Committee. I find that strange because not since 1857 has there been a whipped Bill on divorce. It is so obviously a question of conscience.

We are dealing with a subject fundamental to the whole fabric of society. Divorce is a deeply unhappy business. I have not been divorced, but friends who have speak of it with obvious pain, even years after the event. However, I do have personal experience of how divorce affects children, my parents having divorced when I was a small child. I was deeply unhappy about it. My feelings were a tangled mess of rejection, shame, insecurity and the belief that, somehow, it was all my fault. Many children feel that way. My feelings lasted for many years. I would have given anything and everything in my small world to keep my parents together.

I accept that all children may not feel the same, but research clearly shows that divorce upsets children far more than losing a parent by death. That is an extremely serious point that should be well understood by the House. We know that children from divorced families are twice as likely to do badly at school, have less chance of going on to university, have less chance of finding a job when they leave school, are more likely to be divorced themselves and—perhaps not altogether surprisingly—are two thirds more likely to become regular smokers.

I accept that it is true that some children grow up perfectly well in one-parent families and that it is not only divorce that makes one-parent families. We all understand that. However, there is no doubt in my mind that children get a better start in life with both mother and father in a stable marriage.

So far, I may not be in disagreement with any of my colleagues. I want to make it clear that in no way do I question the Government's sincerity or good intentions in introducing the Bill; there is no doubt that they mean well. I agree that the present position is not satisfactory, but that is not the issue. We are not arguing about the effectiveness of the Bill or the Government's good intentions. The questions we need to ask include, will the Bill be better in all ways than the present position; is it just; will it buttress the institution of marriage; are we safeguarding a couple's right to pledge themselves to each other for life; is there a public demand for the Bill? The answer to all those questions is no, which is why I feel impelled to speak and, probably, to vote against Second Reading tonight.

This is a lawyer's Bill, cooked up by the Law Commission. I shall never forget that a very prominent member of the Law Commission—without doubt an architect of this Bill—said in 1980:

"We have reached a point when we should be considering whether the legal institution of marriage serves any useful purpose."

Perhaps that is not a universal view among all members of the Law Commission, but lawyers do not understand that a concept enshrined in a Bill passed in this House sends out a clear signal.

It is true that we cannot legislate for goodness and I agree with what the hon. Member for Brent, South (Mr. Boateng) said about that. However, in passing this Bill we show that we no longer have a great deal of faith in marriage. The signal that we will send out tonight is that marriage vows are of no great importance and can be cancelled speedily for no reason at all.

It cannot be right that an unwilling spouse, man or woman, anxious to keep the marriage alive and accused of no fault of any sort can find himself or herself divorced against his or her will. I cannot think it right that divorce should be available on demand with no reason necessary. I must tell the hon. Member for Littleborough and Saddleworth (Mr. Davies) that we are not talking about a couple who hate each other; we are talking about one half of a couple who is desperately anxious for the marriage to succeed and is ready to make sacrifices to achieve that. If two people loathe each other, I would not object to a divorce. My objection is to an innocent, well-intentioned partner being abandoned for no reason. That is what upsets me about the Bill.

It is important to remember that fault came in on the back of a statutory instrument passed upstairs in Committee, not on the Floor of the House. The purpose of that statutory instrument was to facilitate a quickie divorce. I have been given figures that show that when Australia, for example, brought in a no-fault, quickie divorce, the divorce rate rose from 5 per cent. to 18 per cent. It has since dropped back, but only to 11 per cent. In other words, there are more than twice as many divorces under the no-fault system. In America, the divorce rate rose by 50 per cent. under the no-fault system. As my right hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten) reminded us, many states in America are reverting to fault divorces because they are convinced that no-fault divorces push up the divorce rate.

In Northern Ireland, where the statutory instrument did not apply, the divorce rate is a quarter of that in the United Kingdom as a whole. Of course Northern Ireland is extremely anxious not to have the law, as my right hon. Friend the Member for Oxford, West and Abingdon said. It is interesting that, in Scotland, the other part that he mentioned, which was also not affected by the statutory instrument, the Scottish Law Commission has made it very clear that it will in no way support a no-fault divorce.

Other people are worried about the speed at which divorce will be carried out. In another place, their Lordships tried to ensure that where there were children, or where one spouse did not want a divorce, the time waited should not be one year but 18 months. I deeply regret that that amendment was not successful. Perhaps we can have another shot at it.

The Bill acknowledges that conciliation may be possible, although I could not find much reference to conciliation in it. It encourages and introduces mediation, which of course is not conciliation. It would merely sort the money out, as the hon. Member for Brent, South (Mr. Boateng) said. Many questions on mediation are still to be answered. Some suspect that enthusiasm for mediation has been brought about because it is thought to be cheaper than legal advice. Conciliation would not be compulsory, and it is difficult to imagine how it could possibly be made so. A would-be divorcee—

Mr. Deputy Speaker: Order.

7.41 pm

Mr. Bill Michie (Sheffield, Heeley): This is a very serious debate, about which we all have opinions and individual emotions. One has to be rational. I must say, however, that the hon. Member for Birmingham, Edgbaston (Dame J. Knight) really got under my skin. Someone who has had some experience of divorce and who has waited a considerable time to enable the children to understand it, would take it as misinformation to say that children are affected more by their parents divorcing than by their families living together.

There are many reasons why children do not like divorce and feel guilty about it. One of them is when other institutions, in which partners may not necessarily believe, insist that marriages are for life, unless certain circumstances mean that they break down. Not only divorce causes emotional problems in children. Society makes judgments on parents that are reflected on children. I know many couples who have undergone a proper divorce in—if it can ever be—a civilised way, and the effect on their children has been minimal. Society accepts to some extent that children can be born outside marriage without feeling guilty about it or being called all the names under the sun. It is possible for them to be respected in society and be no worse off. They will certainly not start smoking or taking drugs as a result of their parents divorcing or never getting married. Such an assertion is absolute nonsense.

An introduction to a Sheffield family conciliation service pamphlet, which I fully endorse, says:

> "There is no such thing as an easy separation or divorce. Partners often have strong feelings of anger, or helplessness, or betrayal, or shame. It is difficult for them to be sure what will be best for the children. Important questions about the future of the home and family must be decided, but husband and wife may feel unable to talk together. On the other hand, if they simply take legal action to settle their affairs, solicitors or courts may deal with matters which the couple would prefer to decide for themselves."

That is the premise on which we start the conciliation procedure in the Sheffield area.

I support the proposal to abolish the principle of fault in divorce, but, in many other respects, the Bill is seriously flawed. There are many concerns, for example, about the requirement to attend "information sessions". Are they to be in public? There cannot be group therapy. How are they to be arranged? As far as I know, that is to be left entirely to regulation that will be created by the Lord Chancellor's Department. Will there be privacy for those who need it? Will there be a media jamboree for those in the public eye? All Members of Parliament could find ourselves in a difficult situation.

Will services such as mediation and couple counselling be funded adequately and be available to those in remote areas? Will a market-based system fail those needing support? How do we get round those problems? How do we enable information to be given privately by licensed providers, including solicitors, who are the usual first port of call at present? How are we to define mediation and place on the Lord Chancellor the obligation to ensure, through funding, the availability of such services?

[Mr. Bill Michie]

Other concerns focus mainly on the proposals for mediation, and require assurances from the Government on the following points. Will separating couples be entitled to treat mediation as a truly optional facility in the same way as Relate counselling? It is a betrayal of the concept of mediation for it to be provided on any other basis, and if so provided will send out the wrong signals to participating couples.

There should be an assurance that there will be no inducement for couples to enter into mediation or that prejudice will be incurred if either or both choose to withdraw from it, regardless of whether they qualify for legal aid. The concern is that the Government propose to specify circumstances in which mediation would be considered inappropriate. If the concept of mediation were fully appreciated, there would be no need to specify any such circumstances. Specifying such circumstances raises the overwhelming inference that any individual or couple who decline mediation for non-specified reasons will be disadvantaged in some way. That aspect requires special scrutiny. As has already been said, there would be no way in which violent partners would go for such mediation. Will such circumstances be considered special cases? Non co-operative partners might decide not to participate in any shape or form and sabotage any mediation process. There are obviously other problems, too.

I should stress that mediation is the facilitating of communication. It is not a forum for giving advice. Negotiations cannot take place without advice. Legal advice must therefore be available throughout. If it were not, those receiving legal aid would be severely disadvantaged. I intervened on the Minister on that point to try to get an answer to that question. I hope that we shall get an answer by the end of the evening. It would be unfair to those on legal aid if they were disfranchised from seeking a second opinion after or during mediation.

There should be an assurance that legal aid regulations will not be amended in any way to give legally aided people who opt for mediation any advantage within the system over those who decline mediation, especially those who do so for non-specific reasons. I note from reading through my stuff this weekend that the South Yorkshire Group of Solicitors Family Law Association is in no doubt that full legal aid certificates will be denied to people who choose not to attend mediation, and that the claw-back on cost—the statutory charge—will be waived for couples who opt for mediation. The same constraints on paying back legal aid should apply to people who opt for mediation as well as to those who do not.

The proposed pre-condition to a decree absolute being granted, that all arrangements for children and finances must first be settled, wholly undermines the central premise of a "period for reflection and consideration" by encouraging litigation. The divorce process will force individuals to litigate immediately to be sure of resolving financial and child-related issues in time to obtain a divorce at the first attempt.

The proposal that the divorce should be abandoned if matters concerning the children and finances are not resolved within the cooling-off period needs to be re-examined. In appropriate cases, particularly complicated ones, the court should have the power to extend the period. Divorces should be abandoned only in the event of reconciliation; they should not be kept artificially and technically alive because of a dispute that is not resolved within the time limit. Future arrangements should not be made a pre-condition to divorce. Instead, the scope of the hardship bar should be extended to provide appropriate protection.

The proposed pilot project will, hopefully, accurately reflect the mediation services that will be required. It is estimated that currently only 110 accredited mediators are able to undertake financial and child-related disputes. There are, on average, 160,000 divorces every year. The pilot scheme must be located where it can be rigorously tested. If the pilot scheme is considered a success, we must have an assurance that a national scheme will not be implemented until it is fully resourced to avoid court delay. As my hon. Friend the Member for Brent, South (Mr. Boateng) said, the scheme must be rigorously monitored to avoid any repetition of the fiasco over the Child Support Agency.

The sensitive nature of divorce proceedings is obvious and should be respected. I hope that, for the good of all who find themselves in such difficult circumstances, the House takes its time in passing the legislation.

7.50 pm

Sir Ivan Lawrence (Burton): It seems obvious that a Bill that addresses the awful problem of the growing number of divorces in our country, that follows a large-scale consultation exercise that has effectively been going on for three years, that has received support from a large number of agencies—from Relate, the leader of the Catholic Church, the Christian Churches, the synagogues, Marriage Care, the National Society for the Prevention of Cruelty to Children and the Law Society to name but a few—and that does something to strengthen the institution of marriage, should have the support of the House. I find it difficult to follow much of the criticism that has been levelled against the Bill. Those who want to get rid of easy divorces and those who want to provide better protection for the children of a marriage should welcome the Bill with open arms.

There are currently four major faults with the divorce law for those of us who think that marriage is important. First, divorce is now, to all intents and purposes, available on demand. Is that what the Bill's objectors want? Secondly, by alleging fault and inventing and exaggerating, someone can obtain a divorce as soon as three months after he or she petitions for it—72 per cent. of all divorces are secured on that basis within six months. Is that what the Bill's objectors want?

Thirdly, the process causes bitterness and unnecessary distress to the children caught in the middle, who are often made the excuse for the divorce. Is that what the Bill's objectors want? Fourthly, there is little attempt made, or encouragement given by the present system, to save a marriage that can be saved. Once one of the parties does not want to be married any more, all he or she has to do is to reach for the divorce gun. Is that what the Bill's objectors want?

Why anyone who cares about marriage should think that the law should remain as it is and that it is better than the Bill is beyond me. The Lord Chancellor's proposals will considerably strengthen marriage and considerably reduce divorce—for several reasons. First, there will be no quickie divorces—everyone will have to wait a year

before anything can be done and before getting a divorce. That means that, in many cases, there will be no divorce for 18 months or more after proceedings have been started.

Secondly, there will be no divorces at all under the legislation for a year after it is implemented. Thirdly, if the element of fault is taken out of the legislation, there will be much less bitterness to distress the children. Fourthly, if everyone has to wait a year or so and is encouraged to seek conciliation, many marriages will be saved. That is why Relate, with all its experience, so favours the process. That is why the divorce rate has fallen in Australia, New Zealand and Canada, where such a system operates.

My right hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten) was wrong when he said that the rates had risen there—they have fallen in all those countries after a short period in which they increased. Fifthly, through mediation, those who are determined to divorce can use the year to get their financial and property arrangements in order, which will remove or reduce much of the misery for the children and the expenditure of court time—to say nothing of costs.

It is a flight of fancy—and shows a lack of awareness about today's world—for hon. Members to pretend that fault is now a necessary element in saving marriages and protecting the children; it is no such thing. It may have been in the 1900s when women were chattels—the property of their lord and master. But the reason why divorce has doubled and the marriage rate has halved in the past 20 years is precisely that fault is being deployed as a reason for divorce. If I am wrong about that, why are as many as 72 per cent. of all marriages ended with allegations of adultery and unreasonable behaviour after only six months? The answer is that fault is used as an excuse—an easy excuse—for divorce. There can be no other reason. Fault does not save marriages; it is being used as a weapon to destroy them more quickly.

In the 1990s, what is "fault"? Who can really judge the truth? I should think that most of us have experienced surgeries when the biggest complaint against the legal system has been that the judge believed the "lies" told by one spouse about the other in the divorce court. Some people pretend that most of the cases involving fault are one sided, but the truth that can be learnt from every divorce judge is that most allegations are a matter of "six of one and half a dozen of the other". How on earth is "fault" then worth defending? In 1996 we should say goodbye to fault as a ground for divorce and bid it good riddance; it has become totally counter productive.

We should start to do what we can to save marriages that can be saved and to make the dissolution of those that cannot be saved as painless as possible for the parties and children involved. To accept the principles of the proposed regime is not, however, the end of the matter.

Mr. Nicholls: Will my hon. and learned Friend give way?

Sir Ivan Lawrence: I am sorry but I cannot give way as I have just 10 minutes for my speech.

Many details need to be worked out and there has been much useful discussion in another place. The Government have responded with a number of significant improvements to the original scheme; they are on record, so I shall not burden the House by listing them. But I must mention one.

I very much welcome the pension splitting arrangements which are under consideration. They are extremely complicated and it is impossible to implement them immediately without creating more problems than they solve. I welcome the acceptance that pension splitting is right in principle and the Government's determination to create a scheme that works. It is not widely enough appreciated by people who have not gone through a divorce that, under existing law, pension income is taken into account in the assessment of future assets.

I have heard some strange objections to the Bill raised in the House this afternoon. In her question to my right hon. Friend the Chancellor of the Duchy of Lancaster, my hon. Friend the Member for Batley and Spen (Mrs. Peacock) seemed to think that people may enter into marriage in order to secure a hire purchase agreement. I do not think that that is why people enter marriage. My right hon. Friend the Member for Wokingham (Mr. Redwood) seemed to think that a marriage can be sustained where one party wants it and the other does not. He must have been reading too many Galsworthy books, "I shouldn't wonder". It is another era and he will have to read about Soames Forsyte to realise just how that family looked on marriage and the fact that if one party did not like it, that was just too bad.

My hon. Friend the Member for Wyre Forest (Mr. Coombs) argued that children do better in bad marriages than if there is no marriage—that may be true for some, but for others it is not. In any event, my hon. Friend misses the point: the Bill seeks to save marriage—that will help children in the marriage, even if the marriage is a bit rocky. My hon. Friend should support, not oppose, the Bill because if it helps children, it answers his point.

Besides, the measure largely refers to marriages that are breaking up, not about bad marriages that are sticking together. The removal of fault does not harm the chances of the partners in a bad marriage remaining together, but it eases the misery of the children from the marriage that is breaking up.

The hon. Member for Brent, South (Mr. Boateng) spoke in support of the Bill, but then began tilting at a windmill when referring to victims of domestic violence. No battered wife should have to mediate with her tormentor, as he will see if he reads the Bill and the words of the Lord Chancellor, who said in a press release:

> "Clearly there will be cases where the breakdown of the marriage has been too painful for couples to negotiate in this way, and legal aid will be available in situations where mediation is not appropriate."

I hope that the hon. Gentleman will be less heated about that aspect of the legislation. So, I disagree with a great many of the arguments presented by those who oppose the Bill.

We should, if it were possible, address preparation for marriage in the future: nothing could do more to make marriage more meaningful, and therefore less likely to be dissolved. It might help if we could devise some way of requiring preparation for marriage. However, the infringement of civil liberties and the cost to the taxpayer or to those anticipating marriage might be substantial. That is why I am afraid that we must leave that issue for the future.

[Sir Ivan Lawrence]

Meanwhile, it is sensible to face the fact that the present system is increasing the number of divorces, is driving the parties into the hands of lawyers and the adversarial system, and is leading to anger and bitterness and to a preoccupation with the past, which is less important than our concern for the future—and we should change it.

8.1 pm

Ms Jean Corston (Bristol, East): I welcome the Bill with reservations, as someone who has been through the trauma of divorce and who practised for a time at the family Bar dealing with matters concerning children, domestic violence and ancillary relief.

There is a contradiction inherent in the present divorce law. In theory, there is only one ground for divorce—irretrievable breakdown—but it must be proved by one of five facts. Two of those facts are based on fault: adultery and unreasonable behaviour. When the Divorce Reform Bill was enacted in 1969, it was assumed that most divorcing couples would wait two years for a divorce instead of relying on the allegations of adultery or unreasonable behaviour.

As we have heard, in 1993 73 per cent. of divorce petitions were based on one or other of those two faults, because they are often seen as a convenient way of getting a quickie divorce. As many hon. Members have said, that can take as little as three or four months. That is simply not long enough for people to think through the consequences of divorce, to consider whether divorce is appropriate or to resolve all the issues arising from divorce. Some hon. Members have said that it is just about money, but it is also about the family home, who lives in it, who will pay the mortgage or the rent, and the resolution of financial matters and issues relating to the children—who they will live with, contact with the other parent and other family members, and child support considerations.

As it is almost impossible to defend a divorce petition nowadays, allegations of fault that are difficult to challenge heighten tension and foster acrimony. That potentially poisonous climate inevitably affects children.

It is time to recognise that the two-year wait under current law is too long—most couples who adopt a mature and a constructive attitude can resolve issues within a year. It is important to remember also that time is a different concept for children. All people with children know that, if one tells them that they must wait a week for something, they think that it is eternity. When I was in court, I would often hear someone suggest an adjournment of three months or so on the ground that it would give the lawyers time to write some letters. However, three months is an eternity for children: it is wrong to make them wait two years before their lives regain a settled pattern. I believe that a one-year waiting period, as a time for reflection and resolution of consequential issues, is about right.

When I listen to the critics of the Bill, I remember the campaign against the Divorce Reform Act 1969. I remember some woman—I do not recall who it was—describing it as a "Casanova's charter". I do not know whether anyone else remembers it, but she said that women would be discarded like old slippers. However, women are more likely to petition for divorce. In 1993 women petitioned for two and a half times as many divorces as men. Perhaps we should acknowledge that men and women have different expectations of marriage and we should ask what so many women appear to find so unsatisfactory about marriage. Critics of the Bill have said that it will undermine marriage and family life, but the Government have done little to nurture and support families—a point to which I shall return.

I turn now to the subject of mediation during the one-year period for reflection. I emphasise that it is not a cheap option and it will not always be appropriate—I agree with what my hon. Friend the Member for Brent, South (Mr. Boateng) said about mediation and the victims of domestic violence. I am pleased to say that mediation, like other good ideas such as health centres and victim support, started in Bristol. I am proud to be a patron of the Bristol Family Mediation Service. Through my contacts with that service and from my experience at the family Bar, I have seen how mediation assists in the mature resolution of issues that are potentially a source of major conflict. The current system encourages irresponsibility.

It is ironic that, as the Government extol mediation, local services are under threat from underfunding or must levy charges that are beyond the reach of many. I have some reservations about the proposals for mediation. For example, there should be a range of options to ensure privacy during information sessions or meetings. Both parties should have access to independent legal advice so that the weaker party in a marriage—economically, it is often the woman—does not lose out. As other hon. Members have said, there is not enough emphasis on reconciliation in the Bill.

Domestic violence is a huge social issue about which I have spoken often in the House. Current legislation in that area is a mess. Injunctions are available under the Matrimonial Homes Act 1967, the Domestic Proceedings and Magistrates' Courts Act 1978, the Domestic Violence and Matrimonial Proceedings Act 1976 and under the inherent jurisdiction of the court. Half a million violent assaults on family members occur each year, and they are usually perpetrated against women and children. It is estimated that 750,000 children are affected by domestic violence. The Bill is mainly a consolidation measure. For the first time, the remedies will be available to all courts which will operate the same law. That will be of great benefit to those seeking injunctions and to their legal advisers.

In summer 1994, the all-party parliamentary group on parenting, of which I am an officer, held public hearings in the Grand Committee Room. We heard evidence over three weeks from a large number of organisations and interested people and we produced a cross-party list of recommendations supporting marriage and families and seeking to improve parenting skills. We called for co-ordination within Government Departments to ensure that families receive the necessary support and for relationship education funding.

A couple of weeks ago I spoke at a National Society for the Prevention of Cruelty to Children conference in Bath, the subject of which was "Listening to Children". A 15-year-old student attending the conference said that she was alarmed to think that in a few years' time she could get married and have children. She said that she thought she should receive some parenting education first, and I agree with her.

The all-party parliamentary group agreed that there should be preventive work with families to catch problems early and to help families through crises.

We called for a reform of the benefits system to remove disincentives to work and to address poverty in families and low-paid work. Many families with children who are caught up in divorce are poor because they can just manage to run one home on two wages and, therefore, find it impossible to run two homes. We also agreed that it was important to provide and encourage good quality childcare, to reduce stress and to help families out of poverty.

Another important consideration is to allow fathers to become more involved with their children through boosting family-friendly employment practices. That cannot be stressed enough because, all too often, children end up living in a world of women.

I remember my father saying that there are only two people who can know what went wrong in a marriage and usually neither of them do know. I hope that the Bill will give people who are divorcing the time and space to think through the issues and decide whether divorce is appropriate, and if it is, to resolve it in a way that enables the children afterwards to relate to each of their parents without a betrayal of trust or loyalty and without feeling that in being nice to their Mum they are betraying their Dad and vice versa. That certainly does not happen at present. I hope that we can establish a system that enables to us say that the divorce rate has gone down because we are supporting marriage.

8.10 pm

Mr. Roger Sims (Chislehurst): Some of the Bill's critics say that it will make divorce quicker. As my hon. and learned Friend the Member for Burton (Sir I. Lawrence) said, that is a misconception, as it is now possible to start divorce proceedings after one year of marriage and to divorce within four or six months. If the Bill becomes law in its present form, it will be one year before one can put in a divorce statement and another year before the divorce can take place.

There have been references to the message that the 12-month period is sending from the House. I would ask about the message conveyed by existing law, which allows a divorce application 12 months after a marriage. Before 1985, the period was three years. The marriage service stipulates that marriage is not to be entered into "unadvisedly, lightly or wantonly", but at present surely the message is that one can get married and, if after one year, it does not work out and there are difficulties, one can undo the marriage.

There is much discussion about the proposal that 12 months should elapse between the statement of intention to divorce and that intention being fulfilled. I would not alter that, but I would look again at the minimum period between marriage and the ability to make a statement of intention to divorce. I would like to see it increased at least to two years—I endeavoured to do that in 1985, but there was insufficient support in the House for my proposal—if not the three-year period that applied before 1985. I hope that at a later stage of the Bill, the House will be given the opportunity to consider that amendment.

If two people have decided that their marriage is not working and is not likely to work, they should consider the implications, but do they need to justify that decision publicly? The Bill is said to be introducing no-fault divorce, but as my hon. and learned Friend the Member for Burton said, a no-fault divorce can be obtained after two years. It can be sooner if fault can be quoted, but what exactly does that achieve? Listing faults makes divorce more unpleasant and acrimonious as each side digs around for real or imagined grievances against the other—a process that culminates in distasteful court proceedings. It also makes that process more expensive. Does detailing faults really help the procedure? No-fault divorce is a misnomer. The Bill is not saying that when a divorce takes place, there is no fault. Of course there is almost certainly bound to be fault on both sides, but it does not seem advantageous to have a recitation of those faults as a ground for divorce.

I have heard it argued that there is not necessarily fault on both sides—if, for example, adultery or violence is involved that may be so, but we can be sure that if adultery is claimed, there will be a counterclaim in similar terms or it will be said that the other party showed a lack of interest or was frequently absent. If violence is claimed, we can be sure that there will be counterclaims that it was provoked. Surely a reasonably amicable settlement is more likely if listing faults on both sides can be avoided.

Speaking of settlement brings me to mediation and I very much welcome the Bill's endorsement and promotion of mediation, which I fear is sometimes misunderstood and misrepresented. It is not counselling—helping married couples through problems so that their marriage can continue. It is not reconciliation—discussing with couples considering separation whether and how their differences might be resolved and the relationship continued. Mediation serves those who have started or contemplated divorce proceedings and it is defined by National Family Mediation as

"a process in which an impartial third person, the mediator, assists couples considering separation or divorce to make arrangements, to communicate better, to reduce conflict between them and to reach their own agreed joint decisions. The issues to be decided may concern separation, the divorce, the children, finance and property."

The hon. Member for Bristol, East (Ms Corston) mentioned correctly that the first mediation services started in Bristol rather less than 20 years ago. Similar services were set up in Wandsworth and the one in Bromley in my constituency was one of the earliest. I have been on the management committee of a Westminster-based mediation service for a number of years.

There are now 66 local services and 700 trained and accredited mediators. In 1981, the National Association of Family Mediation and Conciliation Services, known as National Family Mediation, was established and most of the local services now belong to that body. It selects, trains and accredits mediators and trains local supervisors. Earlier this year, the various bodies involved in mediation formed the United Kingdom College of Family Mediators to set and promote standards for mediators, to operate a register and to issue a code of practice.

Mediators are drawn from a variety of backgrounds, including probation officers, social workers and solicitors. It must surely be self-evident that, instead of the cost and ill-feeling involved in the exchange of letters between two parties' solicitors culminating in acrimonious court proceedings, there should be available a third party who can discuss with both parties separately and together how to reach agreement with regard to the house, other

[Mr. Roger Sims]

property and, most importantly, their children and to decide with whom, and where, the children should live, and access arrangements.

Mediation does not replace legal help. As the study carried out by Newcastle university in 1994 commented:

"Legal advice and mediation are complementary."

It pointed out that

"39 per cent. of cases of mediation resulted in agreement on all issues and 41 per cent. of cases resulted in some issues being agreed".

Those are fairly high proportions.

In 1993, 165,000 couples divorced and fewer than 5 per cent. of them had access to mediation. It is obvious that we need rapidly to expand, develop and build upon existing services. I regret that, at present, the Government appear to be taking no steps to facilitate that expansion by supporting existing services. My concern is that they are operating on a shoestring. Unlike Relate, National Family Mediation gets no core grant funding from the Government. Each local service depends on charity, charging fees only to the extent that its client can afford. It may have contracts, but, on the whole, must rely on charitable donations, which are diminishing. Some services have closed for lack of funds, while others are in difficulty. Bristol is under threat, Sussex is about to close and the Westminster service, with which I am involved, is waiting for the next cheque—otherwise it may have to close.

I have written and spoken to my noble and learned Friend the Lord Chancellor and to my hon. Friend the Parliamentary Secretary, asking for support for those organisations. I was told that funds will be available under legal aid when the Bill becomes law and is implemented. However, it will be later this year before the Bill receives Royal Assent and two years before it is implemented. By then, it will be too late to fund mediation services that, at the very time that they need to expand, are withering on the vine. I heard my hon. Friend the Parliamentary Secretary say on the radio this morning that he wants to promote mediation. I urge him to demonstrate that desire by giving mediation services the financial support without which it will be more difficult to put the Bill's good intentions into practice.

8.20 pm

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I declare an interest as a solicitor who practised in a firm that did a fair bit of divorce work.

Forty one per cent. of marriages in the British Isles, or 3.1 per 1,000 population, end in divorce—a shocking figure that is twice the European average. No doubt, those statistics have exercised the minds of the Bill's opponents, who wrongly claim that the measure will make divorce far easier and increase the divorce rate. Broadly speaking, nothing in the Bill is likely to do that. The contrary is true. If the Bill's opponents were to come clean, they would admit that they are against divorce per se. Arguing about the time involved and the no-fault concept is just to use the Bill to their own ends. Those opponents are not in step with the majority of the public.

The Lord Chancellor's stated aim, which everybody would welcome, is to safeguard the institution of marriage, However, a friend who is an experienced divorce lawyer put it to me that the Bill approaches the problem from the wrong end. He reminded me that it is already much more difficult to dissolve a marriage than to enter into marriage. Should we not consider more thorough and compulsory preparation for marriage, and increasing the minimum age for marriage? The incredibly high divorce rate among teenagers bolsters the arguments for both. The current legal limit was introduced by the Age of Marriage Act 1929, when life expectancy was substantially less. It almost goes without saying that the decision to enter the most sacred contract of all is momentous—that view is generally held. It is, alas, entered into without formal instruction, advice or counselling. I hope that that aspect will be meaningfully addressed during the passage of the Bill, because I believe that such preparation would decrease the divorce rate at a stroke, and save young couples and their children a great deal of heartache and emotional turmoil.

I cannot cover all the points that concern me on Second Reading, but I welcome the broad thrust of the Bill, which is a helpful attempt to reform and codify existing matrimonial law. The no-fault debate has polarised the argument. As the law currently stands, at least two grounds for divorce do not involve fault. One is the irretrievable breakdown of the marriage. No-fault divorce is not a new concept, so the true picture is not that presented by the Bill's opponents. The so-called no-fault concept, which is much maligned by opponents of change, is nothing new and is welcome.

It is illogical and intellectually unsustainable for advocates of the fault principle to opine that pitting spouses against one another deters them from divorce and protects the institution of marriage. It is self-evident that the fault concept has never been a deterrent to divorce. Nearly three quarters of all couples choose divorce as the route out of their marriages, with all the acrimony and upset that it causes them and, more importantly, any children of the marriage.

Every divorce lawyer spends hours going through intimate details that have been dredged up by warring clients. They are often painfully retold, and would always be best left unspoken. What possible use can there be for that practice, apart from allowing the parties to the divorce to exercise their minds and be as horrible as possible to each other? In many cases, the parties to a divorce are being self-indulgent, and it almost becomes some kind of a game to them—and it is a waste of legal aid to boot.

I welcome the extension of the no-fault concept. It will bring a saving in emotional stress to many divorcing couples and their children, in lawyers' time, and in cost to the legal aid fund. Everyone would like to see fewer divorces, and the Bill extends the length of time needed to divorce from an average of seven months to a minimum of one year and two weeks. The one year allowed for consideration and reflection is also welcome. Relate, which does excellent work, is firmly of the view that one year is appropriate. It is significantly longer than the present limit and will allow couples sufficient time to make arrangements about children, property and finance—but not so long as to cause disadvantage or hardship to families who need to make decisions and take action in respect of the distribution of assets, including the matrimonial home. One year is long enough. Relate refers to it as a year with a purpose, which sums it up well.

I welcome, with many other hon. Members, the mediation principle, and the Lord Chancellor's assurance that it will be voluntary—but some reassurances are needed. By which authority will directions for mediation be given—a circuit judge, deputy circuit judge or district judge?

I do not accept that the Bill will be cost neutral. There are only two mediators in the whole of Clwyd in north Wales and not one in Gwynedd. To get up to speed will be an uphill task but I am sure that will happen in due course, in the spirit of the Bill. However, it is clearly impossible for the Bill to be cost neutral.

I will not comment in detail on the provisions on domestic violence but I appreciate and accept the reasons for them. The codification of existing law is substantially overdue.

Children's voices should be heard throughout the Bill. Where complex and difficult cases arise, the child's needs should be protected by the appointment of a guardian ad litem and reporting officer. It is crucial that independent advice and assistance is offered to children, because they are often the real losers—not only emotionally but materially. There should be a legal requirement, as exists in Scottish legislation, for parents to have regard to their children's views. When a parent makes a statement of marital breakdown, courts can provide children with information appropriate to their age. Those proposals enjoy support from many organisations involved in child welfare. I also welcome the pension-splitting provisions, although I would like them in the body of the Bill.

The Bill is a step in the right direction and its opponents are mistaken if they think that it will imperil the institution of marriage. Much could be done to strengthen the Bill. Many questions need to be answered and we need to know exactly what form the delegated legislation will take. Far too much of the Bill will be at the mercy of delegated legislation, including core issues such as information about meetings and arrangements for the future. Those substantial issues should have proper, detailed parliamentary scrutiny.

I broadly welcome the Bill as a genuine attempt to improve the current divorce law. As I have said, several amendments are needed to deal with some of the points that I have made. I hope that there will be an opportunity substantially to improve the Bill during its passage through the House.

8.30 pm

Mr. Edward Leigh (Gainsborough and Horncastle): I am grateful for the extreme courtesy shown to me and my colleagues by my hon. Friend the Parliamentary Secretary and my right hon. Friend the Chancellor of the Duchy of Lancaster in the way that they have listened to our representations about the need for free votes. I regret to say that, despite their great courtesy, I remain opposed in principle to the Bill. Unlike the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd), I do not think that it is amendable, because the concept of no-fault divorce is at the heart of the legislation.

The Bill would have a great impact on millions of lives and it is also of enormous quasi-constitutional importance. Many of our institutions are based on the concept of the Judaeo-Christian state. Even the layout of the Chamber is based on the mediaeval chapel of St. Stephen's. The gospel view of marriage is clear: marriage is for life. The Bill would advance further down the dangerous road of ending the concept of a Christian state laying down the framework of social life.

In the past 30 years, we have effectively said that the courts should no longer consider conduct in granting custody or dividing assets. Now, fault would not even be a trigger and would not even be considered. We would explicitly end the fiction—I accept that it is a fiction—that fault is considered by the courts. We would get rid of that altogether. The Bill, therefore, would not buttress marriage: it would undermine it. If we really wanted to get rid of quickie divorces, we could simple repeal the Matrimonial Causes Rules 1977. It does not apply in Northern Ireland—Northern Ireland Members have attended the debate—where 75 per cent. of divorces take between two and five years.

The Bill would explicitly give us divorce on demand when previously we implicitly had divorce on demand. If the current legislation is not being implemented or is being abused, that alone is not a reason for sweeping away the concept of fault. What message would we give to young people and our children? People make vows to maintain their marriage for life. That is a unique contract. Therefore, it follows that if a marriage ends, one or both parties are at fault. That may be unpleasant, but it is the logical reality. I am asked whether it is right to force people to make allegations against each other to achieve divorce. I agree that that is not pleasant, but the nature of the marriage vows mean that they can be ended only by a breaking of those vows and fault, on one or both parts, is involved.

I am told that the process of alleging fault damages children. They need not necessarily be involved in any consideration of fault, but they are necessarily involved in the fact of divorce. Therefore, divorce negotiations need not necessarily damage children, but divorce damages children. That is why at least eight states in the United States, where they have had no-fault divorce for 20 years, are considering getting rid of it. Hillary Clinton, who is not a crusty reactionary, has written:

"For much of the 1970s and 1980s many believed that a bad marriage was worse than a good divorce. Now, however, we know that children bear the brunt of failed marriages . . . Divorce has become too easy because of our permissive laws and attitudes".

The governor of Iowa, in his 1996 state of the state message, said:

"I do believe we should reform our divorce laws to require mutual consent or specific grounds for divorce. Our present no-fault divorce laws have transformed into an arrangement of convenience rather than an act of commitment. Parents need to understand that divorce can severely hurt children and impact the opportunities their kids have. Please join me in our effort to find a better way".

No-fault divorce has simply resulted in the divorce rate in America increasing by 20 per cent. Even if we wanted to sweep away the concept of fault—I do not believe that, given the nature of the marriage vows, one can do that—are we really arguing that a year is adequate time when children may be involved and when a promise has been made for life? A year is far too short a time. Is it too much to argue that we should wait just 18 months or two years as a period for mature consideration of reconciliation and before mediation begins? It has been pointed out from both sides of the House, noticeably by the hon. Member for Brent, South (Mr. Boateng), that mediation is not reconciliation. Mediators are not trained to reconcile. They resolve conflicts about property or about custody: they do not save marriages.

[Mr. Edward Leigh]

Why is the Bill so important to the Government and to the Conservative party? It is of vital importance to all of us because the Conservative party is not a devil-take-the-hindmost, free-trade, libertarian movement. We are a traditional party and we believe that the market on its own is not enough. There must be a moral foundation and a Judaeo-Christian basis to ethics and society. Perhaps, the view now is that the state no longer has the courage or the will to provide that basis. I believe that it can and it should.

8.36 pm

Mr. Paddy Tipping (Sherwood): I am pleased to take part in what, so far, has been a thoughtful debate. Few things are more important than partnership, marriage and having children, and seeing those children go through the cycle again. That is the fundamental life-blood that runs through our society and we all have experience of it.

We must learn not to let our experience prejudice social policy, because all marriages are different. People adapt in different ways and people find different solutions to their problems. My own experience before coming to the House was of working for 20 years with families. I must confess that most of those families were experiencing real problems, including marriage difficulties, being in the process of separating and in some cases having separated.

That brings me to my first major concern about the Bill. It seems to me to be set in a social vacuum—it has already been pointed out that it was drafted by lawyers—and it takes no account of the social climate, of unemployment, housing and the stresses on families. There is no recognition in the Bill, or in the documents which preceded it, of what constitutes a good marriage. We need to do more research on that, and the Lord Chancellor's Department has an important role to play. I do not believe that the Department should be just a cipher. The Lord Chancellor should commission and evaluate research and bring forward social policies, in conjunction with other Departments, which will strengthen partnerships and marriages.

There is a curious asymmetry in the Bill: it allows a period of 12 months for reflection at the end of marriage, but it says nothing about what might be done before marriage. The Government should have an important role in promoting discussion and education about partnership and marriage.

I generally support the notion of a no-fault divorce. My experience suggests that the acrimony which can arise in the current circumstances is extremely distressing. I believe that a no-fault approach can help children, who are the real losers when marriages break up.

I was interested to hear the Minister say that children's needs are paramount. He will recall that that is a phrase used in the Children Act 1989. It is no good idealising marriages or determining what is best in general for children because there is no common rule. I have spoken to hundreds of children in difficult marriages. I have talked to children who have been physically and sexually abused by their fathers. Some of them want their fathers to stay—they want to maintain a relationship—while others think it better to have the father expelled. There is no common solution, and we cannot say that it is always best for children if families are kept together.

Children's views should always be taken into account, of course, and I am pleased that the Bill reinforces that idea. I am also pleased that it includes a 12-month period for reconciliation and mediation. That is a long time in a child's life—50 per cent. of a two-year-old's life, 33 per cent. of a three-year-old's life, and so on. For a child, a day or a week can be a very long time. I believe that a year is long enough to settle uncertainty, and short enough to find a way forward by means of mediation or reconciliation.

I am sorry that so much of what lies behind the mediation and reconciliation provision is to be stipulated in regulations after the passage of the Bill. I should like to know whether the information sessions will be private or public. I should like Ministers to explain, perhaps in Committee, the difference between mediation and reconciliation: they are different processes. We need to focus, too, on the resources necessary for the whole process. The Bill is described as cost-neutral. I always take the view that when legislating for something new we have to accept, at least in the short term, that it will cost more. We should be investing in the people who are to mediate and reconcile; otherwise, in two years' time there will not be enough people with the requisite skills to pursue the task.

I hope that in Committee we shall consider the subject of domestic violence and that we shall listen to groups such as the Women's Aid Federation and Rights for Women. They point out that 500,000 women are victims of domestic violence, and that there were 1,015 rapes in 1977 and 5,082 in 1994. Half those rapes are perpetrated by husbands or partners.

For groups like those, the notion of no-fault divorce has a hollow ring. For a woman who has been beaten half to death, the concept of no fault is of no help—she wants early action, not reconciliation. Such women want justice, and soon. They do not want to wait a year. I hope that the Minister will assure them of the right to legal aid. I hope that we shall use this Bill as a platform to give women who are the victims of domestic violence greater protection. There is certainly scope to do that.

I am pleased that the Government have accepted the principle of pension splitting. Now we want them to work hard to ensure that when the Bill comes into force, in two years' time, pension splitting can be dealt with at the same time.

Supporting marriage is the key task that lies ahead. Strong marriages and partnerships create healthy children, who in their turn create healthy families and good communities. Children are our future and we neglect them at our peril. Investment in children is investment in all our futures.

I am far from confident that the Bill provides all the answers, but it is a good platform for discussion and positive movement. I look forward to the Committee stage because I want to amend the Bill and to strengthen it. Above all, I want to invest in children. We must take a look at policies which can create strong families and healthy communities: their future is our survival.

8.45 pm

Sir Jerry Wiggin (Weston-super-Mare): I got divorced—I use the phrase deliberately, as I did not want to be divorced and I do not believe that there was a reason for the divorce, but I shall not trouble the House with the

details of my personal affairs. I strongly disagree with the hon. Member for Sherwood (Mr. Tipping), who said that our personal experiences should not influence our attitudes to social legislation. In my view, it is our personal experiences which drive us and give this House its life.

As a result of my experience, I am infinitely more pro-family and pro-marriage. Being deprived of something makes one realise its value. I was very shaken and upset by my experience, which was the worst of my life and one that I would not wish on my worst enemy. One thing that I learned was that all divorces are different. There seems to have been a steady assumption in the commentaries on the Bill that divorce is always a matter of men going off with bimbos and leaving their wives and children behind. Yet many divorces are similar to mine, instigated by the woman, who either gets bored—there was no third party in my case—or decides that she wants to change her life. Such women then seek legal advice.

The solicitors who live by divorce fall into two distinct camps. There are those who try to make it as easy, cheap and gentle as possible, and there are those who deliberately exacerbate divisions between the partners and are quite willing to run up high costs. I am afraid there are far too many of the latter sort.

My hon. and learned Friend the Member for Burton (Sir I. Lawrence) made an excellent assessment of the situation, which I fear has not been appreciated by many of my right hon. and hon. Friends who have spoken against the Bill. The fact is that no fault or bad conduct is taken into account at present, even though that may not be what the law says. I acknowledge the long experience of my hon. Friend the Member for Teignbridge (Mr. Nicholls) as a divorce lawyer. He made it clear that "unreasonable behaviour" may amount to no more than a couple of rows undergone in the previous four years.

I was advised that I could go to court and have my case heard before a judge, and it would last two or three days and cost tens of thousands of pounds which I could ill afford. As I was a Minister at the time, my name would have been spread across the papers and my children would have read about the family divisions. It was simply not a common-sense option; anyone serious about arriving at a practical resolution as easily as possible would not entertain it. One party is forced to submit; one partner can do that to the other without any difficulty.

Not much has been said about the division of money in today's debate—the Bill is not primarily about that—but that is what causes so much concern. Once the lawyers decide that there is effectively no blame in a divorce, the objective with regard to the family's funds should be to leave the two parties as near as possible to their financial situation before the split. That objective is fine for millionaires, but it is a farce for the rest of the population—97 per cent. of us—to attempt to split the family's funds so as to leave the situation as before.

The ping pong played with and by the lawyers—the allegations, the letters that have to be answered, the papers that have to be found and, all the while, the costs ticking up on a one-way ratchet—does nothing to calm people down or to persuade them to approach the situation with a gentle attitude. Misunderstanding and acrimony can become totally unbearable.

The Bill is a very well-intentioned attempt to solve a nigh-on insoluble problem. I support mediation. I hope that, as some hon. Members have mentioned, mediation will sometimes even lead to reconciliation. When I saw Father Jack Dominian, a very well-known expert in these matters—he gave me time on a Sunday night, which was very good of him—he said:

"I can help you only if I can talk to your wife."

She did not wish to go, and there was no compulsion on her to go, so no more came of it.

I support the one-year period. I believe that any longer period would be damaging. Some resolution of people's problems is perhaps better than allowing them to run on. The hon. Member for Bristol, East (Ms Corston) rightly mentioned in fulsome terms the Bristol Family Mediation Service, of which I am a patron. It wrote to me:

"For these reasons, we support the replacement of the fault clauses (as a means of establishing that the marriage has irretrievably broken down) by a period of reflection for a year. It is our experience that a year is about the right length of time. Any less does not give time for everything to be sorted out constructively; longer than a year is to prolong the period of uncertainty for the children"—

and, they might have added, for the parties as well.

I am concerned about the odd aberration: the person who discovers on honeymoon that there is no possible hope for a marriage to continue. I am familiar with a person who married a strange man who for many years had a mistress: he thought that marriage might be rather fun, so he married this person. There could be no future in such a marriage and since there were no children involved it was quickly ended. Under this Bill, there is no way in which there can be a rapid divorce. I hope that, perhaps in Committee, some thought might be given to them.

There is not one hon. Member who has not had his or her surgery filled with Child Support Agency cases. A part of those CSA cases is the physical distress of the parties. Those hon. Members who have never been involved in divorce personally have only to come in contact with it on that basis to recognise the great personal distress experienced by the parties.

I should like to add my voice to those asking that the mediation service should receive money. It is a very strange situation that we spend not millions but billions of pounds of public money dealing with the aftermath of divorce, supporting the lone women and men and dealing with all those tragedies. There must be a multiplier benefit if some of that money were to be hived off, in modest terms, for some assistance, even if the success rate was low.

I know that time is very short. Finally, therefore, I commend to the House the debate in the other place, which was of an extremely high order. The one comment that really caught my mind was that of the Chief Rabbi, who described marriage and divorce in the Jewish community and how the practice of divorce has—as in the case of every other religion—grown steadily in recent times. He asked why people did not divorce in earlier times. The answer was that it was because of the stigma: he repeated the word many times, and I think that we all know what he meant.

My mother would not have a divorced person in her house. She perhaps took an old-fashioned view, but because there was a stigma many people stayed together. I do not believe that we can—or, it might be argued, should—reintroduce stigma into our society, but any attempt, however modest, to solve the problem should have the wholehearted support of right-thinking people.

8.54 pm

Mr. John Hutton (Barrow and Furness): When the Law Commission first published its proposals for divorce law reform in 1990, one in three marriages ended in divorce. The figure now, sadly, is nearer to one in two. In 1993, there were nearly 160,000 divorces, which directly affected the lives of nearly 200,000 children under the age of 16.

Marriage breakdown, quite simply, despite all its traumas and financial hardship, is now an everyday event. Unlike some Conservative Members who have spoken in this debate, however, I do not think that those statistics can reasonably be attributed to legislation. Social and economic factors are much more important in determining the incidence of marital breakdown than is divorce legislation—which leads me to conclude that divorce legislation will never succeed in altering those basic social facts of life. Marriages will continue to break down whether we like it or not. That was certainly true of the time before the Divorce Reform Act 1969. Divorce was not invented in 1969. So although the law alone is unlikely directly to influence the rate of marital breakdown, it should not make matters worse than they already are and, wherever possible, it should make things better.

Two fundamental principles should guide the development of divorce and family law. First, we should try to save as many marriages as possible. That will require better access to well-resourced marriage guidance and reconciliation services. Divorce should not be the first option when a marriage gets into difficulty. Secondly, we should ensure that, when a marriage is not capable of being saved, it can be dissolved as quickly as possible, with a minimum of bitterness and distress.

Everyone knows that divorce is an ugly and painful business; it is probably the lowest point in a person's life. But it is absolutely right that we should look again at our current rules on divorce to ensure that couples who split up are able to leave their marriages with the least pain and in circumstances in which they are required to make proper provision for their finances and for the welfare of any children. That simply does not happen under the present rules. I believe that the Bill will improve the present procedures and should therefore be supported.

In particular, I welcome part I of the Bill, which comprises one clause setting out the general principles which are to guide the courts and the individuals responsible for discharging the legislation. I am in favour of such "general principle" clauses because they are of value to the courts, lawyers and others involved in divorce proceedings.

Many of the opponents of the Bill have concentrated on clauses 5 and 7 and the abolition of the fault principle. They have criticised the Bill for introducing what they see as divorce on demand after 12 months. This, they believe, will undermine the sanctity of marriage and damage society. I do not believe that that will be the case—in fact, quite the contrary. This is one of the rare occasions when there is probably more support for a Government Bill on the Opposition side of the House than on the Government side. That has been reflected in many of the speeches made by Conservative Members today. It is a sad reflection of the fact that some Conservative Members have fallen under the spell and influence of some pretty disreputable leading articles in *The Daily Telegraph* and the *Daily Mail*, which have tried to characterise the Bill as striking a fundamental blow at the sanctity of marriage. That is rubbish, and I am glad that some Conservative Members support the Bill and have made their support public and obvious.

The fault principle contained in existing divorce law is used in nearly 75 per cent. of cases. Fault in the form of adultery or unreasonable behaviour is cited so often as the reason for marital breakdown precisely in order to obtain a quick divorce. The existing emphasis on fault in our divorce law has not resulted in fewer divorces taking place; nor has it acted as a buttress for the Judaeo-Christian moral norms to which the hon. Member for Gainsborough and Horncastle (Mr. Leigh) referred.

Many hon. Members referred to the Family Mediation Service. I shall read briefly from a letter that I received from the Cumbria Family Mediation Service on 19 March and which deals with the question of fault. Marcia Start, the administrator of the Cumbrian service, said:

> "It is our clients' experience that, if they have had to allege fault in order to get divorced more quickly than two years . . . this has added to the tension between them and has had effects on their children by making it difficult to maintain a secure atmosphere for them. The Bill cannot get rid of 'fault' and most divorcing parents blame one another. But it can remove the need to use fault as a means of establishing breakdown."

That is the important point. If we can remove fault from the proceedings, we have a chance of ending up with a better result.

It is also worth reminding ourselves of what Mrs. Justice Booth argued in an article in *The Guardian* on 8 March. She said:

> "In reality, the existence of fault in our present divorce law creates no obstacles to divorce: quite the reverse."

She then compiles a pretty dismal catalogue of deficiencies in the existing arrangements and concludes:

> "The present law and procedures have evolved without any clear direction or consistent policy. They are manifestly unsatisfactory. The opportunity for reform should not be lost."

I agree with those comments.

I hope that, by removing the concept of blame from the divorce process, the Bill will create an opportunity for both parties to face up to their own responsibilities. This in turn can make the divorce process itself less acrimonious. That will be of obvious benefit to all the parties involved, especially the children. The combination of no fault and a cooling-off period is much more likely to protect the emotional interests of children caught up in the nightmare of divorce than a continuation of the present laws.

We have to be honest with ourselves and recognise that no law that we could devise will succeed in compelling people who do not want to live with each other to continue to live with each other. We simply do not live in that world any longer. We delude ourselves if we pretend that we can devise some legislative formula that will suddenly turn back the tide of divorce. We should be deluding ourselves if we thought that such a device existed or that we could create one. We cannot. If people no longer love each other and do not want to live with each other we cannot make them, and it would be foolish to try. We must be concerned to devise procedures and mechanisms that will allow the break to take place in the best possible circumstances.

Many of the organisations involved in family law have expressed their support for the abolition of the fault principle and the promotion of mediation services. That is the right way to proceed, but there must be greater emphasis in the Bill on marriage guidance and reconciliation. I have read the Bill quite carefully, and I do not think that the words "marriage guidance" appear in it at all—and they should. As we know, mediation and guidance are not the same.

The Family Policies Study Centre expressed concern about funding for mediation services, a matter to which several hon. Members have referred today. Under clause 24, the Legal Aid Board will have new powers to fund mediation services. That is to be welcomed, but the FPSC has reported concern that more resources need to be devoted to these services now in order to guarantee their current level of existence. Without that, there may be an even smaller base of existing provision on which to peg the operation of the proposed legislation. I hope that, either now or in Committee, the Government will give us the benefit of their opinions on these matters. The Government must deal with these problems. I am afraid that there is no escape from the simple conclusion that there will be a need for extra resources.

Our top priority should be to create the right legal framework in which to support and protect families. There are a number of aspects of the Bill that could be improved, and I hope that they will be improved in Committee. Nevertheless, the Bill takes us broadly in the right direction, and for that it is to be welcomed.

9.5 pm

Mr. Julian Brazier (Canterbury): I share the horror of divorce, as expressed by the majority of hon. Members on both sides of the House who have contributed to the debate. As the father of three young children, I am constantly aware of the advantage that my children have in life, in having parents who are married. If my wife remains as tolerant as ever, we shall remain married throughout their childhood. I believe firmly in marriage. I support the Bill and I urge the House to give it a Second Reading. With amendment, it will represent a substantial and worthwhile improvement to the present state of the law.

I commend my right hon. Friend the Chancellor of the Duchy of Lancaster, and especially my hon. Friend the Parliamentary Secretary, for the open and listening way in which they have received the issues that colleagues have raised.

Most of us agree that the courts have trampled over Parliament's clear intentions. The most frequently quoted example is the way in which unreasonable behaviour has been extended to the most trivial matters. In any event, it is no longer verified. That is important. We may have pious hopes that we all agree with in the early clauses and the introductory material, but it is the letter of what the law states and enjoins on the courts that is critical.

Under the control of the courts in England and Wales we have had divorce on demand, without fault and without conduct, for some years. The Bill offers three main advantages. The first is the one-year delay. It has already been said that that will effectively double the average time that is taken for a divorce.

The second advantage is the provision for mediation and reconciliation. I am surprised that there are some who think that the information session should be compulsory. The first contact that most people have at the beginning of a divorce is with an adversarial lawyer. Whatever his personal motivation, he has a direct financial interest, both in the marriage breaking up and in that break-up being as bloody as possible. We know that the bloodier it is, the longer it will be, and the larger will be the fee. It seems eminently sensible that initially there should be a compulsory information session, so that the parties are made aware of the opportunities for reconciliation and mediation.

In cases where domestic violence is not involved, legal aid should be restricted to green-form advice, as the Government propose, until people have tried mediation. That process encourages people to talk about their problems first. I understand that mediators will have a statutory duty to bear in mind the possibility of reconciliation. That will again tend to make people aware of the opportunities for getting together again. There is no such duty at present.

The third advantage bears on children. We know that the vast majority of divorces are initiated by women. Over 70 per cent. were initiated by women last year. They are usually brought about by young women with children, who know that under present arrangements their chances of getting custody are overwhelming. They know also that, with that advantage, they will get control of the house along with guaranteed maintenance for the children and, usually, for themselves.

By balancing a little the arrangements for children and by making courts slightly more reluctant to hand custody automatically to the mother, we shall remove one of the main incentives for divorce, as well as being much fairer to the children and, dare I say it, to the father.

Thus I am glad that the Government were prepared to take on board Baroness Elles's amendments, as introduced in the other place. They were drafted by the Conservative Family Campaign. The amendment will make it a specific duty of the court to consider the conduct of both parents towards the children in making custody arrangements. Before divorce is granted, the courts will consider access arrangements for fathers. I should like to see more teeth in the proposed arrangements. In any event, courts will have to consider access arrangements for fathers, or for the other parent, before a divorce is granted. They will have to take account also of any new partners who come on the scene.

The hon. Member for Sherwood (Mr. Tipping) mentioned the fact that many cases involve child abuse. I have news for him: the overwhelming majority of child abuse cases involve not the natural father, but the new partner of the child's natural mother. That is why it is absolutely right that one of those amendments accepted in the House of Lords says that, when it comes to the custody of the children, the court must look at any new partners, too, before the divorce is granted.

I am aware that my hon. Friend the Member for Teignbridge (Mr. Nicholls) wants to speak, so I shall be brief. Two areas in the Bill should be strengthened: first, orders on the family home. The Government have rightly majored on the fact that there will be a minimum period before a divorce can be granted. Personally, I should like it to be longer than a year and will support an amendment for 18 months on a free vote, but the essential point is that the period must be watertight.

My hon. Friend the Parliamentary Secretary will know from my earlier urgings that a number of us are concerned that, if we allowed orders other than "ouster" orders,

[Mr. Julian Brazier]

arrangements for domestic violence and so on, to be made on the family home in the first few weeks of the proceedings, any provision for mediation, reconciliation and the rest would be a waste of time. The marriage would already be dead. The divorce might not have gone through as a piece of paper, but, de facto, it would have happened. I urge that there should be no exceptions where final orders are to be made on the family home during the year concerned.

The other issue on which I urge amendment to improve the Bill is conduct. I think that five hon. Members specifically referred to it. The hon. Member for Brent, South (Mr. Boateng), part of whose speech I had to miss because of a constituency engagement, mentioned culpability, by which I take it that he means the same thing. There is a strong feeling among some hon. Members on both sides of the House that, when it is manifestly clear that one party is largely to blame for the break-up of a marriage, that should be taken into account by the court. I accept the Government's argument that it should not be through fault. We do not want to begin the process of divorce with fault as a way to speed it up. Even when reconciliation has failed, many couples will none the less be able to settle their differences without fault.

We do not want a return to fault. We want conduct, which has also effectively been abolished by the courts. In the minority of cases in which there has been no reconciliation and there has been an inability to settle the terms amicably through mediation and a divorce will go ahead, the court should take account of the conduct of the parties. The innocent party should be able to argue, whether it is domestic violence, desertion or whatever, that when making the various orders—not just about the children, where we have had the concession already, but orders on financial matters—conduct should be taken into account. That was quite clearly Parliament's intention in the original legislation. The courts have departed from that in practice.

One example illustrates that point, that of Kyte *v.* Kyte, where a wife lied to the courts to get her husband ousted from the home, installed the new boyfriend and went out of her way to assist her husband in an attempted suicide. Two courts of this country ruled that even that was not sufficiently serious conduct to be taken into account. That had to go all the way to the Court of Appeal to be overruled, and it still forced some financial settlement on the husband.

I believe that the Bill is a courageous attempt to tackle a very difficult problem. I urge the House to support it on Second Reading, but very much hope that my right hon. and hon. Friends on the Front Bench will continue to listen to the representations that some of us will make, because the Bill needs considerable strengthening.

9.14 pm

Mr. Donald Anderson (Swansea, East): I share many of the assumptions made by the hon. Member for Canterbury (Mr. Brazier). Like him, I am blessed with a happy marriage, which I believe has lasted 30 years—although I always forget the precise number of years.

Dame Elaine Kellett-Bowman: What was the date?

Mr. Anderson: I always forget the date as well. Moreover, like the hon. Gentleman, I have three children.

For several years I practised in the family division; I was also a member of the Home Affairs Select Committee that produced a report on domestic violence—along with a number of distinguished hon. Members on both sides of the House who are present tonight.

Although I agree with the hon. Member for Canterbury that the saddest element of divorce is the need to protect the children involved, I do not agree with him about fault. In my long experience of the family division, I have rarely seen a case in which the fault is 100 per cent. on one side. The hon. Gentleman mentioned the case of Kyte *v.* Kyte, but that was nothing like the generality of cases. We are discussing complex human circumstances. Mr. Justice Ormrod, as he then was, put it well in his judgment on the famous leading case of Wachtel *v.* Wachtel, reported in 1973:

> "The fact is that the forensic process is reasonably well adapted to determining in broad terms the share of responsibility of each party for an accident on the road or at work because the issues are relatively confined in scope, but it is much too clumsy a tool for dissecting the complex inter-actions which go on all the time in a family. Shares in responsibility for breakdown cannot be properly assessed without a meticulous examination and understanding of the characters and personalities of the spouses concerned, and the more thorough the investigation the more the shares will, in most cases, approach equality."

On the basis of practice, I know that the petitioner is normally the person who has the incentive to consult a solicitor first. All too frequently, following the "escalator principle", the solicitor or counsel will ask the petitioner about incidents in what may be a normal marriage, but a marriage which—if it has lasted for six, seven or 10 years—may feature incidents that, if isolated and combined in a petition, will make that marriage appear the most lurid possible. The juggernaut will then move on, and the bitterness will overflow into the ancillary proceedings. That will affect children and, to a less important extent, property.

That is the reality of fault in marriage: it is a complex human situation. The courts are ill adapted to say precisely where the fault lies. Even if a wife has committed adultery, that may be put in the context of a long period of unreasonable conduct on the part of her husband. Certain considerations are not helpful when decisions must be made about the dissolution of an unhappy marriage. It is, however, in the public interest for marriage to be preserved. Not only is that morally right, given that marriage represents a cornerstone of our society; as many hon. Members have pointed out, the breakdown of marriage is very costly to the public purse, to the tune of some £4 million. We should not be too bemused by the divorce law, or consider it to be the only or best way in which the public and the Government can have an impact on the family. Tax, housing and benefits law should also be considered.

I wholly accept what has been said about the need for reconciliation as well as mediation. Those are two very different concepts. Perhaps in Committee we can look at ways in which a statutory time might be set aside for reconciliation and mediation. I should like to look at amendments which would seek to preserve the interests of parties who do not consent to divorce and which would allow a longer period for consideration. I should like to consider ways in which judicial separation might be

abused and could move into divorce without one of the parties being properly consulted. A number of areas need close examination, but fault, as traditionally defined in the old ecclesiastical law days and which to some extent was preserved in the Divorce Reform Act 1969 and continued in the Matrimonial Causes Act 1973, is not a helpful concept.

In broad terms, the Bill is a step forward. It will not stem the sad tide of increasing divorce, but it may give people who are so inclined time to stand still and consider. However, it must be buttressed with far more education about responsible marriage, especially for young people. There must be more attempts to advise people at each stage of the marriage before they step on to the escalator on which solicitors are concerned, alas, in so many sad cases, simply to see the matter through without looking at the broader public interest. That broader interest is the preservation of marriage and the protection of the vulnerable, particularly children, and that is what the House should be concerned about.

9.21 pm

Mrs. Barbara Roche (Hornsey and Wood Green): This has been an extremely good, sober and serious debate and we have had high-quality contributions from all parts of the House. We all bring to the debate our own experiences. We are elected to serve by our constituents and, much as we like to think that we are elected for our own sakes, which I am sure we are in part, we are elected mainly to serve under our party political colours.

When we debate issues of this kind we bring to bear our own experiences, histories and backgrounds. We have experience as husbands, wives or parents and, of course, as members of families. There are probably no more important subjects to be discussed in this place than marriage and families. I am sure that there is broad consensus on that. As my hon. Friend the Member for Brent, South (Mr. Boateng) said, families are the building blocks of society. The family is the unit that sustains us in time of trouble and it brings us joy, hope and comfort.

It must be the objective of every hon. Member from whatever party they come to do everything that they can to bolster families and to support and preserve the institution of marriage. Perhaps our most important aim is to do whatever we can to make sure that our children, the nation's children, are brought up to lead good and fulfilling lives and give something to society.

I have said that we have had high-quality contributions in the debate. There were some impressive personal testaments by hon. Members in all parts of the House and from different viewpoints. The hon. Member for Birmingham, Edgbaston (Dame J. Knight) spoke movingly about the importance of children and about divorce. The hon. Member for Weston–super–Mare (Sir J. Wiggin) spoke from his own experiences, as did the hon. Member for Mid–Kent (Mr. Rowe) in a short but pertinent intervention. The right hon. Member for Oxford, West and Abingdon (Mr. Patten) spoke about the importance of reconciliation, a theme that hon. Members have returned to time and again. It comes as a surprise that, as originally presented in another place, the Bill did not mention reconciliation. That illustrates some of the confusion about this matter. It is one of the things that Labour Members intend to emphasise in Committee.

My hon. Friend the Member for Motherwell, South (Dr. Bray) mentioned the social context of marriage. That was echoed by my hon. Friend the Member for Sherwood (Mr. Tipping) who has a wealth of experience of working with children. He and my hon. Friend the Member for Barrow and Furness (Mr. Hutton) put the context of the debate in terms of the stresses that are sometimes placed on families and that involve not so much the law, but social problems, unemployment and many other factors that are pertinent to marriage.

The hon. Member for Bournemouth, West (Mr. Butterfill) mentioned pension splitting and his support for that. There was an interesting debate about mediation. An interesting thing about this place, especially when we have important debates such as this one, is that we learn about the background of hon. Members. For example, my hon. Friends the Members for Sheffield, Heeley (Mr. Michie) and for Bristol, East (Ms Corston) and the hon. Member for Chislehurst (Mr. Sims) not only spoke with passion and enthusiasm about mediation, but clearly knew what they were talking about. Perhaps all hon. Members will agree that, sometimes, there is a tinge to speeches in this place which shows that Members may not know what they are talking about. That was certainly not the case in this debate. We all benefited from that. The Committee that considers the Bill will benefit from hon. Members' experience.

The hon. and learned Member for Burton (Sir I. Lawrence) and the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) spoke about preparation for marriage, which is relevant. For those of us who enter into marriage, it is probably the most important decision that we make in our lives, yet preparation for it is often patchy and sometimes non-existent. Again, that theme is not dealt with in the Bill, but it will emerge when hon. Members discuss the matter in Committee.

My hon. Friend the Member for Swansea, East (Mr. Anderson) managed in a short time to put the whole question in context. He reminded me of the case of Wachtel *v.* Wachtel, which I dimly remember from my Bar exam days. What was good about his speech was that he placed his experience at the Bar at our disposal in telling us what the position was.

The aim of the Divorce Reform Act 1969 was to buttress rather than to undermine the stability of marriage, but, where marriages were thought to have irretrievably broken down, to provide a structure where they could end with minimum bitterness and acrimony. Unfortunately, that has not been the case. As my hon. Friend the Member for Bristol, East said, the 1969 Act had one ground for the ending of the marriage: irretrievable breakdown. That is established by five facts. Three of the facts involve fault, but it was assumed—certainly by the House at the time—that the two years' separation fact would be the one mostly used.

As hon. Members on both sides of the House know, however, that is not the case. Seventy-five per cent. of all cases go on the facts of adultery and unreasonable behaviour. We know the reason for that: to have a quick divorce. Thirty-two per cent. of divorces are granted in under six months and 82 per cent. in under one year. The facts illustrate that the Act's two purposes, which I mentioned—to support marriage and to provide the appropriate structure where they had irretrievably broken down—are not being achieved by current legislation.

The one-year period provided for in the Bill will be subject to a free vote on both sides of the House, as will the removal of the concept of fault. The Bill moves away

[Mrs. Barbara Roche]

from the sometimes adversarial nature of divorce towards mediation. I acted for both petitioners and respondents when I was at the Bar, so I have some experience of these matters. Both the solicitors' profession and the Bar have moved on and now the majority of solicitors and barristers recognise the importance of acting responsibly and in the interests of the family.

There is no doubt that our court structure is adversarial. Just as this House is based on adversarial lines, so is our court structure. The Bill moves away from that towards mediation. However, it cannot be stressed enough that mediation is not reconciliation; nor is it counselling. As we go through the Committee stage, we must keep returning to that point—and make no apology for doing so. We must ask some hard questions about the structure of mediation, the training required and the pattern throughout the country. Mediation is not an easy option; it is not something that the enthusiastic amateur can take on. We cannot simply talk about mediation and assume that it will be provided everywhere. Nor can we assume, as my hon. Friend the Member for Brent, South (Mr. Boateng) said, that the structure exists to bring about mediation. It will require highly trained and skilled people. I shall listen closely to the Minister when he replies as I want to hear in detail about the preparations to bring that about.

I understand that there will be a number of pilot projects throughout the country. How will they be run? How will the people in those projects be trained? How will we provide for monitoring? How will we allow for regional variation? If we get it wrong, we could create something as unpalatable and unworkable as the Child Support Agency in its early stages. We will create something that will not work.

In Committee, we must examine how the practical structure will work. We must look at the practical experience of other countries such as Canada, Australia and New Zealand. We must look at best practice. Again, we need to ask hard questions about the information meetings. How will they be held? In what context will they be held? How will they safeguard privacy? How will we ensure that people feel comfortable in those meetings? How will we ensure that people go to them with the best possible attitude?

We must remember that mediation is not always suitable. Some cases, because of their complex nature or the particular facts involved, will not be appropriate for mediation. We must ensure that the need for independent legal advice in such cases is recognised. We want an assurance from the Minister that that legal advice will be available. We certainly do not want the Bill to result in a two-tier divorce system, with one remedy available for those rich enough to pay for it and another for those who are not. That is important.

As well as being members of our political parties, we all have another role as constituency Members of Parliament. Mention has already been made of the effects of marriage breakdown. We see them in our surgeries every week. We see the distress caused to families, the financial hardship and, most important, the distress caused to that group that we can never forget, our children—the most vulnerable people in our community. I say our children because we all have a responsibility for the children in our society. We will need to ensure that during the Minister's reply and in Committee, those hard questions are answered.

An important part of the Bill deals with domestic violence, which is of course tackled by existing legislation, but in a very piecemeal fashion that sometimes makes it difficult for practitioners, and more importantly victims, who are overwhelmingly women, to seek help.

Together with other hon. Members, I was extremely proud to be a member of the Select Committee on Home Affairs, which reported earlier this Session on domestic violence. The most important thing that the House can say about domestic violence is that it is a crime that will be punished by the full weight of the law; that the House takes it seriously; and that the courts and the police take it very seriously. It is important that we consider the Select Committee's conclusions, so I should like to quote a passage from them.

"We were very impressed by the commitment of many of those we encountered in this inquiry: those who work directly in refuges and with the Women's Aid movement, police officers, probation officers, Crown Prosecutors and others. We should now like to see the energy and zeal displayed by the best in each service becoming common to all. Awareness of the issue must be spread throughout the relevant practitioners in the criminal and civil justice system, and it must be complemented by the full-hearted commitment from the centre of Government to guarantee that most basic of a citizen's rights: the one of living a life where violence is not feared and individual dignity is respected."

Violent crime of whatever description is completely abhorrent to the House and society. The unique thing that distinguishes domestic violence from any other violent crime is that it occurs in the very place where we are entitled to feel most secure, safe and protected. For too many of our citizens, especially women and children, the home is a place of fear and violence, where they feel totally unprotected. I am very glad that, in part IV, the issue of domestic violence has been introduced. I am sure that we shall be having detailed discussions of the proposals in Committee.

There has been a great deal of discussion in another place about pension splitting. It is clearly an issue of fairness and equity. The pension built up during a marriage is obviously a family asset. Like the matrimonial home, it needs to be taken into consideration on divorce. I should like to pay a very full-hearted tribute to my noble Friend Baroness Hollis for the campaign that she waged in another place.

Although we welcome the Government's announcement that they will not oppose clause 15, I should like to hear from the Minister—the point was echoed by other hon. Members, certainly the hon. Member for Bournemouth, West—the reason why the time scale for introducing the Green Paper is so dilatory. Why are we talking about June and July? We know that a great deal of preparatory work has been done. Surely the sooner the Green Paper is published and the sooner we can consider some of the complex technical issues the better. We welcome the Government's announcement, but we want to hear more. We certainly want to hear more assurances about the time scale and about how the measure is to be implemented.

I do not think that I am egging the pudding too much when I say that we face a solemn task today. We shall certainly face a solemn task in Committee when we consider the Bill. We are not merely considering the way in which we live our lives in society today, but how we

will lead our lives in the next century and the sort of society that we build for our children and grandchildren, who are our future. The Bill is about the future of marriage, the future of families and the future of our children. We owe it to all of them to ensure that we get it right.

9.40 pm

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Jonathan Evans): I begin by echoing the words of the hon. Member for Hornsey and Wood Green (Mrs. Roche)—we came to the House at the same time, the last general election. I have participated in a number of debates in the short time that I have been in the House, and I do not recall a debate as good as this. At a time when so much of parliamentary life is derided in the press, it would have been a revelation for some of those who have had so much to say about the subject in our newspapers if they had been present to hear the debate. The quality of contributions from both sides of the House has been immense. It has been said that many hon. Members have chosen to contribute on the basis of personal experience; many other hon. Members have brought strong personal views on conscience issues to bear in the debate—that has all contributed to the quality of the debate.

I shall quote some remarks issued by the Catholic bishops conference on 15 November last year. In touching on the issue of divorce law reform, the bishops said:

> "In respect of the proposed legislation to reform the divorce law, we recognise that differing judgments can be made, sincerely, honestly and legitimately on the details of the Bill and its predictable effects."

I agree with that view; that approach has underlined the stance taken by my right hon. Friend the Chancellor of the Duchy of Lancaster.

I am grateful to my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh), and to my hon. Friend the Member for Canterbury (Mr. Brazier), who said earlier that he could not be present for the winding-up speeches. They have had the opportunity to outline their specific concerns, of which the Government are keen to take account.

The core aim of the Bill is not to introduce no-fault divorce, as some have claimed. The core aim of the Bill is to introduce a new concept of a minimum period for reflection and consideration—the introduction of a sort of cooling-off period. It is important to stress that that is wholly different from anything that has been part of our law hitherto. It is true that two of the grounds under current divorce law require people to have been living apart for periods of two years, for a consensual divorce, or five years for a non-consensual divorce. But, as with fault-based grounds, from the time that the petition is presented, one is on a conveyor belt—or, as others have put it, an escalator—the outcome of which is the divorce itself.

What do we know about the presentation of the petition? We know that there is a median time of, broadly, seven months from the time that the petition is presented to the time that a divorce order is granted. We also know that many thousands of people withdraw their petitions within that time—the petition is presented, but the petitioner then thinks better of it. How many other marriages might have been saved if there had been time for reflection and consideration?

I must take issue with one of the points raised by the hon. Member for Littleborough and Saddleworth (Mr. Davies)—I am sure that he will take my comments in the spirit in which they are intended. He said that he did not know anyone who regretted having gone through a divorce. However, the statistics are slightly against him: more than half of men and 28 per cent. of women who have been through divorce regret it and, oddly enough, 10 per cent. regret divorcing each other—in other words, both husband and wife regret the divorce. I believe that the introduction of the cooling-off period is an essential step.

The legislation will encourage reconciliation. The hon. Member for Barrow and Furness (Mr. Hutton) said that marriage support services are not mentioned on the face of the Bill. I do not expect him to have read all the legislation at this stage, but clause 8 refers specifically to marriage support services, and reconciliation is mentioned in other parts of the Bill.

Mr. Hutton: I am grateful to the Minister for giving way in his usual courteous manner. I said that the Bill does not refer to marriage guidance services. Will he confirm that he is prepared to use clause 20 to provide active support for marriage guidance services? Whether we call it marriage guidance or marriage support is neither here nor there. The Bill certainly does not refer to marriage guidance.

Mr. Evans: The new structure that we shall put in place will channel people towards marriage support services. For example, we have introduced the information meeting. Under current law, lawyers are required to advise their clients of the availability of marriage support services. No doubt due to the stress of the divorce process, 75 per cent. of people have no recollection of those services having been outlined to them.

That is one of the reasons why we need a structure that will ensure that people receive the requisite information. We are receptive to all sorts of proposals—to which hon. Members referred in the debate—as to how that information may be conveyed to the individual. The Lord Chancellor's Department proposes to deal with it by establishing an advisory committee and a pilot project. I am sure that that approach will be welcomed across the House.

A statement can be served only after the information meeting has taken place. The cooling-off period then begins. We are promoting mediation—I shall refer later to the issues raised by the hon. Member for Brent, South (Mr. Boateng) on that subject—which we believe is the best way of reducing much of the hostility in the divorce process. I state clearly at the outset that no one claims that the Government are in a position to remove the acrimony or hostility from divorce: we could not contrive a situation to achieve that objective. However, we can remove from our divorce process those structures that build upon hostility and acrimony and that emphasise or exaggerate those elements. I believe that they are not in the interests of children.

It has been said that the proposals will lead to quicker and easier divorces. As was made clear during the debate, the median time for granting a divorce is seven months, and that time will almost double under the proposals. Greatest interest was expressed in what has been characterised wrongly as the "no-fault divorce". It is wrong to claim that the proposal to move to one, set

[Mr. Evans]

ground for divorce—the irretrievable breakdown of the marriage—was dreamt up by a liberal Law Commission in the 1990s. We must go further back to a committee established by the Archbishop of Canterbury in 1966—I do not know whether some of my hon. Friends would express the same view about that Archbishop of Canterbury as they have expressed about more recent Archbishops.

According to "Putting Asunder", the Archbishop of Canterbury's report in 1966 said that the structure of the marital offence built upon the very hostilities to which I have referred and, for the first time, proposed moving to a structure in which the irretrievable breakdown of the marriage should be the ground for divorce.

A matter has been raised on many occasions by my hon. Friend the Member for Canterbury, and my hon. Friend the hon. Member for Gainsborough and Horncastle raised it with me tonight. It is certainly not a part of our law that conduct has no part to play. Section 25 of the Matrimonial Causes Act 1973 states that conduct should be taken into account. I have listened with care to the points that have been raised and, in view of the concerns that have been outlined in that regard, I shall certainly examine what the practice has been in the courts.

In the same way, the period of time is clearly a matter of conscience and must be subject to a free vote. I am pleased that the whole House has welcomed that.

My hon. Friend the Member for Batley and Spen (Mrs. Peacock) is not in her place, but my right hon. Friend the Chancellor of the Duchy promised that I would respond to her earlier intervention. Under current law, one is unable to present a petition for divorce unless a period of at least 12 months has elapsed. Therefore, a petition could be presented by a newly married person only after that 12-month period has elapsed. Under the proposed new law, that period would double to a minimum two-year period—the one-year period during which no petition can be presented and the following year, during which the couple would have to engage in reconciliation and consideration of their position. That is a great advance on the current state of the law.

My right hon. Friend the Member for Oxford, West and Abingdon (Mr. Patten) should examine one aspect of the current structure of our law in relation to the two-year and five-year periods. It is a requirement of those conditions that couples should live apart. I am very much aware that concerns have been expressed in many quarters about the fact that once a couple separate, they are moving towards the eventual break-up of their marriage. If the difficulties in a marriage lead to circumstances in which a couple are required to live apart, they may inexorably proceed to divorce. The two-year and five-year grounds both require the couple to live apart for a period of two or five years.

I would argue that a proposal such as that on the face of the Bill—that, from the time that a statement is made stating that the marriage has irretrievably broken down, the couple would be required to concentrate on the prospects of reconciliation because they will be directed towards that through the information sessions and the mediator will be under a requirement to keep the prospects of reconciliation very much to the fore—is very much better than the position in our current law.

Mr. Patten: Does my hon. Friend recognise that, by attributing to me an approval of the present law that requires people to live separately for two or five years, he has baited a trap and fallen into it? At no stage have I argued that. I have argued, however, that there should be a proper period of reflection for 18 months or two years, during which people can go through reconciliation and mediation. Does he recognise that it is not wise to put words in other people's mouths?

Mr. Evans: I am grateful to my right hon. Friend for that clarification. The outcome of his comments is that he recognises that the current structure of the law should not be supported, and in those circumstances the Bill presents us with the opportunity to address the very problem that he has outlined.

Let me also deal with a specific point to which my right hon. Friend the Chancellor of the Duchy promised that I would respond. My right hon. Friend the Member for Oxford, West and Abingdon asked what was the Government's view as to whether there was likely to be a decline in the number of divorces. I am loth to make too many predictions, because my right hon. Friend quoted an article in *The Spectator* by Ruth Deetch—whom my right hon. Friend said is one of his constituents. She wrote:

"Experience should have taught us to be wary of predictions about future human behaviour."

I pay attention to her interdiction about predictions, but I am happy to predict that when the Bill is passed, the requirement for a 12-month cooling-off period is certain to result in a reduction in the number of divorces. It follows, and is clear from the measure, that no one will be able to go through the divorce process before the one-year cooling-off period.

Sir Michael Neubert: As that point has been made more than once, will that not be a one-off effect and, thereafter, the sequence will follow and there will be no reduction in the number of divorces?

Mr. Evans: I accept my hon. Friend's point, but I was invited to predict the outcome of passing the Bill. My hon. Friend probably agrees that that would be the response. However, the structure that I have outlined infinitely promotes reconciliation over the current situation. I hope that, in due course, we would not return to the current figures. The objective of not returning to that disadvantageous situation underpins the Government's proposals. I would be surprised if my hon. Friend is happy with the current structure of divorce law. Our proposals present my hon. Friend and me with the opportunity of doing something about it.

Mr. Leigh: Does my hon. Friend accept that the only safe way to predict the future is through past experience? The introduction of no-fault divorce in America has resulted in a 20 per cent. increase in the divorce rate.

Mr. Evans: I certainly do not want to follow the American experience, which is one reason why we have not gone down the American route of a specific period of separation and the no-fault provision. The requirement for a cooling-off period, and for a period during which active steps will be taken through mediation to resolve issues in relation to children, finance and property in a less hostile atmosphere is a big advantage over the practice in the

United States of America. The experience of some other jurisdictions, notably those quoted in the debate, is wholly different—the signs are that there has not been an increase in divorces. I will be happy to provide my hon. Friend with that information in due course.

The hon. Member for Brent, South asked for an idea of the way in which mediation will proceed. Particular interest was shown in the debate in the situation in respect of legal advice and representation. The current cost of supporting lawyers to undertake legal aid divorce cases is £376 million—a huge sum that amounts to much more than £2,000 for each couple. It is clear from all the studies of mediation that it is not likely to be anywhere near as expensive as a protracted or contested divorce. My hon. Friend the Member for Chislehurst (Mr. Sims), who has substantial knowledge of the subject, recounted his experience. He will confirm that the costs of mediation are significantly less. It is important that couples should have access to green form legal advice and, if they are eligible, it will be available to them during the mediation process. If the parties are found not to be susceptible to dealing with matters by mediation, ultimately the court process will be available to them.

I say to my hon. Friends, as I said at the outset of the debate, that we are dealing with issues of fundamental importance to the people of Britain. Some people have asked whether we should be engaged in a debate about divorce. Divorce touches more than half a million people a year. If the current structure does not work well, we have to resolve it, and that is what the Bill will do.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 280, Noes 13.

Division No. 85] **[10.00 pm**

AYES

Abbott, Ms Diane
Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Barnes, Harry
Batiste, Spencer
Bayley, Hugh
Beith, Rt Hon A J
Bellingham, Henry
Bennett, Andrew F
Beresford, Sir Paul
Bermingham, Gerald
Betts, Clive
Biffen, Rt Hon John
Blunkett, David
Boateng, Paul
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, N *(N'c'tle upon Tyne E)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Carrington, Matthew
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Corston, Jean
Couchman, James
Cran, James
Cunningham, Jim *(Covy SE)*
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Dalyell, Tam
Davies, Chris *(L'Boro & S'worth)*
Davies, Quentin *(Stamford)*
Davies, Ron *(Caerphilly)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Douglas-Hamilton, Lord James
Dover, Den
Durant, Sir Anthony
Eastham, Ken
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Gale, Roger
Gallie, Phil
Garnier, Edward
Gilbert, Rt Hon Dr John
Gillan, Cheryl
Godman, Dr Norman A
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Gummer, Rt Hon John Selwyn
Gunnell, John
Hague, Rt Hon William
Hall, Mike
Hamilton, Rt Hon Sir Archibald
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Harvey, Nick
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heppell, John
Heseltine, Rt Hon Michael
Hill, James *(Southampton Test)*
Hill, Keith *(Streatham)*
Hinchliffe, David
Hogg, Rt Hon Douglas
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Sir Ralph *(N Norfolk)*
Hughes, Simon *(Southwark)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hutton, John
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Barry *(Alyn and D'side)*
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Jones, Robert B *(W Hertfdshr)*
Kennedy, Charles *(Ross,C&S)*
Key, Robert
King, Rt Hon Tom
Kirkhope, Timothy
Knapman, Roger
Knight, Rt Hon Greg *(Derby N)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Luff, Peter
Lynne, Ms Liz
McFall, John
MacGregor, Rt Hon John
Mackay, Mr Andrew
Mackinlay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marlow, Tony
Martin, David *(Portsmouth S)*
Maxton, John
Merchant, Piers
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Andrew *(Gedling)*
Mitchell, Austin *(Gt Grimsby)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Moonie, Dr Lewis
Morgan, Rhodri
Morris, Rt Hon John *(Aberavon)*
Mullin, Chris
Nelson, Anthony
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Oiner, Bill
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Pawsey, James
Pickles, Eric
Pike, Peter L
Porter, David *(Waveney)*

Portillo, Rt Hon Michael
Prentice, Bridget *(Lew'm E)*
Rathbone, Tim
Raynsford, Nick
Redwood, Rt Hon John
Rendel, David
Richards, Rod
Riddick, Graham
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roche, Mrs Barbara
Rowe, Andrew *(Mid Kent)*
Sackville, Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shersby, Sir Michael
Simpson, Alan
Sims, Roger
Soames, Nicholas
Spencer, Sir Derek
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Rachel *(Dunfermline W)*
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Sumberg, David
Sweeney, Walter
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy *(Southend, E)*
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Tipping, Paddy
Trend, Michael
Twinn, Dr Ian
Tyler, Paul
Viggers, Peter
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Wicks, Malcolm
Wiggin, Sir Jerry
Willetts, David
Wolfson, Mark
Wood, Timothy
Wray, Jimmy
Wright, Dr Tony
Yeo, Tim
Young, David *(Bolton SE)*
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Michael Bates and
Mr. Gary Streeter.

NOES

Alton, David
Bray, Dr Jeremy
Butcher, John
Kellett-Bowman, Dame Elaine
Knight, Dame Jill *(Bir'm E'st'n)*
Molyneaux, Rt Hon Sir James
Neubert, Sir Michael
Patten, Rt Hon John
Skeet, Sir Trevor
Skinner, Dennis
Smyth, The Reverend Martin
Townend, John *(Bridlington)*
Trimble, David

Tellers for the Noes:
Mr. Bob Dunn and
Mr. Edward Leigh.

Question accordingly agreed to.

Bill read a Second time.

Ordered,

That—

(a) Clauses Nos. 5 and 7, and

(b) any new Clauses or new Schedules appearing on the Order paper not later than Monday 1st April and relating to the circumstances in which a marriage may be taken to have broken down irretrievably or in which a divorce order or a separation order may be made by the Court, or to the period for reflection and consideration.

be committed to a Committee of the whole House;

That the remainder of the Bill be committed to a Standing Committee;

That when the provisions of the Bill considered, respectively, by the Committee of the whole House and by the Standing Committee have been reported to the House, the Bill be proceeded with as if the Bill had been reported as a whole to the House from the Standing Committee.—[*Mr. Freeman.*]

Committee tomorrow.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Tuesday 2nd April, in Committee of the whole House on Clauses Nos. 5 and 7 of the Family Law Bill *[Lords]* and any new Clauses or new Schedules committed thereto—

(1) the Bill shall be considered in the following order, namely—

(a) Clause No. 5; new Clauses relating to the circumstances in which a marriage may be taken to have broken down irretrievably or in which a divorce order or a separation order may be made by the Court; new Schedules relating thereto;

(b) Clause No. 7; new Clauses relating to the period for reflection and consideration; new Schedules relating thereto;

(2) the Chairman shall—

(i) in respect of the Clause, new Clauses and new Schedules referred to in paragraph (1)(a) above, not later than Seven o'clock, and

(ii) in respect of the remaining proceedings in Committee, not later than three hours after their commencement,

put successively—

(a) the Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed (including, in the case of a new Clause or Schedule which has been read a second time, the Question on any Amendment to such new Clause or Schedule which has been selected by him and which may then be moved and, thereafter, the Question that the Clause or Schedule, or the Clause or Schedule as amended, be added to the Bill); and

(c) any other Question necessary for the disposal of the business to be concluded at that hour, which shall include the Question on any Amendment or new Clause or Schedule or Amendment thereto which has been selected by him and which may then be moved.—[*Mr. Wells.*]

FAMILY LAW BILL [*LORDS*] [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 50A(1)(a),

That, for the purposes of any Act resulting from the Family Law Bill *[Lords]*, it is expedient to authorise the payment out of money provided by Parliament of—

(a) expenses incurred by the Lord Chancellor in connection with the provision of information or the arrangement of meetings;

(b) other administrative expenses incurred by the Lord Chancellor in consequence of the provisions of the Act;

(c) expenses incurred by a Minister of the Crown or Government department in consequence of provision about division of assets in respect of which rights have accrued under a pension scheme;

(d) any sums required by the Lord Chancellor for making grants in connection with—

(i) the provision of marriage support services; or

(ii) research into the causes of, or ways of preventing, marital breakdown; and

(e) any increase attributable to the Act in the sums payable out of money so provided under any other enactment.—[*Mr. Wells.*]

Question agreed to.

DELEGATED LEGISLATION

Madam Speaker: With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation),

LEGAL AID ADVICE (SCOTLAND)

That the draft Civil Legal Aid (Financial Conditions) (Scotland) Regulations 1996, which were laid before this House on 28th February, be approved.

That the draft Advice and Assistance (Financial Conditions) (Scotland) Regulations 1996, which were laid before this House on 28th February, be approved.

That the draft Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 1996, which were laid before this House on 28th February, be approved.

That the draft Criminal Legal Aid (Scotland) (Prescribed Proceedings) Amendment Regulations 1996, which were laid before this House on 28th February, be approved.

GOVERNMENT TRADING FUNDS

That the draft Registers of Scotland Executive Agency Trading Fund Order 1996, which was laid before this House on 5th March, be approved.—*[Mr. Wells.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 102(9) (European Standing Committees),

CO-OPERATION WITH GULF STATES

That this House takes note of European Community Document No. COM (95) 541, on improving relations between the European Union and the countries of the Gulf Co-operation Council; and supports the Government's view that this is a useful basis for the development of relations between the European Union and the Gulf Co-operation Council.—*[Mr. Wells.]*

Question agreed to.

PARLIAMENTARY COMMISSIONER FOR ADMINISTRATION

Ordered,

That Bridget Prentice and Dr Tony Wright be discharged from the Select Committee on the Parliamentary Commissioner for Administration and Mr. Paddy Tipping and Mr. Bill Etherington be added to the Committee.—*[Mr. Wells.]*

Isle of Wight (Sewerage)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wells.]*

10.15 pm

Mr. Barry Field (Isle of Wight): Thank you, Madam Speaker, for granting me the Adjournment debate. As the National Rivers Authority seems to have featured quite significantly in my parliamentary life lately, it is perhaps appropriate, first, to set the scene and to pay some tributes.

When my right hon. Friend the Secretary of State published his draft Environment Agency Bill, I welcomed the fact that it was the first draft Bill that Parliament had seen in many a long day. At that time, as Chairman of the Select Committee on the Environment, I undertook an inquiry into the Bill. I have always supported the principle of Select Committees' scrutiny of primary legislation. I believe that the work of the Select Committee on Deregulation, which I now chair, has proved the merits of the system. I hope that the Committee's short inquiry will ensure the successful launch of the new agency, which will take over from the NRA and other bodies on 1 April. I have to say that that is not an especially propitious date.

I thank the NRA staff for all that they have done. It is sad that the staff has laboured under the propaganda of the Liberal Democrat party, the master in British politics of the smear-and-sneer technique. It has continually denigrated the authority's work, principally on the ground that some of the staff used to work for Southern Water. Integrity and honour seem not to occur to the Liberal Democrat party.

As always, proof is in actions, not in words. The NRA has, without fear or favour, brought to account those who flouted the law and caused pollution. How many prosecutions were initiated when the Liberal Democrat council was responsible for such matters? The answer is that there were so few that no one can remember there ever having been one. So much for the party's environment credentials. I wanted to get that off my chest because even council officers have been parroting black propaganda about the NRA lately, no doubt to cover up their previous inertia.

We know from the BSE problem that issues can get out of control as a result of the media. At the same time, the Isle of Wight has had great successes with its tourism image. It was announced last week that eight of the island's beaches have been given the Tidy Britain group's seaside award. That means that the island has more beaches than any other county in that group's south-east region. The Yarmouth tourist information centre came second in a nationwide competition, winning the silver award.

Southern Water has spent an enormous sum in improving the island's sewage schemes in the past few years. The raw sewage from my home on the island was discharged straight into Cowes harbour—a reversal of the usual practice of Cowes on Field. Similar schemes round our island shores have connected old Victorian outfalls and improved the environment out of all recognition.

Why is there a need for tonight's debate? We know that the public's expectations and the requirements of the European Union are rising all the time, as, too, is

[Mr. Barry Field]

our knowledge. Given powerful computer programs, the ability to model the tidal effects of sewage outfalls is much greater now than ever before.

Southern Water proposes to link up the whole of the island's sewerage system, including all those that discharge into the Solent, with a question mark over the Norton outfall at Yarmouth, and to pipe the effluent out to sea via one point on the channel side at Sandown. That has given rise to the concerns that I wish to address tonight.

First, the Solent is the largest natural oyster bed in the whole of the United Kingdom, covering 93 sq km. In fact, it is much larger than that, as I know, having dived from the Needles bridge on a flood tide up through the Solent towards Black Rock. Many of the oysters are at depths that make them uneconomic to collect or are too near the main shipping channel to be harvested safely. To all intents and purposes, the Solent can be considered as one giant oyster bed. I am concerned that the NRA does not seem to have the power to monitor the length and effectiveness of outfalls. The one at Norton, for example, is several feet shorter than was originally designed, which has undoubtedly given rise to some of the problems.

At the suggestion of my hon. Friend the Minister of State in the Ministry of Agriculture, Fisheries and Food, I visited, with an island deputation, the MAFF fish laboratory at Weymouth. We were told the e-coli count of oysters sampled from around the Solent and were shown the NRA's tidal model for sewer outfalls. As all that information is shared with the NRA, MAFF and vice versa, I was very concerned that my parliamentary questions to the Department of the Environment produced somewhat obscure answers. However, my hon. Friend the Minister has agreed to see a deputation from the island. Sadly, it is a worrying example of two separate Departments that are both responsible for different aspects of the same problem but with no one able to exercise full control over the food chain.

The Department of the Environment must explain why it has continually refused to support the complete treatment of sewage being discharged into the sea generally, and particularly into the Solent. Please do not tell me that the European Communities directive does not require it, because the health data held by MAFF is there for all to see, and the European Community will revise and improve the standards in years to come. I want to know, either tonight, or, as a result of the debate, in due course, what powers the Minister, the NRA or the new Environment Agency have to require Southern Water's scheme, known as Seaclean Wight, to be put on hold while the whole scheme is reappraised, not just for the island but for Portsmouth and Southampton. The data that I have been given cause me great concern. It needs a fresh look, if for no other reason than the fact that the very same Southern Water engineers categorically assured me that the existing schemes and outfalls into the Solent would meet future requirements. Operation Seaclean Wight will make every one of those outfalls redundant, just a few years, or, in one case, just a few months, after millions of pounds have been spent, to say nothing of the considerable disruption that we have already endured.

That disruption will be nothing compared with what is envisaged under the new scheme. The Sandown Hotel and Guesthouse Association has expressed through its chairman, Brian Byatt, and its secretary, Mrs. Sandy Ringer, considerable misgivings on three counts: first, the length of the outfall and the position of the discharge points, which, from my experience as a yachtsman, is not in deep enough water, and is placed where currents will not carry sewage out into mid-channel; secondly, apart from rudimentary screening, no treatment is envisaged; and, thirdly—it is the only organisation to have raised this with me—Sandown is the wrong place, because in hot weather, with still air, there is an inversion problem and any odour can linger over the town. We have experienced that already.

Although I understand that Southern Water already owns the site—it is probably a natural decision on its part to use the area for this expansion—I do not believe that, given the massive capital sum and the fact that in future more and more treatment will be required, the Minister, the NRA, the Environment Agency, or I as the Member of Parliament, should accept this scheme without another appraisal, particularly as it is clear to me that Southern Water will have to address the problems of its outfalls on the mainland side of the Solent sooner rather than later. I fear that the island may then be seen as the principal treatment centre for all the Solent's cities and population. Given that millions of pounds have been spent and that the right solution was not found the first time, surely it is not asking too much to request a delay of a few months so that a more suitable site can be sought in conjunction with the council.

Finally, may I ask what powers my hon. Friend the Minister has to ensure that the Norton outfall is also connected to a single treatment plant for the whole island, as well as requiring a reappraisal of the whole scheme? My hon. Friend may feel that I have overstated my case, or, perhaps, that I am one of those Back Benchers to whom a handful of constituents have only to say boo to put them into a bit of a panic. Let me tell him that when the Ventnor scheme was mooted by Southern Water—indeed, the very same engineers were involved—the hoteliers and the town's population, including Ventnor town council, asked for a scheme to pipe the sewage to another treatment works rather than discharge it into the sea.

I backed Southern Water to the hilt. I supported its judgment that that was not possible because of the geology surrounding the town. My hon. Friend may imagine my surprise when, after all that, Southern Water performed a complete about-turn. That is why I am so wary of its advice in regard to the new all-island scheme. I cannot and will not, for the sake of Sandown and of the island's tourist industry, allow the scheme to proceed without alerting Ministers to the possible problems. I told representatives of Southern Water that I had serious misgivings about Sandown as a site when they visited me at the House on 10 January. If anything, what I have heard from MAFF and the Department of the Environment, and learnt from my visit to Weymouth and answers to my parliamentary questions, has reinforced my gravest misgivings.

The turn of the century will see an end to the "flush and forget" mentality of our forefathers. It is my job to ensure that the Isle of Wight's sewerage system is good for another 50 years, not another five minutes—which, sadly, is our island's experience to date.

10.27 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): I welcome the opportunity to respond to the debate initiated by my hon. Friend the Member for Isle of Wight (Mr. Field). As he has told the House, he takes a close interest in all environmental issues, especially those affecting the precious environment of the Isle of Wight.

Let me take as my starting point what my hon. Friend rightly said about the investment programme being carried out by Southern Water. By the end of the century, Southern Water will have invested £1.2 billion in projects since privatisation: that represents an average spend of approximately £1,200 per household throughout the region. On the Isle of Wight, the investment figures equate to approximately £3,700 for each household—more than three times the regional average.

It is important to give some of the background to the schemes to which my hon. Friend has referred. As part of the scheme that is currently due to be completed by the year 2000, Southern Water is evaluating two options for the continuous sewage discharges to the Solent that are affecting water and hence shellfish quality. My hon. Friend drew attention to those. The first is to transfer all flows for primary treatment and discharge through the new Sandown outfall. The alternative is to transfer all flows except the Norton discharge, which would be given secondary treatment. Southern Water is now undertaking a feasibility study, and expects to announce its chosen option later this year. Whichever option is chosen, it should have a major positive effect on the quality of shellfisheries in the Solent. The timetable for the completion of the scheme is the year 2000, but Southern Water has confirmed that once a decision has been made it will look at accelerating the necessary works.

The problems facing local shellfisheries form part of a wider pattern of water quality issues. Southern Water is committed to improving the waste water treatment facilities on the Isle of Wight. The company has invested more than £50 million over the past decade in improving waste water discharges to coastal and esturial waters on the island and the benefits can be seen in the number of beaches where water quality now meets European Union standards. My hon. Friend rightly drew attention to that as he mentioned that eight "Tidy Britain" awards were received this year on the Isle of Wight.

In 1986, six of the 13 EU bathing beaches failed the defined standards, whereas last year only two failed and remedial works are planned for both of those. That is good news for the Isle of Wight and for those who enjoy its beaches.

The recent downgrading of the Yarmouth shellfish harvesting area has been associated with an increase in flow through the Norton outfall. It is not yet clear what has caused the deterioration in the Yarmouth shellfishery and the Norton discharge may not be the only explanation. There may be a number of sources of contaminants and these need to be investigated. What can be said is that the improvements that are required under the urban waste water treatment directive by the year 2000 will contribute significantly to improvements in water quality at nearby shellfish beds.

As for the concerns about the shellfishery classification, it is far from clear that any deterioration is the result of the transfer of flow to Norton. The issues to be addressed are, first, is the deterioration only apparent? The classification system is complex and inaccuracies are always possible in what is an imprecise science. Secondly, if there is a deterioration, what is causing it?

I recognise the concerns of my hon. Friend and of his constituents. It is clear that further work needs to be done to determine what is causing the problem. I am therefore asking my right hon. Friend the Minister for Agriculture to ask his officials to meet the National Rivers Authority again to pool their information and to see exactly what lies behind the deterioration. In this way the most appropriate and cost-effective response can be found. The NRA has also offered to meet concerned hon. Members and their constituents to provide information and advice.

I shall now deal with Southern Water's plans for sewerage on the Isle of Wight. The company's long-term proposal for Ventnor and Bembridge is to intercept the sewage flows and direct them to Sandown for primary treatment. The proposal includes the construction of a new 3.25 km long sea outfall into Sandown bay, with the whole scheme to be delivered by the end of 1998.

This new outfall has been designed to accommodate the potential transfer of flows from the continuous sewerage discharges now entering the Solent area, as well as those for Sandown, Bembridge and Ventnor. The discharges include Norton, Gurnard, East Cowes, Ryde and Fairlee.

Mr. Barry Field: My hon. Friend mentions Norton, but Southern Water says that it has not decided whether it will connect Norton and the National Rivers Authority, in correspondence with me, says that it has no powers to require it to do so, although it would like Southern Water to do so.

Mr. Clappison: My hon. Friend is right to mention that. I said earlier that it was one of the two options for Norton, and it is important to see it in those terms. As my hon. Friend knows, Southern Water is now consulting on the waste water treatment strategy for the Isle of Wight.

The receiving waters for the discharge at Sandown have been identified as a high natural dispersion area under the urban waste water treatment directive. This would require the combined discharge to be given a minimum of primary treatment, which the NRA agrees is adequate for many coastal discharges. It is the NRA which recommended a number of candidate coastal and estuarine areas for identification as high natural dispersion areas. In so doing it advised the Department that no further environmental benefit would accrue from the provision of secondary or tertiary treatment.

Primary treatment will produce a very significant improvement where existing discharges are untreated, as at Sandown. However, under the terms of the directive,

[Mr. Clappison]

a comprehensive study is first required to demonstrate whether there would be any adverse environmental effect from a primary treated discharge into an identified HNDA, rather than secondary treatment. Southern Water is undertaking the comprehensive study required at Sandown. If it should show that a primary treated discharge would result in an adverse effect on the environment, the National Rivers Authority will not give consent for a primary treated discharge and secondary treatment will have to be provided. That work is being undertaken to the timetable set out in the urban waste water treatment directive, which requires the necessary treatment to be provided by the end of 2000.

As my hon. Friend said, he is bringing a delegation to see me. I have listened carefully to his concerns about the overall sewage treatment plan for the Isle of Wight and, especially, to his three points on behalf of the Sandown Hotel and Guesthouse Association about the length and the position of the outfall, the extent of treatment and the choice of Sandown as a location. I also listened carefully to his comments about Norton being one of the options for treatment. I have listened carefully to all those points and I look forward to exploring them further with my hon. Friend when I meet him with his constituents.

Question put and agreed to.

Adjourned accordingly at twenty-five minutes to Eleven o'clock.

House of Commons

Tuesday 26 March 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT

Uniform Business Rate

1. **Mr. Whittingdale:** To ask the Secretary of State for the Environment what recent representations he has received about the future of the uniform business rate. [20934]

The Secretary of State for the Environment (Mr. John Gummer): I have recently received a report entitled "Improving the Rating System", which was sponsored by the Royal Institution of Chartered Surveyors.

Mr. Whittingdale: Does my right hon. Friend accept that the burden of business rates bears particularly heavily on small firms and that that is a major factor in the closure of a number of small shops in Maldon high street in my constituency? Is he aware that the Prime Minister's recent commitment to listen to the concerns of small firms about the impact of business rates is especially welcome? I urge him to give that the highest priority.

Mr. Gummer: I agree with my hon. Friend. He will note that we have blazed a trail in the rural White Paper by suggesting that the single shop in the small village should have special consideration in that area. We are considering that matter urgently. I point to the fact that the report from the Royal Institution of Chartered Surveyors suggests that we should continue to have a national non-domestic rate. My hon. Friend will remember the old system, whereby local authorities—particularly Labour-controlled local authorities—placed large burdens on businesses. Those businesses are now protected by this system.

Mr. Barnes: Why has the burden of the standard spending assessment moved away from the revenue support grant to the national business rate and to council tax, causing difficulties for many people? Could the district of north-east Derbyshire have a standard spending assessment arrangement similar to that of Westminster so that everyone could have a return of £700, and presumably businesses could benefit also?

Mr. Gummer: The system is precisely the same as that which applies in Tower Hamlets, Hackney or Westminster. It is an arm's-length procedure that provides an SSA which is responsive to the needs of the area, as the hon. Gentleman knows perfectly well. The Labour party has also suggested that a higher proportion of the weight of local spending should fall upon the resources of the local authority.

Pollution

2. **Mr. Robathan:** To ask the Secretary of State for the Environment what assessment he has made of the ability of the United Kingdom to meet its Rio commitments with special reference to emissions from vehicles and power stations. [20937]

The Parliamentary Under-Secretary of State for the Environment (Mr. James Clappison): The United Kingdom is on course to meet its Rio commitment to return greenhouse gas emissions to their 1990 levels by 2000. The United Kingdom is on course to succeed in reducing projected carbon dioxide emissions by 4 to 8 per cent. below 1990 levels by 2000.

Mr. Robathan: I welcome that positive response and the progress that the Government have made in that regard. I trust that the Government will bear in mind last year's report by the royal commission on environmental pollution and take account of the issues that it raised.

Does my hon. Friend remember his visit to the village of Enderby in my constituency? It is situated very close to the M1 and the M69 and suffers from vehicle emissions. Scottish Power plans to build a combined cycle gas turbine power station near Enderby. Will my hon. Friend ensure that the Department of the Environment takes careful note of that application and monitors it to ensure that there is no significant increase in environmental pollution in that highly populated area?

Mr. Clappison: We do, of course, welcome the report by the royal commission on environmental pollution. I well remember my visit to Enderby and I assure my hon. Friend that the proposals for a gas plant there will be subject to the stringent requirements of integrated pollution control that will address environmental effects.

Mr. Bennett: Is the Minister aware that the Secretary of State has praised the work of the environmental industries group and the way in which it has demonstrated that trade can be won for this country by offering environmental solutions? Why have the Government backed away from their targets for volatile organic compounds, thereby considerably damaging trade prospects?

Mr. Clappison: The hon. Gentleman is right. Of course we encourage environmentally friendly companies and try to win exports for them. He will be aware of the very important and high standards that we are achieving in emissions, and he might have mentioned the success that we have had in reducing carbon dioxide emissions. We are also taking a lead and working with other developed countries to reduce emissions further.

Our approach is far better than that proposed by the right hon. Member for Sedgefield (Mr. Blair), who raised this matter in a recent speech. He totally ignored the international dimension of the problem and the need to

give a lead to other countries. Most of what he promised has already been achieved. As for the target that he set, he seemed to think of a number and then double it.

Mr. Atkins: Does my hon. Friend recognise that Conservative Members know only too well what the Government have achieved in environmental protection? Will he also consider pressing the Treasury to do something about reducing the rate for gas-powered vehicles? Sweden and parts of the United States and Canada have already demonstrated how such vehicles can help to control emissions and to keep the environment clean.

Mr. Clappison: My right hon. Friend has played a very distinctive part in the Government's environmental successes, and he will be aware that we have taken a step in the direction that he favours. His point is certainly well made.

Mr. Chris Davies: The Minister will note from the Audit Commission's performance indicators, which were published last week, that the rate of household waste recycling stands at only 4 per cent., and that there was a huge contrast between well performing councils such as Richmond, Adur and Sutton, and badly performing ones such as Oldham and many others. How will the Government meet the targets they have set for themselves of recycling 25 per cent. of household waste by 2000? Surely that goal is now impossible to meet.

Mr. Clappison: The hon. Gentleman should be aware of the ambitious targets that we set in our strategy to make waste work. He will be aware of the incentives that we have put in place for councils to do just that and to promote recycling. The obligation is on councils to meet the targets, which are there for them to achieve. The hon. Gentleman will know of the lead that we have given them.

Sir Peter Emery: Will my hon. Friend again consider and consult the police on carrying out prosecutions against owners of vehicles and vehicle fleets that emit massive amounts of exhaust? It is quite wrong for such vehicles to spew out sulphur at those sitting behind them. We should be doing more about that problem.

Mr. Clappison: My right hon. Friend's point is very understandable and fair. He will know of the powers that have been provided to have more spot checks on vehicles. It is very important that vehicle engines should be well tuned to avoid the type of emissions to which he referred.

Biodiversity

3. **Ms Quin:** To ask the Secretary of State for the Environment if he will make a statement on the implementation by his Department of international agreements on biodiversity. [20938]

Mr. Gummer: The United Kingdom is the world leader in the national implementation of the biodiversity convention. A draft action plan for the UK has already been published. I have already welcomed the report of the biodiversity steering group, and the full response warranted by such an excellent report will be published in the spring.

Ms Quin: Does the Minister therefore agree with me that urgent action is needed to ensure the survival of threatened species, such as the red squirrel population in the north-east of England? When will the Government publish the strategy for survival of red squirrels, which was mentioned by the Under-Secretary in a recent Adjournment debate on this subject?

Mr. Gummer: The hon. Lady will know that no other country has done as much or moved as quickly as we have in implementing the biodiversity convention. It is a pity that the Labour party did not support this major lead by the United Kingdom. As I have already said, we will publish in the spring our response to the working party's excellent biodiversity report. I think that she will be very pleased with that aspect of it that relates to the red squirrel.

Rights of Way

4. **Mr. Clifton-Brown:** To ask the Secretary of State for the Environment what proposals he has to simplify the procedure for diverting rights of way. [20939]

Mr. Clappison: Current procedures are well established and enable all parties to express their views. However, we recognise that some people wish that the procedures were simpler and more flexible. Therefore, the rural White Paper states our intention to evaluate local experience in managing the network before consulting on proposals for change.

Mr. Clifton-Brown: May I warmly welcome my hon. Friend's endorsement of the target that all paths should be usable by 2000? Does he agree that, if that target is to be reached in that period, paths will become increasingly more contentious, and we will therefore need a simple procedure to divert paths? May I ask his Department to re-examine its recently introduced procedure whereby a separate order is necessary for cancellation, diversion and re-creation of paths, which would make it far more difficult and expensive to divert footpaths?

Mr. Clappison: The Government remain committed to our ambitious rights of way target for 2000. As my hon. Friend says, in some quarters it is thought that the system is not simple enough. We have undertaken to look at local experience, particularly that of parish councils.

My hon. Friend's point about procedures is interesting and important. I understand that there is no reason why combined procedures for combined advertisements should not be adopted—but I shall look further into that.

Mr. Sheerman: The Minister will know what a powerful lobby the farmers and large landowners are, and how they often get rid of public rights of way. Will he bear in mind the fact that the people of this country have a right to the countryside, and that it is consistently obstructed by many farmers? Is it not about time that the hon. Gentleman did something to open up more public rights of way, not to close them down or even divert them?

Mr. Clappison: I am sorry that the hon. Gentleman pays no heed to our target for rights of way by 2000. We rely on farmers and landowners to play their part in

managing access to the countryside. The hon. Gentleman's vision of uncontrolled access would not be in the true interests of the countryside or of those who want to enjoy it constructively.

Sir Jim Spicer: In his initial reply my hon. Friend said that some people would like the system simplified. In my view, 99 per cent. of the people of this country would like the rights of way system simplified. It is only the other nutty 1 per cent. who force us into great expense and time wasting. Without them, we could have better rights of way and access for more people—no one in the countryside does not want that. Will my hon. Friend consider the views of the 99 per cent., not the 1 per cent?

Mr. Clappison: I take my hon. Friend's point. His views may well be reflected in the local experience that we are looking to.

Housing Need

5. **Mr. Betts:** To ask the Secretary of State for the Environment what estimate he has made of the backlog of unmet housing need. [20940]

The Minister for Local Government, Housing and Urban Regeneration (Mr. David Curry): The Government are considering what further work could yield meaningful figures on unmet housing need, following the Environment Select Committee's report on this question.

Mr. Betts: Surely the Minister is aware of a number of assessments of housing need, including one by his former chief economic adviser, Dr. Holman, to the effect that about 100,000 houses a year should be built in the social rented sector. How then can he justify allowing the number of starts in that sector to fall to its lowest level since the war, with a 42 per cent. cut in public investment in housing since 1992? Is it that the Minister no longer takes his own advisers seriously; or that he does not take housing need seriously; or that every priority has now been cast aside in the desperate search for tax cuts before the general election?

Mr. Curry: When the hon. Gentleman makes comments like that, I certainly do not take him seriously. He has been involved in housing, so he will know that evaluating housing need is a complex task, involving many projections—for instance, of household formation. He will know that the adviser, Dr. Holman, to whom he refers admits that many of his figures are based on extrapolations. It is genuinely difficult to estimate figures. Following the Select Committee's report, I have undertaken to do further work to see whether it is possible to come up with a more effective, meaningful figure for housing need.

What matters is not new starts but the number of tenancies created. That is the real measure of availability of such housing, and it is what we intend to pursue.

Sir Irvine Patnick: When does my hon. Friend propose to take action on councils such as the one that used to be led by the hon. Member for Sheffield, Attercliffe (Mr. Betts)—Sheffield council, which takes seven weeks to re-let council houses, which does not collect its council house rents, and which does not collect its council taxes? Sheffield has been given more money in its education standard spending assessment this year, more money for community care, more money in revenue support grant and more money from business rates. Yet its knee-jerk reaction is always to say, like Oliver Twist, "Please, may we have some more?" But the word "please" is never heard.

Mr. Curry: My hon. Friend is right. The performance indicators recently published demonstrate what councils are really doing to deliver their statutory duties. If they are not collecting rents or filling void properties, they are letting down the people in their communities who depend on them. Efficiency is not just a question of self-satisfaction; it is about helping people get the services they deserve.

Mr. Sutcliffe: Have not the Government betrayed thousands of homeless people because of their political dogma, as they will not allow councils to use capital receipts to build affordable social housing? When will the Government do something about homelessness?

Mr. Curry: First, the hon. Gentleman knows full well that the allegation that housing receipts are sitting there unused is nonsense. He will also know that that is Labour's only housing policy. It was fascinating that, a couple of weeks ago, there was the great Labour party shindig at the Queen Elizabeth II centre and everyone was saying, "Now, at last, we shall have some inkling of Labour's housing policy," but we heard only pieties, platitudes and pomposity, and nobody is any the wiser.

Mr. Betts: In view of the unsatisfactory nature of that reply, I shall seek to raise the matter on the Adjournment.

Housing and Regeneration

6. **Mr. Amess:** To ask the Secretary of State for the Environment when he last visited Basildon to assess housing and regeneration. [20941]

Mr. Curry: I met market traders and councillors in Basildon, with whom I discussed plans to revitalise the town centre. I also visited Leigh-on-Sea in Southend, where I discussed plans—*[Interruption.]* The Opposition may remember that I represented Southend in the European Parliament. It is an area for which I have great affection. In Leigh-on-Sea, I discussed plans for a new parish council.

Madam Speaker: Order. The question to the Minister concerns only Basildon and when he last visited Basildon.

Mr. Amess: Will my hon. Friend accept my gratitude and that of other local residents for all the assistance that the Government have given to redeveloping the Siporex Five Links Bluehouse estate following representations from the former Conservative council, despite the Opposition trying to claim credit for it? Will my

hon. Friend now please do all that he can to complete the development and thus restore confidence in the local housing market?

Mr. Curry: I felt that, in the age of open government, the House would require a full account of my travels on that day.

Madam Speaker: Order. The House requires Ministers to answer only the substantive question.

Mr. Curry: In regard to Basildon, which is the local authority adjacent to Southend, I hear what my hon. Friend says. There has indeed been a major commitment to the regeneration of estates. It is a successful programme. Clearly, we have to assess the requirements for funding on their merits, but I have no doubt that the schemes will be pursued with sufficient vigour for us to take seriously their claims on future resources.

Home Owners

7. **Mr. Faulds:** To ask the Secretary of State for the Environment what measures his Department is taking to reduce the number of home owners who will (a) be unable to move house as a result of negative equity and (b) lose their homes through repossession in 1996. [20942]

Mr. Gummer: Mortgage rates are the lowest for 30 years. Average mortgage payments are more than £150 a month lower than in October 1990. Many home owners are about to be notified of a further cut in mortgage payments. House prices have risen at a sustainable rate for the past seven consecutive months. That is all due to the success of the Government's economic policies which are meeting effectively the needs of home owners.

Mr. Faulds: In view of the fact that 1,000 families a week are losing their homes through repossession, why is there nothing in the Housing Bill to help home owners who are trapped in negative equity or facing repossession?

Mr. Gummer: I would take the hon. Gentleman's comment more seriously had the speech by his right hon. Friend the Leader of the Opposition made any proposals on those matters. The hon. Gentleman rarely attends Environment questions, but if he did so more regularly, he would see that every creative idea about home ownership comes from the Government, and every attempt to stop it comes from the Opposition.

Mr. John Marshall: Does my right hon. Friend agree that one of the scandals for those facing housing problems in London is that thousands of empty council houses are owned by Labour councils, who are indifferent to the fate of council taxpayers, local tenants and those seeking somewhere to live?

Mr. Gummer: My hon. Friend does not mention also the fact that the Labour party has opposed every change to help home ownership since the Government have been in power. Had Labour been in power, there would have been no right to buy, so the 200 families a day who are now buying their own homes through that and similar schemes would not be able to do so. Labour Members dare not speak on home ownership issues because they have no answers.

Building Research Establishment

8. **Mr. Hanson:** To ask the Secretary of State for the Environment if he will make a statement on the privatisation of the Building Research Establishment. [20943]

The Minister for Construction, Planning and Energy Efficiency (Mr. Robert B. Jones): PA Consulting submitted its report last month on the options for transferring the Building Research Establishment to the private sector. I am currently considering its findings, and in the near future I expect to reach a decision collectively with colleagues on the way forward.

Mr. Hanson: Does the Minister accept that the safety of buildings should be a matter of public concern, not private profit? Will he take on board the concerns of the construction industry, and drop the proposal?

Mr. Jones: I certainly take on board what the construction industry has to say. That is why representatives of the industry were involved in the assessment procedure. They have made a suggestion themselves, which I am seriously considering.

Mr. Dobson: Will the Minister confirm that one of the valuable services provided by the Building Research Establishment up to now is advice to councils on asbestos removal? Will he also confirm that it would have been better for Westminster city council to seek such advice from the Building Research Establishment than for Tory councillors to get together in a secret cabal to place homeless families in buildings that they knew to be riddled with asbestos—and, as an independent report has confirmed, to do it for cheap, short-term party political gain?

Mr. Jones: The Government's view is that all organisations should take into account all sensible advice on health and safety. That continues to be our policy, and will be for as long as the present Government are here and determined to tackle any problems that occur.

Revenue Support Grant

9. **Mr. Barry Jones:** To ask the Secretary of State for the Environment what assessment he has made of the representations which he has received on the 1996–97 revenue support grant settlement. [20944]

The Parliamentary Under-Secretary of State for the Environment (Sir Paul Beresford): We took into consideration all representations received from English local authorities and their associations during the statutory consultation period on the 1996-97 local authority finance settlement.

Mr. Jones: Why did the Government construct a settlement that puts so much pressure on local education authorities? Will not 25 per cent. of councils impose real-terms cuts on our schools, and will not taxpayers pay more and get less under the present Government?

Sir Paul Beresford: The only reason for which I can conclude that the hon. Gentleman might be right is the incompetence of local authorities. Their standard spending assessment for education has risen by 4.5 per cent.

Mr. Congdon: Does my hon. Friend agree that the local authority settlement provided sufficient extra money for education, community care and the police? Is it not up to local authorities to get their priorities right, and stop wasting money on politically correct initiatives such as equality units—as Labour-controlled Croydon council has, at a cost of nearly £250,000—and paying councillors more in special allowances? Is that not a disgrace?

Sir Paul Beresford: I entirely agree. I have a similar interest in that council, which is proving to be as notorious as any other Labour authority.

Ms Armstrong: May we have the truth from the Minister? Is not the truth that local authorities received only an additional 1.2 per cent. in money, that the SSA did not relate to the money that it actually received and that the Government have deliberately pushed money into council tax because they want to impose yet another Tory tax on people throughout the country? People are paying more and getting less, and the Government want to shift the blame to councils. That is the truth, is it not?

Sir Paul Beresford: No, it is not the truth. The funding is more than adequate.

I am interested in the way in which the Labour party seems to be attacking the figures. The hon. Member for Holborn and St. Pancras (Mr. Dobson) adapted them to apply Westminster's funding to all other local authorities. Labour's figures seem to be completely fictitious: I have not been able to work out how they were arrived at, and nor has anyone else in the Department. If we employed the same fictitious method, using Tower Hamlets as a base, we would be giving each council tax payer in Westminster £204, in Wandsworth £1,290 and in St. Helen's £1,681. The problem is that Labour Front Benchers do not understand the figures.

Mr. Harry Greenway: Is my hon. Friend aware that, in spite of getting £5 million more than it expected under the revenue support grant, Ealing Labour council—*[Interruption.]* Yes. It is at it again. It is cutting disability grants, travel passes for disabled people, and travel allowances for children to school—thereby preventing choice of school. Many other deplorable policies are being introduced in Ealing, on disgraceful and dogmatic grounds, to the detriment of our community. We will throw the council out for its wickedness.

Sir Paul Beresford: I agree with my hon. Friend and, of course, if the effort that was put into providing those dramatic blows was put into efficiency, those services could be provided at lower cost.

Capital Challenge

10. **Mr. Livingstone:** To ask the Secretary of State for the Environment what recent discussions he has had with local authority associations concerning capital challenge. [20945]

Mr. Gummer: The Minister for Local Government and Housing met them on Monday 18 March.

Mr. Livingstone: Can the Secretary of State confirm that the funds available will be top-sliced from existing capital programmes and that there will be no additional resources? The whole thing is just a con.

Mr. Gummer: The fact is that, by having a challenge system, we ensure that those who use the money best and get the best value for money get the money they need. I am pleased to see that the borough of Brent—now under new management, and not the worst borough in London as the hon. Gentleman once called it—is in favour of that system. That is because the council has seen how successful the system is, and that is why the council is so good.

Mr. Jacques Arnold: Will my right hon. Friend accept from me that the people of Denton in the borough of Gravesham are delighted with the challenge fund, because they have waited for the improvements in Denton for many years and they have not had any progress out of the Labour-controlled councils? It is only the Government's challenge fund that is turning that project into reality.

Mr. Gummer: I am sure that my hon. Friend will have noticed that the Labour party cannot take seriously that which has given a great deal of help to many people in some of the most deprived areas in the United Kingdom. The great advantage of the challenge fund is that councils do not get the money just because they have the need: they get the money just because they can meet the need. The Opposition cannot meet the needs of those who are most in need.

Mr. Vaz: When will the Secretary of State realise that the competition that he is proposing in capital challenge is exactly the same in principle as that proposed for the single regeneration budget? He will know about the disastrous bidding process that led to numerous complaints about the way in which that process operated. Is not capital challenge just another cynical attempt by the Government and the Secretary of State to reduce further the ability of local government to make decisions locally, free from his interference and that of his ministerial colleagues?

Mr. Gummer: The all-party Select Committee on the Environment praised that system. The local government organisations have seen how successful it is, and it will mean that local government has much more say over what it does. All local government has to do is show that it will use the money properly. The hon. Gentleman is totally out of touch with his own members in the country. If he travelled around and met a few sane Labour members—there are a few—he would realise that what he has said has no connection with what they say.

Home Energy Conservation Grants

11. **Mr. Nigel Griffiths:** To ask the Secretary of State for the Environment if he will estimate the number of senior citizen households over 60 years of age who will not now be eligible for home energy conservation grants because of the introduction of means–testing. [20946]

Mr. Robert B. Jones: None.

Mr. Griffiths: When fewer than one in 10 senior citizens are able to claim those grants and when up to 6 million of them live in houses without proper home insulation, is it not despicable that the Government are abolishing the non-means-tested insulation grants for pensioners? Is that not a cynical betrayal of the Government's promise to help pensioners with the VAT that they have imposed on heating and cooking?

Mr. Jones: The hon. Gentleman says that we are abolishing the grants. Since they are continuing to be paid, he is clearly talking rubbish.

Mrs. Peacock: How many such grants have been given since 1991 and what amount of money has been involved?

Mr. Jones: Close on 2 million people have benefited and that is an important contribution to ensuring that the fuel-poor have a higher standard of living in the future.

Ms Ruddock: Surely the Minister is not denying that the criteria for eligibility for the scheme have been changed. Indeed, the consequence of cutting the budget by one third and introducing new criteria is that 200,000 desperate households have applied and are on a waiting list. Is the Minister aware that three quarters of those people who have applied for the grant in the past quarter will not get their work done until the new financial year?

When they get it done, they and their applications will use up half the budget for that financial year. Does that not make complete nonsense of the Government's energy conservation policy and of their commitment to so-called sustainable development?

Mr. Jones: As I have said in the House several times, £30 million was added to HEES in anticipation of the second stage of value added tax, which was rejected by the House. Therefore, the VAT compensation package was altered. Of course I understand the hon. Lady's point about those who are better off edging out the fuel poor. It is rather deplorable that some organisations in society are currently deliberately promoting the scheme to those people, thus disadvantaging the people whom we most wish to target. Perhaps I could remind the hon. Lady that pressure for amending the scheme so that it did not extend to those who were much better off came from neighbourhood energy action and others.

Mr. Nigel Griffiths: On a point of order, Madam Speaker. As the Minister has not mastered his brief and has perhaps inadvertently misled the House, I shall seek to raise this matter on the Adjournment.

Houses in Multiple Occupation

12. **Mr. Gallie:** To ask the Secretary of State for the Environment what steps he is taking to improve standards in houses in multiple occupation; and if he will make a statement. [20947]

Mr. Curry: The Housing Bill, which is currently in Committee, contains a very substantial package of measures designed to improve standards in houses in multiple occupation in England and Wales.

Mr. Gallie: I thank my hon. Friend for that reply. In Scotland there are great problems, particularly in town centres where large numbers of older premises are taken over by housing benefit tenants, many of whom live in very cramped conditions. Can my hon. Friend help to relieve that problem?

Mr. Curry: I know how energetically my hon. Friend works in his constituency. He will know that the Housing Bill, which I am presently taking through the House, contains special control provisions. They will be available for registration schemes where there is a real problem with a concentration of benefit hostels, and they will give local authorities a great deal more discretion in their ability to manage such hostels in the event of management failure. I shall certainly draw my hon. Friend's point to the attention of my right hon. Friend the Secretary of State for Scotland, because it may be that some of the circumstances in his constituency reflect those in the English towns where we have sought to address those problems.

Mrs. Anne Campbell: Is the Minister aware that people are 28 times more likely to be killed or injured by fire in multiple-occupation houses than in other accommodation? Why is he letting his obsession with deregulation override the need for a mandatory licensing system that would raise standards and save lives?

Mr. Curry: The hon. Lady has not understood the measure. A registration scheme is available for all local authorities that wish to apply it. The measures in the Housing Bill extend the duty of local authorities to ensure adequate means of escape from fire to a much wider range of houses in multiple occupation and allows them to introduce a duty on HMO landlords to make sure that there is adequate fire safety. The measures that we are placing in the hands of local authorities, which are responsible for these matters, give them adequate powers to deal with these matters without being excessively bureaucratic.

Area Cost Adjustment

13. **Mr. Pawsey:** To ask the Secretary of State for the Environment what representations he has received about the review of the area cost adjustment; and when he now expects to have its findings. [20948]

Sir Paul Beresford: Local authorities and the local authority associations are making representations to the review team. I expect to have the review's findings at the end of June this year.

Mr. Pawsey: I am obliged to my hon. Friend for that reply. Is he aware of the frustrations of local authorities, particularly about the way in which the area cost adjustment works and is implemented? My hon. Friend will recall that the largest element of expenditure in local authorities is pay, and the fact that that is negotiated nationally should mean that area cost adjustment is unnecessary. Could my hon. Friend bring forward the review and get rid of area cost adjustment as quickly as possible?

Sir Paul Beresford: If my hon. Friend thinks about it, he will appreciate that there would be as many screams on one side as cries of joy on the other; hence the review.

Mr. Pike: Although the Minister may be right about there being screams from the losing side and cries of joy from the gaining side, does he accept that it is not good enough for local authorities that believe they are losing to find out in June or July that the system is to be reviewed and that they will have to wait until next year? Should they not be given some assistance this year?

Sir Paul Beresford: As an ex-local government man, the hon. Gentleman will be well aware that that proposition just does not stand up.

Mr. Lidington: Will my hon. Friend bear it in mind, when he makes his decision, that if the area cost adjustment were abolished it would abolish jobs for teachers and police officers in every authority in the south-east of England?

Sir Paul Beresford: I think that that explains the dichotomy across the House.

Energy Conservation

14. **Dr. Lynne Jones:** To ask the Secretary of State for the Environment if he will make a statement on the United Kingdom's record in energy conservation. [20950]

Mr. Robert B. Jones: The United Kingdom has a good record in energy conservation. Primary energy consumption in the United Kingdom has remained fairly constant since 1970, despite the 60 per cent. rise in gross domestic product. The United Kingdom expects carbon dioxide emissions to be 4 to 8 per cent. below 1990 levels by 2000. We have a wide range of initiatives to promote energy efficiency, including the provision of information and advice, voluntary schemes, selective use of grants, incentives and regulation. For example, by December 1995, my Departments's energy efficiency best practice programme had generated energy savings worth at least £450 million a year.

Dr. Lynne Jones: Do not the Government's sustainable development indicators show that there is absolutely no room for complacency? Can the Minister explain how slashing the home energy efficiency scheme and putting value added tax at 17.5 per cent. on energy-saving materials can possibly help to improve the Government's record?

Mr. Robert B. Jones: Of course the hon. Lady is right: there is no room for complacency. A few moments ago, I explained the situation regarding HEES. It is difficult to get the message across to individuals that they must use less energy, whether in their homes or in the way in which they use their motor vehicles. We will continue to try to get that message across, as, I hope, will individuals and local authorities, whatever their political persuasion.

Dr. Spink: Is my hon. Friend aware that I have personally helped more than 200 of my constituents to get home energy conservation grants, and that those grants help them to insulate their homes, to draught-proof and to lag their pipes and to save up to 25 per cent. on their energy bills? Is he not right to target that money on the over-60s, who need those grants? Will he take my word for it that he has mastered his brief excellently?

Mr. Jones: I am grateful to my hon. Friend, who has certainly pointed out the importance of targeting. I remind him and the hon. Member for Edinburgh, South (Mr. Griffiths) that those who do not receive 100 per cent. grants in future will nevertheless get a 25 per cent. discount for the work, which is a substantial advantage and should motivate them to get the work done.

Wind Turbines

16. **Mr. Pickthall:** To ask the Secretary of State for the Environment what plans he has to strengthen local authorities' planning powers with respect to the location of wind turbines. [20952]

Mr. Robert B. Jones: Local planning authorities already have comprehensive planning powers over the location of wind turbines. These are fully explained in planning policy guidance note 22 on renewable energy.

Mr. Pickthall: Does the Minister not appreciate that the eagerness of some landowners to raise easy rents by having wind turbines on their land, combined with the insistence of operators to put them on prominent hill sites—often where the landscape is extremely valuable to this country—means that the visual amenity of these areas may be destroyed? Is it not the case that, while one planning authority might give planning permission for wind turbines, it is often the authority next door whose visual amenity is destroyed? Why is something not done about that?

Mr. Jones: It is extremely important that local authorities balance these environmental and energy considerations. I am satisfied that PPG22 does precisely that. If the hon. Gentleman has particular concerns about the way in which neighbouring local authorities co-operate, and would like to give me some examples, I would be happy to look at the matter sympathetically.

Sir Donald Thompson: Will my hon. Friend listen carefully to the hon. Member for West Lancashire (Mr. Pickthall) and make it possible for local authorities to ban these great lavatory brushes in the sky once and for all?

Mr. Jones: These planning applications, like others, must be looked at case by case. Although I understand that my hon. Friend does not like the appearance of wind turbines, they are an important element in generating clean energy for the future.

Area Cost Adjustment

17. **Mr. David Nicholson:** To ask the Secretary of State for the Environment what discussions are taking place, or are planned to take place, between his Department and the Association of County Councils regarding revisions to the area cost adjustment; and if he will make a statement. [20953]

Sir Paul Beresford: The Association of County Councils is discussing possible revisions to the area cost adjustment with the team set up to review the area cost adjustment. Once the review has reported, my officials will discuss the review's recommendations with all the local authority associations.

Mr. Nicholson: May I support most forcefully the point made a few moments ago by my hon. Friend the Member for Rugby and Kenilworth (Mr. Pawsey)— *[Interruption.]*

Madam Speaker: Order. The House must come to order.

Mr. Nicholson: In supporting my hon. Friend the Member for Rugby and Kenilworth, may I point out to my hon. Friend the Minister that there are rather more Conservative Members representing areas that do not get the area cost adjustment than there are Conservative Members representing those that do? Does he recognise that the pay and other conditions that may have operated in 1990 at the height of the boom no longer operate in 1996? Therefore, will he urgently pursue his discussions with the ACC, which itself represents both areas receiving and those not receiving the area cost adjustment?

Sir Paul Beresford: As I have said before, the winners cheer and the losers scream. It will be interesting to see the reaction to the review when it reports. There will be an opportunity for all local authorities to make submissions during the consultation process.

PRIME MINISTER

Engagements

Q1. **Mr. Wareing:** To ask the Prime Minister if he will list his official engagements for Tuesday 26 March. [20966]

The Prime Minister (Mr. John Major): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Wareing: Two weeks ago, I asked the Prime Minister about unemployment, to which he gave an answer lambasting Liverpool city council. Will he now unequivocally condemn Tory Westminster council for risking the health of its people for political purposes by housing them in asbestos-ridden flats?

The Prime Minister: That issue was very properly investigated by Westminster, which commissioned an independent report. I understand that the council has taken action in the light of that independent report. Before the hon. Gentleman goes further, he should compare the overall record of Westminster with that of other authorities. As he is sensitive about his local authority, appalling as it is, he should compare it with Lambeth and Hackney. He might look at the rent arrears in Lambeth, which are six times the level of Westminster, or the rent arrears in Hackney, which are 10 times as great. There are 21 times as many unoccupied dwellings in Lambeth and 23 times as many in Hackney. Whose housing policies are a disgrace?

Mr. Ashby: Does my right hon. Friend agree that the bovine spongiform encephalopathy issue is not really a party political crisis but a crisis for the whole nation? Can he persuade the Leader of the Opposition to stop making cheap party political points, which are doing this country and its farming community so much harm?

The Prime Minister: I do not think that anybody doubts the seriousness of the issue or the need to balance the competing interests of public health and the importance of the beef industry. It is important that we deal with the issue on the basis of rational, sensible decisions, based on proper information, not on hysteria. That is the way in which the Government have sought to deal with it thus far, and we will continue to do so.

Mr. Blair: Will the Prime Minister at least agree with me on the scientific basis of the case? Is it not, first, that scientists now say that there is a probable link between BSE and Creutzfeldt-Jakob disease, the human killer; secondly, that prior to 1989 there was contamination of the food chain by BSE; thirdly, that after the regulations of 1989 there was supposed to be no such contamination, but there were breaches of the regulations; and, fourthly, that the scientists say that if, now, new measures are adopted, the risk in future will be "extremely small"?

If we can agree that as the scientific basis, I ask the right hon. Gentleman—this is essential to restoring confidence—to quantify the risk from the period 1989 to now and the period now onwards when the risk is "extremely small". Without that quantification, I do not think that confidence will be restored.

The Prime Minister: It will be extremely difficult to restore confidence if right hon. and hon. Members continue to undermine that confidence whenever they have the opportunity to do so, for reasons that I think will seem unfathomable to people in the agriculture industry and to the wider public.

As for the scientific evidence, neither the right hon. Gentleman, nor I, nor, I suspect, any right hon. or hon. Member, has competence to make that judgment. That is why we have to rely on the advice that we have received from the Spongiform Encephalopathy Advisory Committee, which said that it does not believe that additional measures are justified at the present time. The House will be aware of what Professor Pattison has said on a number of occasions. He specifically said—it is very relevant to today's position:

"In any common usage of the word, we"—

the Spongiform Encephalopathy Advisory Committee—

"think beef is safe. Anyone can eat beef or beef products and be safe."

That is the professional advice that we have received, and it is incumbent on us to accept and listen to that advice.

Mr. Blair: Did not the Secretary of State for Health make a statement in the House last week that earlier scientific advice had been wrong, and tell us to wait for two days for advice on whether it was safe for children, while the Minister of Agriculture, Fisheries and Food was speculating about the killing of 4.5 million cows? Suddenly, the Secretary of State for Health appears to bristle with certainty and he tells us that the public are mad, not the cows. The matter has been handled with quite mind-boggling incompetence. I repeat that the scientists say that the risk in future is extremely small, but may I ask the Prime Minister once again to quantify that risk? As a matter of urgency, will he convene a meeting of producers and purchasers in the food industry to agree the necessary measures to restore confidence?

The Prime Minister: I would have thought that the right hon. Gentleman and his hon. Friends had done enough damage in the last few days—*[Interruption.]*

Madam Speaker: Order—all of you.

The Prime Minister:—for them to stop trying to create health scares by inviting responses from any Minister who can competently comment only on the basis of scientific advice. The right hon. Gentleman knows that. Since he wants to exchange quotations, may I say that it is not all that long ago that the shadow Minister of Agriculture, Fisheries and Food, his hon. Friend the Member for Edinburgh, East (Dr. Strang)—who has acted far more responsibly than some of his hon. Friends—told the House that

"the possibility of BSE being transmitted to humans seems remote"?—[*Official Report*, 25 February 1993; Vol. 219, c. 994.]

The right hon. Gentleman knows the scientific evidence that we have received, and he knows the way in which we have been invited to proceed on the basis of it. For what reason does he continually try to undermine public confidence?

Mr. Blair: When the Scott report came out, the Prime Minister blamed my hon. Friend the Member for Livingston (Mr. Cook). When this report came out, he has blamed other Opposition Members. Does he not realise that the country expects him, as Prime Minister, to take responsibility? Since he has mentioned my hon. Friend the shadow Minister of Agriculture, perhaps he will adopt the measures that my hon. Friend has proposed, and let us hope that confidence can be restored.

The Prime Minister: I will tell the right hon. Gentleman how it might be restored, again by quoting his hon. Friend the Member for Edinburgh, East:

"We are talking about a huge industry and that is why we have to be very responsible and we must not hype something up and give the impression that it is wrong to eat beef or there is some evidence of a link if there is no evidence."

The right hon. Gentleman and his hon. Friend the Member for Peckham (Ms Harman) have done everything they can to undermine confidence in beef and the agriculture industry. If they have undermined confidence to the extent that there is a serious problem, the agriculture industry and the public will know precisely whom to blame.

Mr. Marland: Is my right hon. Friend aware that consumers of beef are looking for further reassurance that British beef is best—*[Interruption.]*

Madam Speaker: Order. Hon. Members will be heard in this House.

Mr. Marland: I will start again, Madam Speaker. Is my right hon. Friend aware that consumers of beef are looking for further assurance that British beef is best? Does he agree that it is now time for the British media to stand up for Britain and to dispatch some investigative teams to Europe to study what is known there as staggers or manganese deficiency, which is often BSE by another name?

The Prime Minister: There are self-evidently two equally important interests to balance. First, there is the public concern about public health. That is of great importance to the Government, which is why we have repeatedly taken the advice on public health that we have been given. The second interest is confidence in the beef industry, the jobs it creates and its economic importance. I agree with my hon. Friend that we should look at both those matters and give them both great importance.

Mr. Ashdown: This morning, the National Farmers Union, which is presumably not hysterical, backed by the entire food industry, which is presumably not hysterical either, has called for older cows to be taken out of the human food chain. If the Prime Minister will not follow that advice, will he at least answer this question? What has he got to say to farmers, to abattoir managers and to cattle market operators? They have been ringing all morning to say, "My doors are closed, my market has gone and in two weeks, my business will be in ruins. What do I do now?"

The Prime Minister: I have received a letter from Sir David Naish and I have a copy of the letter that he sent to the Leader of the Opposition and to the right hon. Gentleman, the leader of the Liberal Democrats. My colleagues and I will study carefully the contents of the letter I have received. *[Interruption.]* If the right hon. Gentleman will do me the courtesy of listening, he will get his answer.

There are two reasons for proceeding in the way that Sir David recommends. The first is on public health grounds, if science recommends it; but science does not recommend it, as the right hon. Gentleman knows. The second is if it proves necessary to restore confidence to the market because ill-conceived comments, ignorant of science, mean that sensible, practical measures that should have restored confidence will not restore confidence. I hope that sound judgment will prevail. If it does not, those who have destroyed that confidence will be the people to blame and everyone will be aware of that. They sit there, there and there on the Opposition Benches.

Mr. Faber: Will my right hon. Friend join me in congratulating the Wiltshire police force on the 5 per cent. fall in recorded crime which was announced today? When he considers further proposals on sentencing, will he give careful consideration to the views of the chief constable of Wiltshire? He believes that the vast majority of crime is perpetrated by a few known offenders and that

"custodial sentences take them out of the game."

The Prime Minister: I entirely agree with that view, as does my right hon. and learned Friend the Home Secretary. I am delighted that, again, crime figures are falling in the United Kingdom. Today's figures show that recorded crime fell by almost 2.5 per cent last year. With the falls in the past two years, that represents the largest fall since records began more than a century ago. That has been achieved despite the fact that the Opposition have continually opposed the law and order measures which we have introduced—measures which, when my right hon. and learned Friend introduced them, they dismissed as gimmicks. The only gimmicks on crime are those from the Opposition. We are producing measures that are beating the criminal and bringing down crime.

Q2. **Mr. Hall:** To ask the Prime Minister if he will list his official engagements for Tuesday 26 March. [20967]

The Prime Minister: I refer the hon. Member to the answer I gave some moments ago.

Mr. Hall: Given the Prime Minister's disgraceful performance this afternoon, does he remember telling the House last week that the Government have always and immediately acted on the expert advice given to them by scientists on bovine spongiform encephalopathy? In the light of that claim, can he tell the House why the Government failed immediately to implement the recommendations of the Tyrrell report to sample cattle brains to monitor BSE? We need a straightforward answer to that question.

The Prime Minister: We are continually taking professional advice on health matters. Opposition Members are asking me not to take the professional advice but to do something else. If I had not taken the professional advice on the question of BSE, the hon. Gentleman might have had some cause for complaint. As it is, he has none—except against his own Front Bench.

Mr. Viggers: Does my right hon. Friend agree that McDonald's, the media and the Labour party have one thing in common: they are seeking to sell something, be it beefburgers, newspapers or themselves, and the Government have a heavier and wider responsibility to give leadership and guidance, based on the best possible scientific advice?

The Prime Minister: First, we have to make judgments on what is in the interests of public health, and we must base them on the advice that we get, because Ministers do not have the medical competence to make those judgments themselves. Secondly, we have to make judgments about what is right for the industry, if other people, with ill-thought-out comments, damage it when it should not have faced the damage that may have been created by comments that should never have been made.

DELEGATED LEGISLATION

Madam Speaker: With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation),

ROAD TRAFFIC

That the Road Vehicles (Construction and Use) (Amendment) (No. 2) Regulations 1996 (S. I., 1996, No. 163) be referred to a Standing Committee on Delegated Legislation.

PUBLIC PASSENGER TRANSPORT

That the Public Service Vehicles (Carrying Capacity) (Amendment) Regulations 1996 (S. I., 1996, No. 167) be referred to a Standing Committee on Delegated Legislation.—*[Mr. Brandreth.]*

Question agreed to.

Low Wages and Income-related Benefits (Publication of Information)

3.31 pm

Mr. Denis MacShane (Rotherham): I beg to move,

That leave be given to bring in a Bill to require employers to publish, in the form of an annual statement, information showing the number and percentage of their employees in receipt of income-related benefits and the proportion of their disposable income accounted for by wages and income-related benefits, respectively.

Were this Bill to move to Committee, it might need some changes to ensure that it neither breaches the confidentiality of employees receiving benefit nor places a new red tape burden on employers—especially the responsible small businesses that pay fair wages, for which, of course, the Labour party is now the chief spokesman and hope.

In 1944, during the war, Sir Winston Churchill, who used to insist on one-page summaries of important measures, received a one-page summary of the famous 1944 White Paper on full employment. That document can be seen at the Public Record Office in Kew. Paragraph 8(a) calls for

"better statistics and other information from private enterprise"

about the nature of the labour market. That animates the spirit of my Bill, just as Sir Winston Churchill's spirited defence of putting a floor under low-wage exploitation when he set up wages councils in 1909 remains the core reason for introducing a job-creating, national minimum wage system today.

If Sir Winston were alive today, as a one-nation Conservative, he would be appalled at the mean-spirited public policy of reducing so many of our employed people to the humiliation of means-tested dependency on welfare benefits. Indeed, as a classical Conservative economist, Sir Winston would have been appalled at the huge taxpayers' subsidy going to low-pay firms. Last week, I received answers to some parliamentary questions revealing that welfare benefits amounting to about £2.9 billion—£120 for every taxpayer in the country—are being paid to people in employment.

That figure has nearly trebled in the past four years. If that upward progression continues, whether geometrically or exponentially—that is, if it doubles every two or three years, as it is doing under the current Secretary of State for Social Security—by the beginning of the next century we shall be paying more in subsidies to low-pay firms that we spend on our national education budget.

Obviously, all efforts to get people off welfare and into work should be applauded. Professor Richard Layard and Professor Dennis Snower and others have suggested schemes, as has my hon. Friend the Member for Dunfermline, East (Mr. Brown), the shadow Chancellor. In other countries, such as the United States, policymakers have pioneered in-work benefit schemes, but have combined them with a minimum wage to provide a floor below which employees cannot be exploited.

However, in Britain, the cold-blooded deliberate creation of a two-nation society requires the opening of a vast new world of low-paid work that the taxpayer has to subsidise. As the thousands of millions of pounds paid in benefits to people in work increase, the wages of people in work go steadily down.

In my constituency, jobs paying as little as £1.44 an hour are being advertised in the jobcentre. A quarter of all the full-time jobs advertised in Rotherham jobcentre offer pay of less than £3 an hour. In Yorkshire as a whole, there are more full-time jobs advertised at under £3 an hour than there are part-time jobs paid at that rate. Thus a Gresham's law of wages can now be said to exist: bad wages are driving out good or fair wages. We shall soon see jobs paying £1 or 50p an hour, because the employers offering them will know that under present policies the Government will subsidise them—a subsidy that will increase over the next three to five years to at least £10 billion.

All categories are covered. I am grateful to my hon. Friend the Member for Leeds, East (Mr. Mudie) for showing me a parliamentary reply that he received today, which reveals that 70,000 professional, managerial and education jobs have such low pay that employees in them are eligible for family credit.

That trend is now being built into the wage-setting mechanism. I first became aware of that fact a year and a half ago at a meeting of bus companies here in the House. Bus managers from London said that, under the rules of competition and deregulation, they were forced to offer employment only or principally to people eligible for welfare benefits. Jobcentres collude with benefit agencies, one phoning the other to approve so-called fast family credit, so that the employer offering low wages will know that his employees will get the subsidies. In other words, Government officials are acting as the agents of low-paying employers to create a new state-subsidised employment sector.

The new clients of that new culture of welfare dependency are exploitative low-pay firms that undercut their business rivals thanks to massive state subsidies. Which are those firms? I can name two. Growthbeat Ltd., of Barrowden, near Oakham in Leicestershire, paid a woman £150 to be on duty for 112 hours a week—Monday to Sunday, 5 pm to 9 am. Starlite Garments, in Blackburn, Lancashire, paid two women £25 for a 42.5-hour week—59p an hour.

Little wonder that many citizens look at the madhouse economics of that system, decide that they want no part of a labour market based on a war of all against all, and drop out into the black economy, the drugs economy, or the do-nothing economy. Those who suffer most are the honest and responsible firms that seek to pay a living wage and do not use the benefit system as an excuse to pay low or ever-decreasing wages—this certainly angers my friends in the small business community in Rotherham.

This issue is part of a larger debate about our labour market—about which we need to know far more information. We need a responsibly set minimum wage that is not job destructive; we need effective negotiating rights for workers; and we must have, as Sir Winston Churchill agreed in 1944, the information to carry out the correct analysis to arrive at the best policies to stop this destructive spiral into low pay and this ever-increasing taxpayers' bill to subsidise low pay firms. My Bill would ensure the provision of that information, and I commend it to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Denis MacShane, Mrs. Jane Kennedy, Mr. Kevin Hughes, Mr. Don Foster, Mr. Hugh Bayley, Mr. Andrew Miller, Ms Ann Coffey, Mr. Nick Harvey, Mr. David Jamieson, Mr. Neil Gerrard and Mr. Gerry Sutcliffe.

Low Wages and Income-related Benefits (Publication of Information)

Mr. MacShane accordingly presented a Bill to require employers to publish, in the form of an annual statement, information showing the number and percentage of their employees in receipt of income-related benefits and the proportion of their disposable income accounted for by wages and income-related benefits, respectively: And the same was read the First time; and ordered to be read a Second time upon Friday 10 May and to be printed. [Bill 90.]

Opposition Day

[8th Allotted Day]

Nuclear Privatisation

Madam Speaker: I have selected the amendment standing in the name of the Prime Minister.

3.41 pm

Mrs. Margaret Beckett (Derby, South): I beg to move,

That this House notes that the Government has rushed ahead with the proposed sale of parts of the British nuclear industry without proper debate or scrutiny; has not yet found time to reply to or debate the report of the Trade and Industry Committee despite its urgency; has presided over the spreading of uncertainty due to rumours about a trade sale, failure to disclose fully safety issues, and not setting out fully the details of how privatised liabilities will be discharged; believes that the Government's mismanagement of the process has made it impossible for any sale price fully to recompense the taxpayer for decades of investment in the nuclear industry and that the sale should now be called off because of the costs to the taxpayer and the potential hazards to the public.

Today we are debating one of the most reckless gambles that the Government have taken: the decision to privatise part of the nuclear power industry. The issue raises a large number of unanswered questions, the first of which is: why? Why are the Government going ahead with the privatisation on this basis and on this time scale? I see that the Government—in their amendment to our motion, which is on the Order Paper—have referred somewhat sniffily to their intention to give what they call a considered response to the Trade and Industry Select Committee report within the normal time scale. I am not exactly sure what that means—it has been known for such responses to take months, if not years. What is quite clear is that, with the publication of the prospectus only a few days away, any considered response seems likely to have been overtaken by events.

We have asked: why this sale? Today, we want to hear from Ministers what advice the Government received and, in particular, whether they were advised that the industry should not, in the public interest, be sold into the private sector. I find it extraordinary that the Government have not found time to debate the report of the Trade and Industry Select Committee before continuing to press ahead with the sale—all the more extraordinary because so many of the questions raised by the report remain unanswered.

For example, we are still not being told what the Government mean by saying that liabilities will follow the assets into the private sector. We do not know whether the Government intend to go ahead with flotation or are considering a trade sale—which has at least twice been rumoured and in itself is a confession that they may fear a failed flotation precisely because of all the unanswered questions and unresolved risks. Going ahead in this way is all the more strange because of the fresh concern about safety issues.

We argue in our motion that this sale should be called off because of the cost to the taxpayer and the potential hazards to the public. One simple statistic alone gives an indication that the taxpayer is being cheated. The Government have never aimed to raise more than £2.6 billion from the sale, but the reactors they are selling cost the taxpayer £13 billion to build. For example, one reactor alone—Sizewell B, the newest—cost more than £2.6 billion.

Quite apart from the poor value for money at the likely sale price, there is the question of the liabilities with which the taxpayer will continue to be saddled.

The stations liable to produce costs in the relatively short term without any long-term counterbalancing revenue are due to stay in public hands. The only stations expected to produce revenue in the long term will be sold, and their revenues will thereby go into private hands. In other words, on balance, liability-generating stations will stay with the taxpayer and income-generating stations will go to the private investor.

No doubt that equation caused the Government's merchant bank, Barclays de Zoete Wedd, to say in its advice to City interests that this privatisation offers the investor £2 billion of what it calls "free" cash in the next five years. Presumably, that advice also reflects assumptions about whether this privatisation, like the others, will be so structured that the privatised company does not, as it properly should, carry on its balance sheet an element of debt, so that the taxpayer and the consumer can expect some further return from the investment that they have funded—and funded more than once. I hope that, when he replies, the Minister will cast light on whether debt will appear on the balance sheet.

I note with dismay that it is intended that, in this industry, like the others, executives will be able to benefit from share options similar to those that have done so much to bring other privatised industries into disrepute. If that precedent is followed, the precedent of not including any debt on the balance sheet may well be followed.

The Government have consistently argued nevertheless that this is not a straight give-away—poor value for money in terms of the revenues raised compared with the cost of creating the assets being privatised—because the long-term liabilities in decommissioning, fuel reprocessing and waste disposal costs will follow those assets into the private sector. In other words, the Government claim that those who today would draw the profits on the taxpayer's investment will later pick up the bill that would otherwise fall to the taxpayer.

The big question is, do we believe the Government? If we do—or rather, if investors do—I suspect that they have no sale, but do we, or can we, possibly believe them? The omens are not good.

The Government have agreed that the privatised industry must set up a ring-fenced fund into which the company will pay money which will in effect be held in trust to meet the potentially huge future costs of decommissioning and closure. The amount that the company needs to set aside if it is to be expected fully to meet those costs is, however, heavily conditioned by technical accounting decisions such as the extent to which the expected liabilities are discounted by being met from money set aside today and invested to build up reserves to meet those future bills.

At the outset, the calculations were sensibly done, on a very prudent basis, discounting the enormous costs of nearly £15 billion thought to be required by about 2 per cent. a year. City commentators have hitherto suggested that that would require the privatised company to set aside sums assessed at between £30 million and £50 million a year.

Yesterday, however, the Secretary of State announced an initial endowment into the fund of £230 million from British Energy, and additional sums of about £16 million a year "initially". It is hard to judge from those figures whether the Government are being unduly pessimistic or optimistic, or whether they are being prudent regarding the amount of provision required, but anyway, if that initial sum is being set aside by British Energy today, when its component parts are in the public sector, that sum is coming from the taxpayer and the consumer.

It was far from clear from the evidence given to the Select Committee by the Minister for Industry and Energy whether that special fund—we agree that a special fund is required—is even intended to pick up the full bill for liabilities resulting from the assets that the company will acquire. There seemed to be a hint in what the Minister said in evidence that only part of those enormous costs will be covered—leaving the rest, presumably, with the public sector and the taxpayer. That would be a disgraceful betrayal of the public interest.

The scale of the potential betrayal is what is so staggering. The Select Committee report suggests that, far from the segregated fund to cover liabilities covering all long-term costs, it is now intended to cover only the direct costs of initial decommissioning, excluding defuelling—which amounts to two thirds of the cost of the first stage of closure—and a variety of other identified costs. Table 1 in the Select Committee report suggests that that may mean that as little as £1.2 billion may be covered by the fund out of total liabilities assessed at £7.6 billion—and that assessment is made on a discounted basis. If we take the figures on an assessment of undiscounted costs, eliminating any bias created by picking different figures to discount those costs, we are talking about a provision of more than £4 billion against total costs of nearly £15 billion—so much for liabilities following assets.

We already knew that the taxpayer would lose out to some degree, because the Red Book for 1996-97 told us so. The Red Book for 1995-96 showed that the industry expected to contribute £560 million in total from this year and next year to public funds. However, it is now expected to receive a total subvention from public funds of £230 million in this year and the next and a further £160 million in 1998-99. In other words, it is admitted up front that the privatisation will cost the taxpayer £650 million in the first full year following the sale and at least £1 billion in the three years to 1998-99.

Yesterday, when he opened Sizewell B just in time to sell it, the Secretary of State announced that British Energy will place an initial endowment of £230 million in the segregated fund to be established to meet its long-term liabilities with an initial future contribution of £16 million per year.

Dr. Robert Spink (Castle Point): Will the hon. Lady say whether Labour would renationalise Sizewell B and the rest of the nuclear industry—yes or no?

Mrs. Beckett: There has been no suggestion of renationalising the company or companies if they are privatised. However, whether they will be privatised depends very much on the answers that we and investors get to the questions that will be asked today.

As I was saying, the yearly contribution being suggested now is substantially less than any City analyst has hitherto said would be necessary. The yearly sum may

[Mrs. Beckett]

have been reduced as a consequence of the substantial up-front endowment announced by the Secretary of State yesterday. However, by a remarkable coincidence, that endowment is exactly the sum that this year's Red Book shows as the total contribution to the industry by the taxpayer in the next two years. In other words, it looks as though, from the very start, the taxpayer is expected to cough up in advance, and that investors' liabilities will be reduced as a consequence.

Apart from the issue of inescapable costs—which will have to be borne somehow and somewhere as the power stations reach the end of their lives and must be decommissioned and destroyed—there is the issue of the potential risk and cost of accidents. The Government say that the company will have to insure itself against the risk of an accident whose clean-up costs amount to £140 million. All liabilities above that will fall on the Government—although they may be able to share a further £140 million through international agreement. However, anything above that sum would fall straight on the taxpayer.

An assessment of the cost of the Chernobyl disaster, for example, suggests that such liabilities could be very heavy. We have only to look at the potential costs of the present problem of bovine spongiform encephalopathy to see how readily any accidents would cost much larger sums than those for which this industry is required to be covered. There is no reason why the privatised company should not be required to insure itself for much larger sums in the commercial markets. That, too, will make a substantial difference to the commercial outcome and to the prospects of the sale.

In its evidence to the Select Committee, the CBI pointed out that there are many other private sector industries, such as the chemical industry, which have to pay premiums on commercial insurance for far larger sums than this industry is being required to shoulder. So far is it from being justified that it should be required to insure for only such a small amount that private sector competitors argue that unless the industry is forced to carry much heavier insurance, this light insurance regime will itself amount to a large and unfair subsidy to the privatised industry—and I am sure that the hon. Member for Castle Point (Dr. Spink) would oppose that.

This is why the Select Committee recommended that the Government reconsider. The amount of insurance that the industry is required to carry is also relevant to concerns about safety, which are directly linked not just to concerns about the sale but to anxieties about the value of the sale. There is a real worry that, as Scottish Nuclear's former director of safety said in his evidence,

"a privatised utility is likely to seek to make small erosions into safety margins for commercial gain."

There are also worries that unless carefully monitored and supervised British Energy might, if it follows the path of other privatisations, shed staff purely on economic grounds, in terms of reducing the numbers and costs of those employed without sufficient consideration for what high safety standards would require.

Mr. Phil Gallie (Ayr): The hon. Lady has referred to the former safety director of Scottish Nuclear. May I refer her to the operational safety review team—OSART—report, independently undertaken by people outside this country, which shows quite clearly that safety standards at the Hunterston plant since the restructuring of the industry have improved beyond recognition—this in the run-up to privatisation. There is no reason why that improvement should not be maintained after privatisation.

Mrs. Beckett: As the hon. Gentleman rightly says, the improvement has taken place in the run-up to privatisation, so he would be hard pushed to attribute it directly to a privatisation that has not yet taken place. What he says, while interesting and welcome, in no way impinges on the observations of Captain Killick, who has expressed concern that, in the long term, commercial considerations and safety margins are likely to be offset against each other.

One way in which safety margins may be eroded has to do with the running of the stations and the pressure that we believe is more likely to be exerted in the private sector for unsustainably high output. Part of the assessment of the sale value is based on the use of a load factor—the proportion of the year during which a reactor runs at full capacity. The sale value assumes that the load factor will average 82.5 per cent., but the best ever performance of the advanced gas-cooled reactors in the sale is 80 per cent.—and last year it was 74 per cent. I am assured by industry experts that there is no chance of these stations running at the high load factor suggested as the basis for assessing the value of the investment; and that they are already being run above their design capability.

This would mean that investors judging on the basis of such a load factor might be misled as to the possible value of their investment. One of the Select Committee's advisers, Dr. MacKerron, suggests that a more realistic factor would be 70 per cent., and that on that basis the sale might raise as little as £1 billion. Yet the House will be aware that the Government need to raise at least £2.6 billion in order—even on their figures—to cover the costs of decommissioning and disposal of the older Magnox reactors that are being left in the hands of the taxpayer.

A look at the Government's assessment of these costs suggests that it is optimistic in any case. There is little question but that the power stations being sold have been run for longer periods at maximum power in recent months. Indeed, in the lead-up to privatisation this is being done to try to make the industry more attractive for sale. It has improved the assessment of the value of the industry and hence the sale prospects. That is exactly what might be expected in the future when a private sector owner tries to maximise the return on his investment.

Unfortunately, as we are now all aware, that more intensive period of use has raised fresh fears about safety following an emergency shutdown at Heysham 2 and consequent investigations at Torness and elsewhere. There can be no doubt that if those investigations suggest that, on safety grounds, those stations ought not to be refuelled while in use, all the financial calculations about the sale will be thrown into question. Precisely for that reason, the sale prospectus must include much more detail about those matters if investors are to stand any chance of knowing the implications and risks of the investment that, for financial reasons, the Government desperately need.

There is another risk that the Government need to set out and explore—the regulatory risk. Some of those who gave evidence to the Select Committee seemed to suggest

that assurances should be given that no risk could arise to change the operating conditions for the privatised company. Frankly, only a fool would give such assurances and only a fool would believe them.

The regulator himself pointed out that, if he is asked by other generators to review such issues as British Energy's direct access to the market on a preferential basis, he will have to do so. That, too, would change all the financial calculations about the sale. Those who think that it is unlikely to happen, should recall how the market for gas was changed in a way that was not anticipated when the sale was made. The nearer we get to the privatisation date, the more we are on shifting sands.

In the White Paper leading up to the privatisation, the Government said that the nuclear element of the fossil fuel levy would be abolished. It seems that that is no longer the case. It is hard to see anything constant about the privatisation, other than the Government's dogmatic determination to carry it through, irrespective of whether it makes sense, the cost to the taxpayer, the implications for safety and its long-term impact.

There is a merciless logic that casts doubt on the Government's entire case. The wastes and residues from the stations create a responsibility that will last for probably more than 100 years. As James Capel, the city analysts, said in evidence to the Select Committee, such responsibilities are matters for Government. If only by default, liabilities are likely to fall on the Government of the day.

As the Minister says, it would be intolerable for responsibility for liabilities to be separated from the assets from which they arise. As the liabilities are inherently likely to end up with Government, the assets should stay with Government. That simple fact sums up the scale of the gamble on which the Government have embarked. They intend to set up a private company which, in its early years, will accrue substantial revenues on an investment that that company has not made, but was made by the taxpayer. Over the years, the revenues will gradually decline and ultimately cease as the stations reach the end of their usable lives, but there will remain for between 70 and 130 years huge liabilities to be met and, with them, huge costs.

The Government expect that the private sector will continue to meet these costs long after it has ceased to receive any revenues. Even Alice would have thought that she was not in wonderland, but in nightmare land, given such a prospect.

The privatisation is folly of a high order. Even for this Government, it represents unprecedented incompetence and irresponsibility—I say that in the aftermath of the BSE episode. The Government know it, we know it and the industry knows it. Sooner or later, the full consequences of the folly will be borne in on the public, who will be left to shoulder the burdens that the Government are foisting on to future generations. By then, it will be too late to call a halt. Let the House call a halt today.

4.3 pm

The Minister for Industry and Energy (Mr. Tim Eggar): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'congratulates the Nuclear Electric and Scottish Nuclear companies which, with the advent of competition in the electricity market and the prospect of privatisation, have transformed their performance over the past six years; congratulates the Government on the planned sale of the nuclear power stations of Nuclear Electric and Scottish Nuclear, noting that it is consistent with existing legislation, will fully preserve the vigour of the safety and environmental regulatory system, will benefit the taxpayer through the transfer of liabilities to the private sector and the receipt of sale proceeds and will provide appropriate transparency about liabilities and how they will be met; notes that the Government intend to give a considered response to the Trade and Industry Committee within the normal timescale; and notes that the Opposition have opposed every privatisation, despite the proven benefits which have been recognised by a growing number of countries throughout the world.'.

I begin by paying tribute in the House to the late John Collier, who was the chairman of Nuclear Electric. It is due to a great extent to John's skill, leadership and hard work that the nuclear power industry is now preparing for privatisation. He is remembered with great respect and affection by everybody who knew him, in all parts of the House.

Let me now turn to the speech that we have just heard from the right hon. Member for Derby, South (Mrs. Beckett)—a speech of doom, gloom and scaremongering, even by her standards. For once I can say something positive about the hon. Member for Leeds, West (Mr. Battle), who until recently has refrained from trying to score cheap party political points about safety. I am sorry that he failed to persuade his right hon. Friend to follow the same route. *[Interruption.]* I am sure that the right hon. Lady does not realise how responsibly her hon. Friend has behaved with regard to safety. I am only sorry that she did not follow his good example.

Mrs. Beckett *rose—*

Mr. Eggar: Of course I will give way to the right hon. Lady, if she wishes to contradict her hon. Friend.

Mrs. Beckett: I do not wish to contradict my hon. Friend; it is the Minister on whose remarks I want to comment. He said that it would be irresponsible to draw attention to some of the safety consequences of the problems that are being seen in the nuclear industry. I cannot believe that he does not know what I know: that the industry is seriously alarmed about some of the prospects and some of the consequences of the current investigation of developments in the industry.

The Minister has come to the House before—while the report on Heysham was on his desk—and said that it would be wrong for anyone to raise safety issues and anxieties about the future operation of the industry. All the issues are difficult; all are now being assessed. It would be grossly irresponsible for any hon. Member, even a Conservative Member, not to raise some of them in a debate of this nature.

Mr. Eggar: I suggest that what is entirely inappropriate is for such issues to be raised in the way in which the right hon. Lady raised them. Her speech was no more than pure scaremongering from beginning to end.

Mrs. Beckett: We shall see.

Mr. Eggar: There we are. The right hon. Lady, from a sedentary position, says, "We shall see." What is that except scaremongering?

[Mr. Eggar]

The fact is that the nuclear installations inspectorate is an independent body, which is overseen by the Health and Safety Commission. The right hon. Lady seems to forget that the commission includes three representatives from the trade unions. To suggest for a moment that its members would be prepared to go along with a lowering of safety standards is offensive to them; moreover, it entirely fails to recognise the high and independent standards set by both the commission and the NII.

If the right hon. Lady had bothered to read the NII's evidence to the Trade and Industry Select Committee, from whose report she quoted extensively, she would know that the NII said that, if shareholder pressure resulted in stronger, more focused management, it would expect to see a safety benefit from privatisation. The Health and Safety Executive has confirmed that relicensing the affected nuclear power stations will ensure that there is no reduction in nuclear safety as a result of restructuring and privatisation. After an exhaustive inquiry, the Trade and Industry Select Committee concluded:

"privatisation need not result in any reduction in nuclear safety".

Let me repeat the Government's policy once more. Safety is and will remain paramount for both the Government and the industry, and the same rigorous regulatory regime will continue to apply to both public and private-sector operators.

Mr. Michael Clapham (Barnsley, West and Penistone): The Minister mentioned the Health and Safety Executive. He will be aware that a letter leaked last week showed that the cut in the HSE's budget was compromising safety, because in future it would not have enough inspectors to ensure compliance. That will clearly apply to the nuclear industry.

Mr. Eggar: The hon. Gentleman is deducing the position from a draft letter which has never been sent. In any case, I refer him to the White Paper, and to the evidence that I gave to the Select Committee on Trade and Industry, of which he is a member. I made it absolutely clear that the Government will ensure that there are adequate resources for the NII to make certain that it can carry out its responsibilities. I repeat, as I have done many times on the Floor of the House, that the safety of the nuclear industry is paramount, whether it is in the public or the private sector, and nothing will deter us from ensuring that.

Mr. Tam Dalyell (Linlithgow): Is the probability that the expected life of the Magnox stations will be extended beyond previous expectations? Are we quite sure—the answer may be yes—that the NII has sufficient resources to cover the extended life of the Magnox stations?

Mr. Eggar: If additional resources are necessary to take account of that eventuality if it were to happen, they would have to be made available. The Government said clearly in the White Paper that we will not in any way imperil safety standards, and we will stick with that.

Mr. Alan W. Williams (Carmarthen): Will the Minister give way?

Mr. Eggar: I will give way to the hon. Gentleman, but I am only at the beginning of my speech, and I have been absolutely categorical on this issue, in front of the Select Committee and on the Floor of the House, time and again.

Mr. Williams: The Minister mentioned safety. On 29 January, in Heysham, there was a problem with a fuel rod, which got stuck when it was being lowered. That caused an emergency shutdown that lasted 18 days. That has potentially serious commercial implications for the future of the HER programme. Why did not the Government go public immediately on that emergency shutdown? The first we heard of it was six or seven weeks later.

Mr. Eggar: From memory—

Mr. Adam Ingram (East Kilbride): From memory?

Mr. Eggar: Yes, because I do not want to mislead the House in any way.

The automatic shutdown mechanism, which is installed for safety purposes, immediately closed down the station. The station manager decided, entirely on his own discretion, that he would stop on-load refuelling. Following normal practice, that incident was disclosed in the site newspaper, which is widely distributed, at the beginning of February—again, I say that from memory. An entirely misleading and over-emotional article appeared on the front page of *The Guardian*—

Dr. Spink: Oh, well.

Mr. Eggar: Absolutely.

That article referred to meltdown and such possibilities, which was entirely bogus, as anybody who knows the nuclear industry is aware. Nuclear Electric then decided that it would raise the issues with Scottish Nuclear, which decided, for safety reasons—because of the similar design at Torness—not to continue, for the moment, with the on-load refuelling.

The company is now examining those issues and has behaved entirely responsibly. By its actions, it has shown that it will not take any risks with safety of any kind whatever. So, far from raising safety fears, the performance of Nuclear Electric has reinforced the importance that it attaches to the highest possible safety standards in the nuclear industry.

Mr. Tom King (Bridgwater): Are not the comments by Opposition Members—which question the standard of safety observance in the industry—an insult to the people working in the industry? I speak on behalf of my constituents at Hinckley Point, whose families and children live near the stations, and I draw attention to the outstanding safety achievement of those two stations.

The role of the nuclear installations inspectorate is obviously extremely important, and I am grateful to the Minister for the firm stand that he has always taken in insisting on the highest levels of safety. However, does he agree that those standards are also due to the cool character and the conscientious co-operation of all those who work in the industry?

Mr. Eggar: I absolutely agree with my right hon. Friend.

Mrs. Beckett: Will the Minister give way?

Mr. Eggar: Perhaps I may be allowed to answer my right hon. Friend before giving way to the right hon. Lady.

As I say, my right hon. Friend is correct. It is outrageous to suggest that the staff of either Scottish Nuclear or Nuclear Electric would imperil their own safety or that of their families or workmates. I have met many representatives of the work force of both those companies, and I have met the trade unions that represent them. They would see as a considerable slur on them and on their professionalism any suggestion of them risking safety standards.

Quite apart from anything else, the costs in terms of the future profitability of the company and its privatisation of any risk being taken with safety far outweigh any potential benefits. In any case, as my right hon. Friend right hon. Friend the Member for Bridgwater (Mr. King) has said, the nuclear installations inspectorate ensures the highest possible standards.

If the right hon. Member for Derby, South (Mrs. Beckett) wishes to intervene for a second time, I shall give way to her.

Mrs. Beckett: I am extraordinarily grateful to the Minister. That was an interesting little duet between him and the right hon. Member for Bridgwater (Mr. King), but, of course, it bore no relationship whatever to what I said. I did not cast a slur on the workers in the industry, nor did I suggest that they would be neglectful of safety, and it is disgraceful to say that I did.

With respect, the right hon. Member for Bridgwater was not here for most of my speech, and does not know what I said. I do not wish to be unkind to the right hon. Gentleman and, in fairness, he feels entitled to take the Minister's observations as a reflection of what I said, but he would be unwise to do that.

I said that there were concerns that the stations had been run for longer than would be normal for their design capacity, and that that was done under pressure to maximise proceeds in the run-up to privatisation. The Minister spoke about safety issues that I did not raise. The industry is concerned that this over-running of the stations may have caused problems, which are now being investigated and to which reference has been made. It is in that context that there are concerns about long-term safety. That is not a slur on the people who work in the industry.

Mr. Eggar: This is a long intervention.

Mrs. Beckett: Perhaps the Minister would allow me to finish my point, which I will do any second now.

There was no slur on the workers. They have to deal with the running of the company in the context of the load factors under which they are required to operate the stations.

Mr. Eggar: I did not hear the hon. Lady seek the leave of the House to speak for a second time. She condemned herself out of her own mouth. She effectively said, by implication, that the management of Nuclear Electric and Scottish Nuclear had decided to run the stations at a level of output that effectively rendered them unsafe. That is what the right hon. Lady said, and I suggest that she studies with great care tomorrow's *Hansard*. The implication is undoubted, and I hope that she will immediately apologise to the management and the work force in the nuclear industry.

We have differences in the House about the merits or demerits of privatisation of the nuclear industry, but the one issue that should unite us is the common belief in the need to retain the highest safety standards, and the assumption that both management and the work force are determined to do just that.

Ms Joan Walley (Stoke–on–Trent, North) *rose—*

Mr. Martin O'Neill (Clackmannan) *rose—*

Mr. Eggar: I must make some progress. I have been on my feet for 15 minutes and I have been constantly interrupted. However, for old time's sake, I shall give way to the hon. Member for Clackmannan (Mr. O'Neill), but I must then be allowed to continue with my speech.

Mr. O'Neill: I shall be brief. I understand that the improved performance of the nuclear industry has been due in large measure to the ability to refuel the rods while keeping the station running. I understand that an inquiry is currently under way. Will the industry and the stations be as attractive to potential investors if that practice is shown to be technically dangerous? Does the Minister not appreciate that the investigative process could undermine the attractiveness of privatisation?

Mr. Eggar: That was a fair question from the hon. Gentleman. I regret that he no longer contributes from the Opposition Front Bench, as he would undoubtedly raise the tone of the debate.

An issue arose with regard to one particular thin stainless steel sleeve in Heysham. Prior to that, some 150 fuel channels had been refuelled without any problems. Also prior to that, there had been on-line refuelling, which is continuing, at low power, at Hinckley Point B and Hunterston B. There have been no safety problems with that.

Safety cases were then established and accepted by the nuclear installations inspectorate with regard to Heysham and Torness. Although a difficulty occurred with one of the fuel channels, some 150 had been refuelled without any problem.

Clearly, both the NII and Nuclear Electric are studying the implications of the difficulty on the one fuel channel, and a case will be made for resumption of on-line refuelling at those two stations if that is felt appropriate, or not if it is not felt appropriate. That must be the sensible way forward. I am given to believe that that is not likely to have a significant effect on the overall commercial performance of Nuclear Electric or British Energy.

Ms Walley: Will the Minister give way?

Mr. Eggar: No, I have been extremely generous with the amount of time that I have given to interventions.

[Mr. Eggar]

It is fair to turn to the benefits of electricity privatisation, because—

Ms Walley: Will the Minister give way?

Mr. Eggar:—the fact is that the privatisation—

Ms Walley *rose—*

Madam Speaker: Order. The Minister has made it quite clear that he is not giving way. Therefore, the hon. Lady should not persist.

Mr. Eggar: The benefits of electricity privatisation are absolutely clear: costs have been reduced, efficiencies introduced and investment in infrastructure secured. In real terms, domestic electricity prices throughout the United Kingdom have fallen by 7 per cent. and industrial prices by 10 per cent. Domestic electricity consumers in England and Wales have benefited from a £50 rebate on their electricity bills this year, and the average electricity domestic consumer in England and Wales is likely to pay about £90 less for electricity this year than two years ago.

The benefits of privatisation have been coming through fast in gas as well, and gas prices have reduced by about 23 per cent. in real terms since privatisation. I am delighted to tell my right hon. Friend the Member for Bridgwater (Mr. King) that, in the south-west, as a result of the introduction of competition, consumers can look forward to a further 15 to 20 per cent. reduction in their bills. Those are the real benefits of privatisations, every one of which the Opposition opposed—led, in the case of electricity, by the right hon. Member for Sedgefield (Mr. Blair).

The prospect of privatisation has had beneficial effects on the nuclear power industry. With the incentive of privatisation lying ahead of it, in six short years the nuclear industry has transformed its performance. Nuclear Electric's output has increased by no less than 39 per cent., and productivity per employee has risen by more than 100 per cent. At Scottish Nuclear, output has increased by 38 per cent. and unit costs have fallen by a third. Sizewell B, which is up and running, to date has achieved an average load factor of 97 per cent., while it operated continuously in the last quarter of 1995. Those are proven facts. They are solid achievements by the nuclear industry since 1989.

Another benefit that will flow from the privatisation of the nuclear industry is the fact that reductions in the levy and changes to the nuclear energy agreement in Scotland will cut electricity prices for consumers and help to level the playing field for electricity supplies. These are real benefits that will lead to domestic consumers paying less for their electricity from the end of the third quarter of this year. It simply is not true, as the right hon. Lady claimed, that we have abandoned any idea of abolishing the levy in England and Wales.

The right hon. Lady made much of the question of liabilities. She yet again raised the old chestnut of whether the liabilities will follow the assets. Either she is not doing her homework, or she is deaf, or she is simply being mischievous. I have made the position absolutely clear on a number of occasions.

For example, in the White Paper last May, I made it clear that we expected nuclear liabilities to follow their associated assets into both the public and private sectors. The hon. Member for Barnsley, West and Penistone (Mr. Clapham) was present when I gave evidence to the Select Committee on Trade and Industry in November 1995 and again made it clear that liabilities would follow assets. I repeat again, for the avoidance of doubt, that liabilities will follow assets. It is as simple as that.

Mrs. Beckett: All of them?

Mr. Eggar: The right hon. Lady, presumably wishing to speak for a third time—this time from a sedentary position—asked whether all the liabilities would follow the assets. I say to her again, as I have said consistently over a period, that the assets that go into the private sector will be followed by their attendant liabilities. It would be quite wrong for the liabilities to remain in the public sector while the assets went into the private sector. The Government's position on that is absolutely clear.

Mr. Ken Purchase (Wolverhampton, North–East): I have a simple question. What is the value of the undiscounted liabilities that the Minister feels should follow the assets into the private sector?

Mr. Eggar: That will become absolutely clear in the documentation that will be associated with the sale of the nuclear industry. Work on it is continuing. The hon. Gentleman knows perfectly well that my right hon. Friend the President of the Board of Trade yesterday announced the terms of the segregated funds. As the hon. Gentleman also knows, that deals with the specific issue of the sites that will be decommissioned, and any on-site fuel storage costs associated with that.

There will be a £230 million up-front endowment, which will be paid by British Energy into the segregated fund. Subsequently, there will be annual payments. The annual payments and the size of the fund will be investigated and considered on a five-yearly basis, subject, of course, to independent advice from independent actuaries. The fund will be in a trust form, and independent trustees will be responsible for maintaining the appropriateness of the fund.

Mr. O'Neill: Will the Minister give way?

Mr. Eggar: If the hon. Gentleman will forgive me, I want to press on.

The right hon. Member for Derby, South referred yet again to that old canard, the figures in the Red Book. She should know that she is, of course, completely misconstruing them. We assumed in the previous years that the nuclear industry would remain in the public sector, and therefore, between the two years, made the assumption in the Red Book that a number of assets would go into the private sector. The result of privatisation is that significant potential and actual liabilities will move from the public sector to the private sector, along with the assets that are being transferred. In addition, of course, the Exchequer will benefit from the proceeds of the privatisation.

The right hon. Lady was looking at one part of the public accounts without taking any account of the compensating advantages—the removal of liabilities and

the receipt of capital assets. I suspect that even a young lady with a pass in maths GCSE would be able to understand that, if one looks only at one side of the figures, one is bound to misconstrue the situation. It surprises me that the right hon. Lady got it wrong, not only once but repeatedly. To repeat it again on the Floor of the House seems to show a worrying level of ignorance and a lack of homework.

The right hon. Member for Derby, South also decided to re-run the issue of insurance arrangements. Let us be clear about the position. Unlike other comparable industries, either in the public or private sector, nuclear operators are subject to strict and clearly channelled liability. That is because such liability gives certainty to potential claimants and reinforces the operator's responsibility for safe operation of the plant. The nuclear industry is unique—correctly so, in my view—in the way in which strict liabilities apply.

The United Kingdom is also party to the Paris and Brussels conventions on civil nuclear liabilities. Under those international conventions, an operator of a nuclear site, regardless of whether it is in the public or the private sector, is required to have approved cover for nuclear liability of £140 million. For claims over that limit, public funds may be made available, up to a total of £280 million. Some of those funds can be claimed back from other signatories to the Brussels convention, on the assumption that they are ever needed.

Those arrangements are a sensible way in which to deal with low probability events, and in line with the treatment of such nuclear events in other industrialised countries. I other words, we recognise that particular issues appertain to the nuclear industry. International conventions have been signed, and we are abiding by them because we think that it is in the interests of the nuclear industry, regardless of whether it is in the public or the private sector, and in the interests of individual citizens in the UK.

Mr. Matthew Taylor (Truro): The Minister has described the international agreements. How appropriate does he think such agreements are to privatisation, given that other industries have private insurance cover for much larger sums?

Mr. Eggar: I am sorry, I thought that I had made myself clear. There is a difference between the nuclear industry and other industries because of the very strict and clearly channelled liability that lies almost uniquely on nuclear operators. It is therefore in a different category in any case.

The hon. Gentleman appears not to have recognised another factor. In many of the other countries that are signatories to those conventions, there are privately owned nuclear companies. The conventions apply to those companies, which are already privately owned, as they will apply to the privatised British Energy. In the European context, private ownership of the nuclear energy industry is not unique, and the conventions already cover a number of private sector operators in other countries.

The truth is that the right hon. Member for Derby, South, for all her criticism and scaremongering, brushed aside the most critical question, which was asked by my hon. Friend the Member for Castle Point (Dr. Spink). He asked what the Labour party would do about the nuclear industry once it was privatised, and the right hon. Lady replied, "Nothing." In other words, the Labour party's commitment on the nuclear industry is the same as its commitment on every other privatisation proposal that the Government have made.

Labour has opposed every privatisation. Labour Members have mocked the benefits that have clearly come from privatisation, but they are not prepared to back their opposition. If, God forbid, Labour Members ever sat on the Government Benches, the right hon. Member for Derby, South would be prepared to preside over a privatised nuclear industry, just as we are prepared to put the nuclear industry into the private sector. She does not even have the conviction of the rhetoric with which she addressed the House a mere 20 minutes ago.

Dr. Spink: Does my right hon. Friend think that a good summary of what he has just said is that Labour says one thing and does another in this matter, as in all others?

Mr. Eggar: That is a perfectly fair summary, although I would go further even than my hon. Friend. Labour Members simply hate privatisation, because they are as anti-enterprise and as anti-success now as they have ever been. They hate privatisation because it denies them the opportunity to meddle with and to add burdens on business. Labour has opposed every privatisation we have made.

Mr. Purchase: Quite right.

Mr. Eggar: The hon. Gentleman says, "Quite right." In fairness to him, he would be prepared, if he were on the Front Bench, to say that the Labour party would renationalise the nuclear industry.

Mr. Purchase *indicated assent.*

Mr. Eggar: Yes, he would. He is a man of conviction and a man with backbone, unlike the right hon. Member for Derby, South, who is quite prepared to make elaborate speeches, but not to back up her words with action.

The Labour party is a member of a unique club—a unique club of two. The new Labour party joins North Korea as the only sensible political movement that is still opposed to privatisation in any form and under any circumstances. The right hon. Lady sets an appalling example for her party.

Mr. Alan W. Williams: The Minister chastises us by saying that we would not oppose privatisation if we were in government. Will he, however, consider public opinion on the matter? What percentage of the general public support this privatisation?

Mr. Eggar: The hon. Gentleman knows perfectly well that consumers who have benefited from privatisation welcome the advantages of it. How many letters has the hon. Gentleman had from constituents complaining about the £50 rebate on their electricity bill? Does he think for a moment that the rebate would have been given had the electricity industry still been owned by the public sector? Quite the reverse. There would been real increases in electricity prices under state ownership over the past five years, just as there were over the preceding 15 to 20 years.

Mr. Phil Gallie (Ayr): Does my right hon. Friend agree that, at the time of the privatisation of telephones, electricity and gas, the public would been have broadly against them, but that, if we had a poll now on a renationalisation programme, the public would certainly be with us?

Mr. Eggar: I agree with my hon. Friend. I think that the right hon. Member for Derby, South agrees, because she is not prepared to renationalise because she knows that privatisation means benefits for taxpayers and customers, lower prices and better standards of service. That is why I urge my right hon. and hon. Friends to vote against the motion and in favour of the Government's amendment.

4.40 pm

Mr. Ken Purchase (Wolverhampton, North–East): I want to speak not only as a member of the Select Committee that produced the report but because of the absolute importance of the subject—the future of the nuclear industry.

When the Minister chastises the Opposition for not saying that we are immediately willing to renationalise the previously publicly owned utilities, he forgets that the money that was obtained from successive privatisations has been given away. The Government have contrived to give away the receipts from those sales—mainly in tax cuts for their rich friends. Had the Government been prudent, saved the money and invested it wisely, it would have been available to renationalise the utilities that he says we have not given a commitment to renationalise. Of course we have not. We are not stupid. We recognise that we have to have the wherewithal to carry out plans that are important for the country.

It would be prudent for the Government to recognise that there is so much uncertainty about the issue that it is incumbent on them to seek further advice on quantifying many of the things that the Select Committee has brought to notice and that are impenetrable as they stand. An amendment was moved in the Select Committee that suggested that seven of the 17 key recommendations were not properly quantified and should be referred to the Audit Commission for further investigation so that we could have a proper understanding of the value of liabilities before the Government proceeded any further with the auction.

Of course, Conservative members of the Select Committee rejected the amendment for the simple reason that there is an unholy rush to privatise the nuclear industry. It does not seem to matter that, even at the end of March, the industry's inspectorate has not yet completed its work to provide the safety certificates necessary for continued operation. That may be something of a formality, but the purpose of those inspections is to be as sure as one can be in such matters that the industry is fit for its purpose and should be allowed to carry on in the same manner. The Government cannot even wait to find whether those important inspections throw up anything that should be attended to before a decision is taken on privatisation.

It is worth reflecting on the conundrum that confronts us if we try to regard the matter apolitically, in terms of accountancy, value for money and an understanding of what the sale would produce. The Government are reluctant to quantify the costs and benefits properly and are unable to forecast accurately the likely value of the sale. All sorts of figures have been mentioned, from £2 billion to £3 billion. The inability to express that properly before further action is taken creates a considerable problem. The operating costs and future liabilities are as difficult to define accurately.

We must consider the running costs of caring properly for the nuclear waste that is generated by operation. That is properly regarded as a simple cost of operation and does not need to form a future liability. If we put aside that cost and try to estimate, as the Select Committee tried to, the discounted and undiscounted costs of reprocessing and future liability, we find that it is difficult to make economic sense of the matter.

Between Magnox, advanced gas-cooled and pressurised water reactors, there is a combined undiscounted liability approaching £31.6 billion. Of course, that falls due, as my right hon. Friend the Member for Derby, South (Mrs. Beckett) said, over a period of between 70 and 130 years—and even that is difficult to quantify.

It adds a little more point to our debate that we are trying to ensure that proper provision is made, and the industry properly looked after, for generations yet unborn. It has become something of a cliché to talk about our responsibility to future generations, but a special case must be made for the nuclear industry. It is not that our engineers, technicians and scientists are not up to the job. Of course they are; they are world leaders in the technology and have done an excellent job. Our safety record is as good as any in the world and better than most, but that does not alter the fact that a nuclear accident has more potential for destruction than any other sort of mishap that the world has known. There were 20 million dead in the 1939–45 war. *[Interruption.]*

Ms Walley: On a point of order, Madam Deputy Speaker. I find it offensive that the Government's Front-Bench spokesmen are laughing while we are hearing about the awful consequences of an accident in the nuclear industry. The Minister should take account of what is being said.

Madam Deputy Speaker (Dame Janet Fookes): I do not think that it has reached the point where it has become a matter for the Chair to intervene.

Dr. Spink *rose.*

Mr. Purchase: I give way to the hon. Gentleman.

Dr. Spink: I presume that the hon. Gentleman believes in the long-term future of our nuclear industry. Does he accept that he is talking about hypothetical risks and not ones that he expects to come to fruition?

Mr. Purchase: Of course they are hypothetical. In trying to forecast outcomes, one must have a hypothesis, as the learned doctor would no doubt say in another arena. Hypotheses are important.

There was a hypothesis in 1936 and 1937 that we would not have a war with Germany. That led to 20 million people being killed. That hypothesis proved to be incorrect. We must recognise that the potential consequences of mistakes

and accidents in the nuclear industry are more horrific even than those of the war, including the holocaust. I do not mean to be a prophet of doom. We need not face that scenario. Our excellent safety record is worth hanging on to. A famous ex-Prime Minister once said, "If it ain't bust, don't fix it." We have an industry that is run as well as any nuclear industry in the world.

Mr. Gallie: I agree. Is it not right that we should share our expertise with the world? Does the hon. Gentleman not realise that we have the expertise to help other countries where safety limits and expectations are not the same as ours? By privatisation, which would release our resources, we could assist with the safety of the nuclear industry all over the world.

Mr. Purchase: Of course the industry already exports its services, and has an income of hundreds of millions of pounds every year. There is another whole debate about spreading nuclear technology, given the scenarios that I painted a moment or two ago. There is no question but that the talks on limitations on nuclear arms were an important part of the world peace process. It was recognised then that the non-proliferation treaties were an integral and essential part of that process.

I say the same about nuclear technology for the generation of energy. We must be exceedingly careful, and we must recall that the original purpose of the Magnox development—perhaps it is wrong to say its original purpose, but certainly one of its uses—was the production of nuclear materials for bombs. Are we confident that that technology is absolutely safe in any part of the world to which we care to export it?

In some places there are equally advanced or advancing nations with which we can share not only access to nuclear technology and the associated generative processes but the control and safety aspects. If one thing worries me about technology and scientific advance, it is not the way in which they can help humanity—that is beyond doubt—but the fact that sometimes our ability to produce things outstrips our civilisation's ability to control them.

Unfortunately, that can be said about the history of the world in terms of scientific endeavour. We now have in our hands a most powerful instrument, which can be used for good or evil. I can tell the hon. Member for Ayr (Mr. Gallie) that we already trade in the nuclear industry, and we did not have to privatise it to do so—but that the important thing is to trade safely, with proper safeguards to control nuclear power worldwide.

I must return to the financial aspect of the matter. It could be asked, "If the liability is so great, would it not be better to shuffle it off into the private sector?" For a moment, if one does not reflect too hard, that is an attractive proposition. It would seem that an incoming Labour Government would avoid many of the costs associated with the industry. But the truth would be somewhat different.

If the industry were sold, albeit at a knock-down price that did not even cover the cost of building Sizewell B, it would be obliged to return a profit to its shareholders and make a return on capital employed. The industry would find ways to do that, and to add value to its product.

The Select Committee report contains a strong plea that the inspectorate should not be weakened in any way, that reporting should take place at board level and that the reports should be carried through by an inspectorate dedicated to that purpose. We made it clear that the purpose is to ensure that incentives in the industry are not inappropriate.

For example, if we put performance targets in front of people, which they have to achieve to improve their earnings capacity, there is every likelihood that they will find ways and means to do that, both to satisfy their own reasonable demands for better wages and salaries and to meet the company's demands to keep its shareholders happy and to make a proper return on capital employed. There is no point in a company having capital if the capital does not produce something for it.

We must recognise that the history of performance-related pay, or piecework—call it what we may—involves cutting corners and finding ways to enhance performance, not always safely. With industry in general, the number of chaps that we see walking about with their middle fingers missing, so they can no longer play the piano, is legendary. That has usually resulted from people cutting corners and putting their fingers in the way of things that their hands should not have been near in the first place.

That is a simple matter compared with what might happen if the nuclear industry found ways of cutting corners. If the selling price is such that it forces the industry to cut corners, we shall all be at risk—and not only in the United Kingdom.

The Select Committee had considerable discussion about insurance, and finally agreed to ask the Government to investigate what level of insurance could be obtained and was appropriate, over the £140 million suggested to us. As the Chernobyl disaster has now racked up costs of something like £400 million-plus, it defies gravity, so to speak, to suggest that the nuclear industry could ever take on sufficient insurance cover to meets its liabilities should the unthinkable happen.

If the industry had to take sufficient insurance to cover all its liabilities, it would be totally unprofitable. In that situation, any sensible organisation would carry its own insurance, and the only organisation big enough to do that in this case is the Government. No other body could carry insurance sufficient to meet the liabilities if there were such an accident, so on that score, too, common sense says that the nuclear industry should remain a public enterprise.

As a public enterprise, that industry has been doing well and making money for the Government, paying £200 million to £300 million over recent years. I do not believe that the productivity gains are due simply to the fact that the Government have put the pressure on and said that they will privatise the industry. There is a natural evolution of productivity gains throughout technological industries. In that sense, the nuclear industry is no different from the Post Office, telecommunications or other areas in which Britain has shown tremendous expertise, moved to the cutting edge of technology and made appropriate savings.

Finally, I come to the idea of maintaining the enterprise within the public sector. I started by saying that the money gained in all the previous privatisations had since been dissipated—in tax cuts, broadly speaking. If tax cuts are the incentive for the Government, they must know that the sale, even if it raises more than £2 billion, will scarcely give them a penny ha'penny in the pound off tax.

[Mr. Purchase]

Is it really worth putting our consciences and our whole political morality on the line, knowing that risks are involved that have never been seen in the civilised world before? Simply for a penny ha'penny off tax, is it worth rushing into a privatisation that will surely prove one privatisation too many?

4.59 pm

Dr. Robert Spink (Castle Point): A privatised nuclear industry will be safer than the current nuclear industry—which I shall explain during my speech. I associate myself with the warm tribute paid to John Hollier by my right hon. Friend the Minister for Industry and Energy. It is always a privilege and a pleasure to follow the hon. Member for Wolverhampton, North–East (Mr. Purchase) in debates—even though I disagree with him on this occasion.

We need a balanced energy strategy in this country. Such a strategy must have a nuclear component amounting to 20 or 25 per cent.—that is the medium-term requirement for this country—and I believe that even the Labour party agrees with that sentiment. As evidence of that, I quote the following words:

"All forward forecasts for the first quarter of the 21st century indicate a growing role for nuclear power."

Believe it or not, they are the words of the right hon. Member for Chesterfield (Mr. Benn).

Mr. John Battle (Leeds, West): That surprises me.

Dr. Spink: Yes, it surprised me too.

In the longer term, I can see a growing need—an expanding need—for nuclear power, along with other forms of alternative power. In fact, I believe that there will be a part to play for new technology and for new nuclear technology. For example, I hope that fusion will come on board, because it will be an inherently safer form of energy generation. However, 10 years ago I thought that I would see it in my lifetime, but I am now beginning to question whether I will.

Today, my first duty is to pay tribute to British engineering. It is as good today as it was when Brunel created his great achievements many years ago. British engineering is world class—in fact, I would go so far as to say that it is world-beating. If hon. Members want evidence of that, they need look no further than Monday of this week, when my right hon. Friend the President of the Board of Trade opened Sizewell B.

Sizewell B is now ready and appropriate for sensible privatisation. It is our first pressurised water reactor. It is a wonderful achievement, and it brings great credit not only to our engineering industry but also to our manufacturing and construction industries. It is an unequivocal success story for Nuclear Electric, and a great international advertisement for all our industrial sectors—particularly for engineering, for operational power generation and for architecture. It also brings—and will continue to bring—great credit to our environmental care strategy.

The Sizewell B performance statistics are remarkable. Since coming into full commercial operation in September 1995, it has achieved an average load factor of 97 per cent., and has achieved 173 days of continuous, safe and efficient power generation. In so doing, it has displaced environmentally more damaging forms of power generation—something of which we should all be proud. However, the British character is that we do not easily celebrate our successes; in fact, we more readily criticise, belittle and deprecate our culture and achievements—that is particularly true of Members on the Opposition Benches.

I hope that this afternoon I have been able to redress that balance a little for Sizewell B. I hope that all hon. Members will join today in sending a message of congratulations and thanks to those who built Sizewell B, to those who commissioned it and to those who are now operating it. I look forward to a future decision—which I think will be easier once privatisation is bedded in; that is one of the advantages of privatisation—to build another pressurised water reactor. This decision will need to be taken in order to maintain the balanced energy strategy to which I referred earlier.

Mr. Martin O'Neill: Is the hon. Gentleman aware that the first public utterance that British Energy made was to disavow any possibility of building any more nuclear power stations in the foreseeable future? Where has the hon. Gentleman been sleeping these past few months?

Dr. Spink: I declare an interest at this stage: I had lunch with the new chairman of British Energy, and he told me that, while there is no decision at the moment—because of the corporate structure development—to go forward with another PWR, he is not discounting the possibility of going forward with a new decision in the future. In fact, I think that most hon. Members received a letter from him yesterday explaining just that. It is in the national interest to have a balanced energy strategy with a 20 to 25 per cent. nuclear component. I do not see any hon. Members jumping to their feet to disavow that.

Mr. Alan W. Williams: If it is in the national interest to have that 20 per cent. nuclear energy component—I do not agree with it—the way to do it is to keep the nuclear industry in the public sector. That is the only way to retain that percentage.

Dr. Spink: I take a different view. As I have already said, I believe that the decision to build a second pressurised water reactor will be more easily taken once privatisation is bedded in—but I shall not repeat myself. It will become clearer, once the new privatised corporate structures are in place, how the balance can be struck rationally between the environmental, economic and operational considerations in the light of the prevailing financial, commercial and market circumstances, not to mention the technological developments I mentioned.

I am reasonably sanguine about the lack of a decision now to build a future PWR, but I do not want to see this country lose its expertise and its capability in this area. This country has excellent expertise—I am sure that all hon. Members will agree with that—and excellent capability to project-manage effectively and efficiently to build new major nuclear power plants. We have the expertise to do so within very strict time, cost and technical limits—and to do so successfully.

Perhaps this would be a good time to return to and to review the benefits of sensible, appropriate and rational privatisation. Privatisation offers many benefits—

which were set out in the White Paper, so I shall not repeat them all. I believe that the key benefit is that privatisation would impart to the nuclear industry the ability to make decisions to benefit the industry. One of the key things that will benefit the industry is a strong safety record in the future, as it has had in the past.

Privatisation—as with British Airways—will see the nuclear industry build on and improve its excellent safety and environmental record. To be commercially successful, the nuclear industry will have to be clean, careful and responsible—and I trust it to be just that.

Mr. Brian Wilson (Cunninghame, North): Will the hon. Gentleman give way?

Dr. Spink: I shall give way in a moment.

British Airways, in the private sector, has become more safe, not less so. A number of hon. Members raised concerns before the privatisation of British Airways—there was talk about planes falling out of the sky. The nuclear industry would also become more safe, not less so, because it is in its interests to do so. The crash of a plane is just as catastrophic for the people who are in the plane as the crash of a nuclear power station.

Mr. Wilson: The hon. Gentleman's comments are so bizarre that someone ought to intervene and say something, instead of laughing at him from a sedentary position. Is he seriously drawing a comparison between the safety implications of privatising an airline, in which the same staff stay in place, and the safety implications of privatising the nuclear industry? All available evidence shows us that already the pool of expertise that has been built up in that industry is breaking up, precisely because we will not be building new nuclear power stations in the future.

Dr. Spink: I am sorry that the hon. Gentleman should resort to being discourteous to me—there is no room in the debate for that. This is a technical debate, and we may disagree, but there is no point in the hon. Gentleman being discourteous to me. Does he not understand that bodies as diverse as the Health and Safety Commission and Greenpeace have said that privatisation does not mean that corners will be cut in safety?

I also welcome—and the hon. Gentleman should welcome—the fact that the Trade and Industry Select Committee, several of whose members I see on the Opposition Benches, said:

"privatisation . . . need not result in any reduction in nuclear safety".

That is an unequivocal fact. Has the hon. Gentleman not taken the trouble to brief himself in the Library and bring himself up to date with those matters?

Mr. Gallie: The hon. Member for Cunninghame, North (Mr. Wilson) has just come in. He has not listened to the debate, and may not have heard some of the comments about safety.

Does my hon. Friend accept that, as I believe, it is fair to return to comments made by Opposition Members when we were discussing the privatisation of British Airways to make comparisons simply to emphasise the fact that scaremongering about safety then had no basis in truth, and that that is the position now?

Dr. Spink: Yes; and of course I accept that a nuclear power station and an aeroplane have an entirely different scale of risk, but, as I said when I drew the simile, it is as catastrophic to die because of a safety problem on an aeroplane on which one is a passenger as for any other reason.

I believe that British Energy is committed to improving safety performance standards.

Mr. John Home Robertson (East Lothian): Will the hon. Gentleman give way?

Dr. Spink: I must crack on a little. I have taken an awful lot of interventions.

Mr. Home Robertson: You are cracking up.

Dr. Spink: Perhaps I will give way to you later if you will let me make progress.

Madam Deputy Speaker (Dame Janet Fookes): Order. May I remind the hon. Gentleman that he is addressing me always? A few odd "yous" are floating about, which do not really have a proper place.

Dr. Spink: I am still a very junior Member, as you know, Madam Deputy Speaker, but learning fast. Thank you for that.

British Energy is committed to improving safety performance and safety standards; it has said so. I also understand that the nuclear installations inspectorate, which would not be weakened, and the newly privatised nuclear industry, would enjoy a more transparent arm's-length relationship than they did when they were both effectively together in the public sector. That may be a healthier, more positive relationship. That is a significant advantage, which has not been spotted or spoken of—at least not by the Select Committee.

As British Airways has cogently demonstrated, profit and safety are not mutually exclusive. With regret and sadness rather than anger, I deplore the fact that the right hon. Member for Derby, South (Mrs. Beckett) sought to scaremonger on the safety issue, but her words will not wash. They stand exposed as simply political rhetoric, and she will rightly be condemned by management and workers in the nuclear industry. I know the hon. Lady to be a decent lady, and I feel that she will want to apologise when she reads her words tomorrow in *Hansard*.

Mr. Home Robertson: Will the hon. Gentleman give way?

Dr. Spink: In a moment.

As I said, privatisation brings many benefits; I shall list them and then give way. First, it enables nuclear generators to raise capital and establish rational investment programmes, reflecting the market and commercial circumstances in which they will operate. It brings increased competition and downward price pressure to the electricity market. My right hon. Friend the Minister cited many fine examples of price reductions that my constituents and the constituents of Labour Members have enjoyed as a result of the privatisation of gas, electricity, British Telecom and so on.

[Dr. Spink]

Another benefit will be that the nuclear industry will be able to compete successfully abroad, as British Gas does.

Mr. Battle: Regarding the benefits to consumers in electricity prices, will the privatised British Energy company receive preferential treatment into the grid and the pool?

Dr. Spink: Those are detailed matters, on which I am not briefed now, and I should not like to chance my arm in this debate. No doubt my hon. Friend the Minister for Small Business, Industry and Energy has heard the question, and will discuss the subject when he replies.

Mr. Purchase *rose—*

Dr. Spink: Let me finish describing the benefits, Madam Deputy Speaker. I have not received any brief on this subject from the Conservative research office or anyone else. These are my personal thoughts on privatisation, so let me finish.

Mr. Purchase *rose—*

Dr. Spink: Let me finish listing the benefits.

There will be benefits for the taxpayer, and therefore for the economy and the national interest. Those benefits come by many routes—not least by removing nuclear liabilities and subsidies and by giving a level playing field to the nuclear industry, helping us to achieve the greater goal of making Britain the enterprise centre of Europe.

The decision to privatise must be placed in that context, because it will raise money for the Exchequer instead of taking money from it. As previous privatisations have done, it will enable Britain to generate more wealth. Only by generating more wealth can we care better for vulnerable people, pay better pensions, make necessary investments in health and education, and care better for our environment. We all know that a rich country is generally a cleaner country. Those benefits are not inconsequential or insubstantial.

My hon. Friend the Member for Welwyn Hatfield (Mr. Evans) is not in the Chamber, but I am sure that he would welcome the fact that the workers will have the opportunity to take a direct stake in their future. That is another benefit. From what I heard of my hon. Friend's stakeholder Adjournment debate on 19 March 1996—an excellent debate, which I recommend all hon. Members to read—I judge that he will regard privatisation as the real way to give workers and the people of this country a genuine stake in their society.

I shall now discuss the Magnox reactors, but I give way first to the hon. Member for Wolverhampton, North–East (Mr. Purchase).

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Deputy Speaker. Madam Speaker has expressed from time to time the hope that, in these limited three-hour debates, speeches are not excessively long.

Madam Deputy Speaker: I do not think that, by any standards, the length of the present speech could be described as excessive, but I take the hon. Gentleman's point that this is a half-day debate, and I am sure that all hon. Members will bear that in mind.

Mr. Spink: With that in mind, I give way to the hon. Member for Wolverhampton, North–East, and ask him to be brief.

Mr. Purchase: I will be expeditious. *[Laughter]* If it is in order to be—

Madam Deputy Speaker: The onus is on the hon. Gentleman to be brief.

Mr. Purchase: I shall try to be helpful and to fill a gap in the hon. Gentleman's knowledge of the detail. Is he not aware that the present arrangement is that the nuclear industry supplies 20 per cent. of base load, and that that is not intended to change? Is it not unique for anyone to be guaranteed anything in a free market, and does it not shoot a hole in his arguments about competition?

Dr. Spink: Of course I am aware of that fact. I am not aware of the precise arrangements that will be written into the privatisation documents. I should not like to pretend that I know something that I do not. I do not know, and no Opposition Member knows, what the detail will be.

Magnox reactors are central to the privatisation debate. There will be a complete split between Nuclear Electric and Magnox Electric on 31 March, when the new companies are vested. Magnox Electric will comprise six operating stations, which will produce about 8 per cent. of the electricity in England and Wales. We all know that three Magnox stations have been shut down. The company will transfer to British Nuclear Fuels Plc once British Energy is privatised. I believe that that is consistent with the conclusions of the Trade and Industry Select Committee inquiry, as the Committee found that privatisation must be considered in the context of what happens to Magnox reactors.

Obviously, it is in the national interest for Magnox reactors to continue to generate while it is safe and economic for them to do so. If they were replaced early, new capacity would need to be created to fill the gap. That is common sense. That would have an impact on the environment in the building, commissioning, operating and any eventual decommissioning of that new capacity. There would also be inevitable capital and operating cost implications and implications for the competitiveness of our electricity generating industry, and therefore that of many other industries.

The impact on our economy cannot be denied. We cannot divorce the decisions regarding Magnox plant life, for example, from the general performance of our economy and our ability to care for the environment. Last week, the Leader of the Opposition said that politicians must be tough enough to take the hard, but responsible, decisions. I wonder whether he will act upon his fine words: I suspect that his hon. Friends would not allow him to, so the answer is no.

Having dealt with the macro-economics of Magnox, I turn now to the micro-economics. Magnox reactors generate electricity at a marginal cost of 1.4p per unit. That is a low figure, because the capital costs have been spent and the decommissioning costs are unavoidable,

irrespective of when the reactors are finally shut down. The 1.4p unit cost delivers a very good profit margin, as the electricity is sold from the station at 2.5p per unit.

Therefore, closing the Magnox reactors early would not only bring an increased environmental threat and possibly a greater safety risk, but would also cost the country several hundred million pounds. There is no environmental or economic justification for such a decision. The final decision to shut down the Magnox reactors must be taken entirely according to safe operating considerations. That fact is absolutely clear, and I know that the Minister will confirm it.

A few months ago, I spoke about the waste management and decommissioning activities of British Nuclear Fuels plc, about its strength, its excellent management team and work force, its dedication to responsible operations, and of course its considerable foreign earnings, which are very important. I shall not reiterate those points today.

However, I note that the Opposition refused, in reply to my earlier intervention, to pledge to renationalise the nuclear power industry. The people of this country are not stupid: they know that the Opposition have opposed every major privatisation, and that, in every case, they have later conceded that those privatisations are irreversible. On balance, the Opposition now agree that those privatisations are good for the previously nationalised industries and for Britain. Opposition Members say one thing and do another.

5.22 pm

Mr. Matthew Taylor (Truro): One of the first political campaigns in which I was involved—not as a politician, but as someone concerned about the environment—opposed the building of a nuclear power station in Cornwall. During that campaign, we argued frequently that nuclear power was an uneconomic proposition. We put that argument some 17 or 18 years ago, and now even the Government have been forced to acknowledge that we were right: the sums that were presented did not add up. Listening to the Minister's comments about privatisation and the sums it involves, I have a feeling of deja vu: once again, the Government are offering figures that simply do not add up.

The Liberal Democrats, unlike the Labour party, have not opposed every privatisation measure. We supported privatisation when we believed that it was in the public interest and, when we believed that a different form of privatisation would be more appropriate, we argued against the form rather than the principle. However, in this case I believe that both the form and the principle are wrong. The Government have made a gross misjudgment and, if they live long enough, they may regret it—although, looking at the current political situation, I rather doubt that this Government will have to deal with the problems.

Conservative Members have argued that the figures will stand up, that they have worked through their plans and that they know what direction privatisation will take. The truth is that, so far, the privatisation process has been marked by confusion, chaos and inconsistency. There has been ill-hidden conflict with British Energy about the scale of liabilities that should follow assets into the private sector, the European Commission is investigating whether illegal state aid may be involved in the sale, and the recent Trade and Industry Select Committee report contains serious criticism of the Government's plans.

Perhaps we should expect no better from a Government that have tried to move along the privatisation with the minimum of debate and little parliamentary scrutiny. Quite frankly, it is an insult to our democratic system. The controversy and the secrecy surrounding the proposed privatisation stem directly from the Government's single-minded determination—flying in the face of caution and common sense—to privatise the profitable parts of the industry while leaving the liabilities in the public sector. The Minister's comments do not convince me—or the general public—otherwise. Taxpayers in general are expected once again to subsidise the profits of a few.

The recent Trade and Industry Select Committee inquiry into nuclear privatisation expressed some very clear concerns, and its report makes a series of recommendations designed to safeguard taxpayers' interests. Although it does not say so, the recommendations imply further costs, which raise further questions about the viability of the privatisation proposals. The fact that the report has scarcely been acknowledged, let alone received a reply—that was true also of the Minister's comments this afternoon—will not surprise anyone who has been following the Government's confusion as they struggle to privatise the industry.

The Government now know what they always refused to admit: the nuclear industry is economically unviable. It cannot compete in the open market with other forms of power generation, despite being touted previously as a source of cheap power for the future. Even the Government admit that new nuclear power stations will not be built—at least as things stand currently—because they cannot compete in the marketplace with other forms of power generation.

The Government's White Paper concedes that no new nuclear power stations will be built without Government subsidy—in other words, the private sector will not build new nuclear power stations. I believe that everything that the hon. Member for Castle Point (Dr. Spink) said on that subject—as well as most of his other remarks—was wrong. The Minister and the Government have conceded the point in their publications. Nuclear Electric has said that, given current market conditions and according to purely commercial criteria, the building of new nuclear power stations is unviable. It could not be more black and white.

Despite the Conservative Government's earlier misplaced hopes, the nuclear industry has become nothing more than a white elephant. Therefore, the Government have unwillingly moved the goalposts: their approach to the industry is one of damage limitation. Their political goal is to offload the white elephant and quietly run down the industry. The Conservatives do not admit that: openness is not a charge that can be levelled against the Government. In public, Conservative Members espouse the virtues of nuclear power and argue that privatisation can bring benefits to the nuclear industry while relieving the financial burden on the taxpayer. That proposition does not add up: it is blatantly untrue. It seems that the Conservatives do not always say what they mean—and sometimes they do not even mean what they say.

The Government laid the first myth to rest in their White Paper: there will be no new nuclear power stations in the private sector. The industry's future lies in cleaning up the

[Mr. Matthew Taylor]

mess rather than in generating energy. The second myth—that privatising the industry will benefit the taxpayer—can be dispelled just as easily. Conservative Members tell us constantly that the industry's liabilities will no longer fall on the taxpayer.

The potential cost of accidents is enormous, and there are still major questions to be answered on safety and decommissioning. The accident at Chernobyl, in the immediate aftermath alone, cost £200 billion, and long-term costs cannot even be calculated. The private sector incident at Three Mile Island also cost huge amounts of money. Who will be left to pay the price in the event of another accident? The public, of course, will have to pay it.

International conventions, to which the Minister referred earlier, do not make the policy right or justify the Government's continuing with it. They also do not explain the fact that other industries hold public sector liability through insurance schemes that vastly exceeds the amount that the Government will demand of the nuclear industry, despite the fact that the possible costs of a serious nuclear accident would be greater.

Remarkably, the Government appear to be unworried at the prospect of an accident in this country. Threatened cuts to the Health and Safety Commission are putting safety at risk in all privatised industries, and nowhere is that issue more poignantly evident than in the nuclear industry.

The Health and Safety Commission is there not only to investigate large-scale accidents but to make snap inspections in privatised industries, and it has its work cut out for it. Britain's nuclear installations inspectorate has 265 staff to watch over more than 41 reactors. The US Nuclear Regulatory Commission has more than 3,000 staff to monitor 109 reactors, which is more than four times as many inspectors for each nuclear power station. One must ask whether that already low ratio will decline even more after privatisation.

British Energy must be gratified to know that the Government have such enormous faith in it. The public, however, do not have such faith, and their concerns deserve a better answer from the Government than they have so far received.

There is also chaos and confusion in the Government's policy on decommissioning. We have consistently been told that the private sector will shoulder all liabilities as part of nuclear privatisation. The Minister made that statement again earlier in this debate. The private sector will not shoulder the liability in relation to "the insurance issue", in the Minister's own words, so I am not sure how he can make that argument generally. We have also heard rumblings for some time that British Energy found that premise untenable. Once again, shareholders' concerns are being made paramount.

The Government have U-turned, reversing their policy that liabilities should follow assets by pledging £230 million to help cover liabilities. To all intents and purposes, that is a use of public money, and it has been promised to salvage privatisation and to meet the company's concerns. At the very least, that pledge alters the cost-benefit ratio between potential shareholders in the privatised industry and those who will be selling the industry because it changes the ratio of who pays for what in the future. That is a scandalous misuse of money, and it appears to confirm again that the Government accept that nuclear privatisation, in any genuine terms, is unviable.

The liabilities issue is, of course, a unique feature in the economics of nuclear power privatisation. The Trade and Industry Select Committee report recognises that and comments particularly on their enormous size, the large element of uncertainty about them and the fact that some liabilities will not fall due for a century or more. The truth is that we do not know the total cost of decommissioning or when or how that process will end. The segregated fund that is supposed to cover the cost of decommissioning, even with the initial £230 million investment, may not pay those costs.

There must be serious doubts whether there will be enough revenue to cover the estimated £8.5 billion cost of decommissioning British Energy's eight power stations when they become obsolete. If there is a shortfall, who will pay for it? The answer is obvious; it will be our children and our children's children. They will be paying for decades for the mismanagement—before and after privatisation—of the nuclear industry.

Who will pay for decommissioning outside the privatised sector of the industry? Where will revenue be found after the profits to be made in the industry are hived off to British Energy's shareholders? In effect, privatisation is diverting future income into the private sector dividends and away from the important task of discharging liabilities, which, in total, remain underfunded.

The British public have already paid for decommissioning through the fossil fuel levy on electricity bills, but that money went to build Sizewell B. The taxpayer is now expected to provide that money again. That cannot be justified. If this privatisation goes ahead, the question is not only whether the Government will return the £1.8 billion that was diverted to Sizewell B, but, even more important, whether £1.8 billion will be realised in the sale—or whether the Government will get less money in the privatisation than the taxpayer has already provided for use in decommissioning.

The cost of decommissioning power stations is only one of several liabilities—the Minister did not mention the other liabilities. Other costs incurred after a power station has closed and revenue ceases include reprocessing of the final core, disposal of intermediate and high-level waste and decommissioning of British Nuclear's facilities. None of those liabilities is properly met by the Government's plans.

Mr. Dalyell: Before the Minister shakes his head at the question of decommissioning, the fact nevertheless remains that, when I was at Sizewell yesterday, many serious members of the nuclear community took the view that the Government were still arguing about decommissioning and were in no mood to accept that they should be responsible.

Mr. Taylor: The hon. Gentleman is absolutely right. The real issue is that the Government are cutting off the flow of money to the public which would help to meet those—as yet incalculable—liabilities in the future, and that they are doing so while transferring only limited liabilities to the private sector, without proper guarantees that it will meet even those limited liabilities.

The Government seem happy to rely on the assumption that, many decades hence, a private company will discharge substantial liabilities long after its existing reactors have ceased producing revenue. As the Select Committee report points out, that is not a sufficiently reliable arrangement—but the Minister chose not to respond to the Select Committee's concerns, let alone to the concerns of Opposition parties.

The Government should listen to the weight of public concern on the issue. This privatisation is not good for the taxpayer. It raises enormous and as yet unanswered questions of safety and cost for the general public, and it should be stopped immediately. If the Government had to clear up the mess that they will cause with this privatisation, I am quite convinced that they would live to regret it. It is more likely that others will, sadly, have to tackle those problems.

5.37 pm

Mr. Phil Gallie (Ayr): I immediately take the hon. Member for Truro (Mr. Taylor) to task on three issues. On the issue of nuclear industry economics, he said that the Government were wrong in the past to expect cheaper units from the nuclear industry. He is wrong. I shall explain later how the price of nuclear energy—the nuclear unit—has been driven down, disproving his point.

The hon. Gentleman has also ignored the important environmental benefit of nuclear energy. Nuclear energy is certainly clean and environmentally friendly in respect of air conditions, but that causes a great problem for me and for people in Scotland who work in the power industry. Fifty per cent. of our power generation is tied up in very good nuclear plant. Because of the limitations on gas emissions created some years ago, very strict limits were placed on the amounts of carbon dioxide and nitrogen dioxide that could be emitted by fossil fuel-powered stations, and those limits made it impractical to use fossil fuel-powered stations to a greater extent. The nuclear industry provides environmental benefits to this country, and that is why nuclear power stations were very much desired back in the 1960s, 1970s and 1980s, for which we should all be grateful.

The hon. Member for Truro also described the nuclear industry as a white elephant. I do not often quote the words of the right hon. Member for Chesterfield (Mr. Benn) with approval, but I agree far more with his vision of the industry than with the hon. Gentleman's.

The motions on the Order Paper for this debate clearly reflect the differences between the Conservative and Labour parties. The Conservative party's role is to govern; the Labour party's is to form the Opposition. Our motion is positive, appreciative of the industry and forward-looking. The motion moved by the right hon. Member for Derby, South (Mrs. Beckett) is hesitant and—typically—scaremongering. That is wholly unjustifiable. The right hon. Lady protested her innocence in this respect, but she should read her motion again. It speaks of

"potential hazards to the public."

That is scaremongering by any other name. So if she really objects to being accused of scaremongering, she should do the honourable thing and withdraw her motion. It is ill conceived.

Mr. Battle: What is the hon. Gentleman's view of the nuclear installations inspectorate's report on what has happened at Heysham B and Torness?

Mr. Gallie: The nuclear installations inspectorate has done the job it is there to do, in the public sector or the private sector. It has identified a problem that the industry will have to rectify. That is precisely as it should be. I do not honestly understand the point of the hon. Gentleman's intervention—

Mr. Battle: Those two reactors have been shut down—it has actually happened. Is not that a legitimate matter for concern?

Mr. Gallie: Not for the future operation of the nuclear industry. This is a question of confidence. If there is a problem with a reactor and a consequent threat to public safety, it must be shut down. That is the same whether it is owned by the public or the private sector. So I do not understand the hon. Gentleman's intervention.

Mr. Wilson: Try mine. I have no doubt that the hon. Gentleman expresses his confidence in the privatised nuclear industry in good faith, but I do not see why we should accept his word as opposed to that of Captain Richard Killick, a former nuclear submarine commander and thereafter director of safety at Scottish Nuclear. He has warned in specific terms of the increased dangers and risks inherent in the privatisation of the industry.

Mr. Gallie: I have probably spent more time in the electricity supply industry than Commander Killick has. His opinions differ from those of others in Scottish Nuclear. Why should I believe his opinions as opposed to those of other sages who have been involved in the industry for many years and who are highly competent?

During the opening speech of the right hon. Member for Derby, South, I referred to a report on Hunterston station which shows that safety there has recently been improved beyond recognition.

The Labour motion suggests, as usual, that the Government are rushing ahead. What does the Labour party think the Government should be doing? Whenever the Government take a decision, we are told that they are taking it too hastily. We have been talking about this issue since the mid-1980s. The Labour party is great at talking, but I doubt whether it would ever achieve anything if it got into government—which remains a dubious proposition.

Mr. Wilson *rose—*

Mr. Gallie: I know that other hon. Members, such as the hon. Member for Linlithgow (Mr. Dalyell), want to speak in this debate, and I do not want to be delayed by too many interventions. The hon. Gentleman, however, is most persuasive.

Mr. Wilson: I do not want to speak in the debate, although I shall certainly listen to it. The hon. Gentleman

[Mr. Wilson]

has missed out some of the history. When this issue was discussed in the mid-1980s, privatisation was rejected. It has only been reborn as a cynical political device to raise money for tax cuts before a general election. If the hon. Gentleman is going to quote history, let him at least quote it accurately.

Mr. Gallie: The hon. Gentleman will not allow me the opportunity to do so—he keeps jumping up and down and intervening. I shall deal with all the points to which he refers later in my speech.

The nuclear industry has been built on the successes of private industry—of companies such as Parsons, English Electric, AEI, Clarke Chapman, Babcock, Weir, Howden, and John Brown. I could reel off many more names of great British companies that have helped to build up the nuclear industry; all of them private, all subject to the inspectorate, and all meeting the requirements of the inspectorate and delivering the goods. We should therefore entertain no fears about the privatisation of the industry.

One has only to think of the privatisations of British Airways, British Gas, telephones and electricity to recall that, each time, Opposition Members protested and went in for all kinds of scaremongering. With one or two exceptions—I think of British Gas's performance recently—these privatisations have been successful. Safety has never been compromised, and there have been no problems. Nor will there be in the future, whichever sector the industry belongs to.

The British Government have led the way on privatisation, and other nations around the world have followed suit. We have had the courage to do what we believe in. The Labour party, too, has followed our lead and now acknowledges that there is no way back: nationalisation was bad for this country, and Labour would not reintroduce it. New Labour is right at least about that, although I doubt whether some Opposition Members missing from their places below the Gangway would agree with everything that new Labour stands for.

I am one of the few Members of this House to have worked in a nuclear power station. It was in the constituency of the hon. Member for Cunninghame, North (Mr. Wilson). I refer to Hunterston; I have also worked at Torness. At Hunterston, we had Magnox reactors and generating sets which outperformed virtually all the other Magnox stations throughout the 1960s, 1970s and into the 1980s. We in Ayrshire have much to be proud of. The advanced gas-cooled reactors at Hunterston B performed magnificently over the years, as I am sure the hon. Member for Cunninghame, North will agree,

Mr. Wilson *indicated assent.*

Mr. Gallie: The hon. Member for Wolverhampton, North–East (Mr. Purchase) said that with privatisation will come pay and productivity schemes. One of my tasks in the electricity supply industry was to introduce pay and productivity schemes in the 1970s and 1980s. They were tools used by the public sector. They are therefore not the preserve of the private sector. The hon. Gentleman's comments bore no relation to the world of work.

My role at Hunterston involved quality assurance. I admit that it was probably one of the worse jobs I have ever had. It buried me in paper, so it could be said that it was good practice for being a Member of Parliament. Although I did not enjoy my work, it helped me to understand the complexity of safety regulations in the nuclear industry.

This is an extremely complex matter that entails going into every detail. Quite honestly, safety regulations are built into the industry in such a way that they can never be shaken loose. Safety is part of the nuclear culture and is instilled into those who operate the stations now and in future.

Mr. Wilson: I am grateful to the hon. Gentleman for making our case. Everyone I know who works in the industry would agree with everything that he has said in the past few minutes, but would draw a diametrically opposite conclusion. The folly of privatisation is that those who have built up experience in the industry and are steeped in its safety culture are leaving the industry in droves because they see no future in it. What they and Captain Killick see is increasing contractorisation and people coming into the industry without that commendable background in safety to which the hon. Gentleman refers.

Mr. Gallie: Once again, I disagree with the hon. Gentleman against a background of experience and involvement. I was an employee of the nationalised industry when it was the South of Scotland electricity board. At the time, the employees had the same fears and concerns for safety standards, but when changes were made and the industry entered the private sector, many of the old shackles, particularly on station management, were removed and there was a new freedom within the industry in which individuals could use their skills.

We should take a positive view. Perhaps my views differ from those of people who are currently employed in the nuclear industry, but no one likes change. That is exactly as it was in the old days of the SSEB. However, people absorb change. Things have changed in the electricity industry. The number of employees has decreased because there was little doubt that it was overmanned. That is not quite the same in today's Scottish Nuclear, but there have been changes as we have moved towards privatisation. That is why the performance of the stations has improved so much.

Not only will the employees and the industry benefit—so will the consumers. The hon. Member for Cunninghame, North asked me to look back at the lessons of history. One of the lessons I learned at the time was the sadness in the SSEB that the nuclear industry was to be separated from the new Scottish Power. At that time, there was a feeling that it would have been tremendous if the nuclear stations could have been incorporated in the vertically integrated Scottish Power and Scottish Hydro-Electric, which no doubt would have had a share. People in the industry at the time regretted that omission. On that basis, I suggest that the hon. Gentleman's earlier intervention has been turned on its head.

We should consider the progress that has been made in the nuclear industry. Today we talk about British Energy plc, but it has two components: Scottish Nuclear and Nuclear Electric. Although I recognise the achievements of Nuclear Electric in driving down its unit costs and increasing productivity by 100 per cent., I make no apologies for concentrating on some of the achievements of Scottish Nuclear over the past two or three years.

Two or three years ago, Peter Robson, the director of production at Hunterston, told me that his target was to reduce the cost of nuclear generation from 3.2p to 2.2p per unit. I was pretty sceptical about whether that could be achieved, but remarkably, it has been achieved in the run-up to privatisation. It has been achieved against the background of a falling roll, an increase in safety standards and an improvement in plant at Hunterston. The hon. Member for Cunninghame, North will confirm that. If he is not prepared to do so, he should look at the report of the operational safety review team of the International Atomic Energy Agency, which demonstrates that safety standards have been improved.

The report states:

"Significant improvements have been made in the preservation and material condition of plant systems and equipment through enhanced maintenance and conscientious attention to identifying and correcting equipment problems."

That does not suggest that morale is falling in the work force at Hunterston. The report continues:

"Training programmes have been substantially strengthened".

That is a remarkable achievement against a background of falling work rolls. It concludes:

"A stronger emphasis on nuclear and industrial safety in the station is evident."

Yet Opposition Members tell us that we should be concerned about safety. I have no such concerns as those in the industry are showing the way forward.

A letter dated 15 May from the British Nuclear Industry Forum states that privatisation will lead to new standards and enhanced concentration on safety matters and export potential can be raised. It stresses the importance of diversity of supply. I have some nagging doubts on the latter point, given that I want to see investment in the nuclear industry. Like the right hon. Member for Chesterfield, I believe that there is potential to expand nuclear generation as we move into the next century. Perhaps my hon. Friend will give us some words of comfort in his reply to the debate.

When I look back at the industry in the public sector, I pay tribute to John Collier and to James Hann, who was part of the nuclear industry for too short a time.

Mr. Alan W. Williams: On a point of order, Madam Deputy Speaker. We are running out of time, yet we have heard two speeches from Conservative Back-Bench Members that have lasted for more than 20 minutes. As at least four Opposition Members would like to take part in the debate, will you ask the hon. Gentleman to conclude his comments?

Madam Deputy Speaker: I have no powers under the Standing Order which can be invoked to shorten speeches. However, I should point out that from the point of view of the Chair, it is possible for the debate to run till 10 o'clock.

Mr. Gallie: I stated earlier, when I gave way to a host of interventions, that I might overrun. I feel passionately about the industry; it is my industry and I want to contribute to it. I am only sorry that so few Members are here today. I would have thought that on an Opposition motion on this issue, the Opposition Benches would have been packed, but that is not the case.

I want to make one point on the old public sector and the decision in the 1970s to develop the advanced gas-cooled reactors. I was great fan of the AGRs, but in retrospect it may have been a wrong decision because they were not commercially viable. I wonder whether a different decision would have been taken had the industry been in the private sector. I remain a fan of AGRs, but we have to face reality. We have not sold them abroad and we have not been able to cash in on them and it is unlikely that any further AGRs will be built. That is reality and we have to face up to it, but would it have been different had the industry been privatised from the start?

I had intended to list a host of reasons why privatisation would have been good for the industry, but I shall refrain from that. My hon. Friends have already made some points, so I shall allow other Members to contribute to the debate.

5.59 pm

Mr. Martin O'Neill (Clackmannan): I realise that the hon. Member for Ayr (Mr. Gallie) faced two problems. First, he was only the second Conservative Member who was prepared to defend the privatisation today; secondly, he has an affection for the industry, which he described as "his" industry. That is understandable—it is the hallmark of many public sector enterprises—but the hon. Gentleman should recognise that, if the motion is defeated, the nuclear industry will no longer be his industry: it will become the possession of those who want and can afford to buy into it.

In investigating the privatisation, the Select Committee dwelt at some length on safety, partly because the Committee was impressed by the testimony of Captain Killick. He was one of those responsible for the dramatic increases in efficiency that took place—consistent with safety—in Scottish Nuclear, and his concern about safety drew the attention of all Committee members to the issue. We also feared that the scheme, which at that time was just an idea, would provide executive perks which might prejudice decisions on critical safety matters.

In the recent past, it has been suggested that decisions relating to the closure of power stations were not made as timeously as they might have been because of wider commercial considerations. I do not make that point lightly; I want to put it on the record. We need assurances about the nuclear installations inspectorate. The hon. Member for Truro (Mr. Taylor) pointed out that the United States had many more inspectors. There is a reason for that: safety has never been an in-house responsibility in the American nuclear industry as it has in the publicly owned British industry, whose different structure led to a different degree of monitoring and regulation. It is wrong to suggest that the United States has more inspectors because the work is more dangerous. We fear that, following a change in the ownership of the nuclear industry and the introduction of different priorities, we may see the collapse of the safety culture that has been at the heart of much of the safety that we have enjoyed.

I do not subscribe to the view that we are just waiting for a Chernobyl to happen, or that Three Mile Island is just around the corner. Such suggestions are irresponsible, degrading and demeaning to people who work in the industry, whose record is as good as those in most other parts of the world—if not better.

One of the problems of privatisation is that the demand for profit will lead to jitteriness at every turn. We have already seen that in relation to the refuelling

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issue. We know that a 1 per cent. drop in output will result in a loss of £140 million, and that, if we do not see an increase from 74.5 per cent. to 82.5 per cent., the privatised industry will be in very precarious circumstances in its first year of operation.

If I "scaremonger", it will not be about safety; it will be about the commercial concerns of potential investors. If they cannot be guaranteed substantial profits over a short time, they will not be interested. We have observed the fickleness of the British public in this regard: we saw the way in which they went off British Gas in a very short time. Throughout the debate, my hon. Friend the Member for Leeds, West (Mr. Battle) has reminded the House from a sedentary position that we have seen the spectre of Yorkshire Water. We know that a number of privatised concerns are not run effectively, and already it is likely that this industry will be sold for less than its asset value. For a time it may well be profitable, but during that time we shall see the building up of share options, the introduction of performance-related pay and all the mistakes that have been made by the other privatised utilities.

At some point, there may well be a case for further investment in nuclear power. I am not one of those who think that the door is locked. I do not believe that anyone need go into the room now, but in four or five years we may have to consider providing additional nuclear capacity in about 10 years to replace the capacity that will be closed down. We shall need that capacity even if we are to have coal-fired power stations, which are by their nature a greater pollutant. If we want a balanced energy policy, and if we want to take advantage of the opportunities open to us, we cannot realistically exclude the nuclear element. The fact is, however, that that element is not an attractive proposition—at least at the present time—to those who will own and run the new British Energy.

Those people are not concerned with national energy matters; they are preoccupied with the need to secure a return for their investors. They are not concerned about the country's energy priorities. Some of us, however, are concerned about those issues and we believe that there should be some planning and foresight. No kind of power station can be built in the short term; it is not possible to sign up exclusively to a single energy source, such as gas, and then a few years later build a couple of coal-fired power stations or a nuclear power station. In about 10 years, there may be a drop in generating capacity, and in about four years we must be capable of making choices. I do not think that a privately owned nuclear generating industry will be interested in a form of energy which—although it may be environmentally attractive, and important in terms of national economic priorities—cannot generate electricity at prices that will attract the market. If national energy priorities are to be met, nuclear energy generation must be publicly owned.

Perhaps the Government are leaving a way out in the form of Magnox Electric. I know that there is a good deal of ambition in British Nuclear Fuels plc and in Magnox Electric, but neither body is integrated at present. I have the impression that they are not even speaking to each other, although they will both be under the BNFL umbrella. I also have the impression that the Government could not give two hoots: I suspect that they do not see this as a means of generating electricity but that, according to the "stand on your head" approach that is a hallmark of nuclear economics, it is better to keep the Magnox stations running because it is more dangerous and expensive for them to lie idle or to be abandoned. They must therefore be sustained until the end of their natural lives, which may last a bit longer than we think. Beyond that, we have no clear indication of what will happen to the Magnox stations. We know that BNFL's main role will be in decommissioning.

As for the long-term prospects for future generating capacity, the Government have made it clear—the Minister certainly made it clear in his evidence to the Select Committee—that they are not interested in a new public sector for nuclear power. I consider the deal to be very short sighted. It is regrettable that the Minister has made little or no attempt today to address any of the recommendations in our report. We are three days away from the vesting date of the new companies, and we were led to believe that a prospectus would appear after 1 April. We were told that there was a good deal of work to be done, but that the Government were confident that that date would be met. I do not think that 6 pm on 26 March, four working days before the end of the month, is too early to expect Ministers to come here and tell us how they would deal with the questions that we have put to them.

The Government have signally failed on every issue. Yesterday's statement served only to confuse the situation. We are not sure what the £230 million is for. Perhaps when the Minister for Small Business, Industry and Energy winds up the debate he will tell us whether that sum is a provision for the defuelling of the nuclear core in the abandoned reactor. If not, will that sum be included in the segregated funds? What will the discount rate in the segregated fund be? Those are the critical points that investors will want to know. Ministers may have to wait until April fools day before they tell the world because they have not worked it out, but the House is entitled to know the answers.

The purpose of Select Committees is to monitor and to ask awkward questions. Sometimes they get embarrassing answers, but we have yet to get any answers from the Minister for Industry and Energy. I thought that it was personal because for years I have been abused by the Minister and I thought that he did not like me. I now realise that that is how he treats everyone who speaks in the House on energy matters. He substitutes insult and bluster for argument, logic and fact.

I know that the Minister for Small Business, Industry and Energy is the junior Minister and he is more constrained. I hope that tonight he will confirm that three months of work by the Select Committee—I came into the investigation later in the proceedings, but I speak for my colleagues on the Select Committee from both sides of the House—was not in vain and that the Government have taken it seriously. I hope that the report has been addressed in a way that respects the status of the Select Committee and its serious conclusions.

I doubt whether we shall get that confirmation, such is the desperate desire of the Government to get rid of nuclear power and to sell anything that they can to raise money for tax cuts. The money would have been used for tax cuts, but now it will probably be spent on compensation for farmers. That is perhaps even more

regrettable because it is yet another example of the short-sightedness of the Government and their refusal to pay proper attention to regulatory responsibility.

That is the core of the safety argument. If effective regulation of the nuclear industry is not forthcoming, investors in the industry will be so worried that they will withdraw their money and they may not even invest in the initial float later this year—if it happens.

6.14 pm

Mr. Michael Clapham (Barnsley, West and Penistone): I wish to answer some of the points raised by the hon. Members for Ayr (Mr. Gallie) and for Castle Point (Dr. Spink). The Government's proposals are ill conceived and, indeed, flawed. That is not just my view, but that of the Select Committee on Trade and Industry, which identified several of those flaws. If the Minister for Small Business, Industry and Energy cares to spend some time on the Select Committee report, he will note that those flaws are clearly set out in the 18 recommendations made by the Select Committee.

I wish to deal briefly with the myth that seems to drive much of the Government's thinking—the myth that public is bad but private is efficient and good. The idea that the maximisation of shareholder value is best for the consumer has been shown to be shallow in case after case. In this instance, it is plain barmy, because profit and plutonium do not mix. A serious incident could arise from that ill-conceived mixture, and in my book that is just too great a risk to take.

Making profit the objective can result in corners being cut, to the detriment of all concerned. I draw the Minister's attention to the coal industry, which had a sound safety culture. It was the safest deep-mined coal industry in the world; yet this year we have seen an increase in fatalities and in the number of serious accidents. A change can be seen in the culture of industries when they are privatised, and that change is not for the better but to the detriment of the community.

The privatisation package consists of seven advanced gas-cooled reactors and one pressurised water reactor. The Magnox reactors, which are the dirtiest stations in the world, will remain in the public sector. In my view, the entire industry would be better off in the public sector. The nuclear industry's contribution to the generation of electricity is 28 per cent. of the United Kingdom's electricity needs. In Scotland, the figure is as much as 43 per cent. of the need. The contribution is all base-load electricity. In other words, it is bid into the pool at zero so that it can get on to the wires. That will ensure a constant income stream for the investors in the part of the industry that is to be privatised. That is why the Government want to privatise it. In logic, that part should remain in the public sector so that the taxpayer can get the benefit of an industry that has increased its productivity to a level comparable with other components of the energy industry.

Until 1990, the generation of nuclear electricity was very costly. The advanced gas-cooled reactors produced electricity at about 5.2p per kilowatt hour, but that figure has significantly improved and is now down to 2.7p per kilowatt hour. That has been achieved in the public sector and the industry has proved itself to be innovative, efficient, safe and cost-effective. That is another reason why the Government now want to privatise it.

Much has been said about safety. I do not want to scaremonger, but I draw the attention of the hon. Member for Ayr to some of the submissions made to the Trade and Industry Select Committee. Much has been made of the submission from Captain Killick, the former director of safety and quality for Scottish Nuclear. He said that an industry in the private sector

"is likely to seek to make small erosions into safety margins for commercial gain."

We have seen that happen time and again in the utilities.

Other submissions referred to the incident at Wylfa in Wales, when the station was not closed down for eight hours after a problem which could have caused real difficulties had been identified. The judge who fined Nuclear Electric said that he did not believe that commercial considerations had taken precedence. Had the industry been in the private sector, he could not have been so sure.

The Health and Safety Executive made the point in its submission that there was a tendency for the privatised industries to improve safety. I take that on board, but a leaked letter which appeared in the press last week pointed out that the cut in the budget of the Health and Safety Executive would result in a reduction in the number of inspectors and that they would therefore not be able to ensure compliance, as they had previously, in a number of industries, including the nuclear industry.

The hon. Member for Ayr will be aware of the informal network among nuclear engineers by which information on problems at one station is passed to another. I suggest that when the industry is privatised that informal networking will not take place because the different companies will see it as a breach of commercial confidentiality for one group of engineers to pass information to another group. That could cause safety problems.

Much has been said about the Heysham incident. There is no doubt that the prolonged running of the advanced gas-cooled reactors is causing concern. Perhaps the problem that was identified at Heysham is a design fault and that is what has resulted in distortion in the fuel channels. If that is the case, it means that in future the stations cannot be refuelled while they are generating electricity, which means that they will not be as viable as they have been in the past. Perhaps in his winding-up speech the Minister will elaborate on the Heysham incident and tell us whether there is a design fault.

The Select Committee was told in evidence that the liabilities amount to a massive £32 billion in undiscounted terms. The undiscounted liabilities of the package that is to be privatised are almost £15 billion. The Minister said that the liability would follow the asset, and he confirmed that today. In evidence, the Select Committee identified areas of those liabilities that were not covered. They were, for example, the reprocessing of spent fuel and the management and disposal of radioactive waste on the decommissioning of stations. Those matters were not to be covered by the segregated fund, which therefore falls far short of meeting the liabilities that the industry will have to face. The Select Committee on Trade and Industry was specific on that point. It did not think that the proposed funds were sufficient to meet the needs of the industry and it asked the Minister to look again at the segregated fund with a view to covering the gaps.

We are told that the privatisation will raise £2.6 billion, but some people suggest that it will raise only £2 billion. Perhaps the Minister will elaborate on that and give us his view of the valuation, as £2 billion is just two thirds of

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the cost of building the pressurised water reactor that was officially opened only yesterday. As my right hon. Friend the Member for Derby, South (Mrs. Beckett) said, it was opened just in time to be privatised.

I urge Conservative Members to support the Labour motion because this will clearly be a bad sale. It will not be good for the consumer and it will certainly not be good for the taxpayer. If Conservative Members truly wish to represent their constituents, they should vote with the Opposition.

6.23 pm

Mr. Alan W. Williams (Carmarthen): I am grateful for the opportunity to make a few comments in this important debate. I start from a strongly anti-nuclear position, although I would rather see the nuclear industry in the public sector. The industry has a virtually lifelong history of loss making, and privatisation is nonsense when we consider that reactors cost about £13 billion to build and are now to be sold for just £2 billion. Decommissioning costs are projected forward 100 years, which is fairly arbitrary. If this debate were being held in 1986, we would not be speaking about a period of 100 years but about decommissioning at the end of a reactor's useful life. Perhaps in 10 years' time the policy will change again. People discount the time to a manageable figure, but it is all creative accounting.

My main concern is safety. I cannot help but feel that, when cuts are made and there is great commercial pressure, safety will be compromised. Nuclear Electric's productivity record over the past five years has been excellent, and I accept that electricity is cheaper now than it was five years ago, but that has largely been achieved by a 32 per cent. staff loss and it is projected that there could be anything up to a further 20 per cent. staff loss post-privatisation. Will that compromise safety?

My hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) spoke about the incident at Heysham, the importance of which could have a great bearing on the future of advanced gas-cooled reactors. The 70 ft fuel assembly became stuck during on-load refuelling because there were distortions in the channel. If those distortions were caused by the AGR being run flat out to make more profit for Nuclear Electric, they may occur in other AGRs. That poses questions about the future of on-load refuelling, and that means that the load factor falls substantially and eats into the economics of the privatised nuclear industry.

My hon. Friends the Members for Barnsley, West and Penistone and for Leeds, West (Mr. Battle) spoke about base load supply. The nuclear industry has a decisive competitive advantage in having 24-hour access to the national grid. Should that remain in the private sector? It is not genuine free competition. It is obvious that electricity produced by coal or gas would be much cheaper if plants could be run flat out over 24 hours.

I strongly challenge the economics of the privatised industry. Will it survive? There were serious problems with some AGRs over the winter at Dungeness, Hartlepool and Heysham. If they have effectively to be derated because of the problems of distortion, if the load factors start to fall, if the base load accessibility is taken away and if the nuclear levy is phased out, that will be the scenario for British Energy's becoming bankrupt early in the next century.

6.27 pm

Mr. Tam Dalyell (Linlithgow): I have four questions, to which the Minister might wish to reply in writing.

The greatest nightmare for many of us in relation to safety is what could happen at Kozloduy in Bulgaria, at any of the Czech stations, or at some of the Soviet stations such as Smolensk. The Minister will know that I met the Minister for Industry and Energy, the right hon. Member for Enfield, North (Mr. Eggar) and Dr. Walker in the Department about a year ago. In the past, considerable technical help was given by the British nuclear industry to try to prevent a catastrophe that would have mind-boggling effects, which would be the case if there were a Chernobyl 2 or anything like it anywhere in the world.

First, in the follow-up to privatisation, how can we be sure that British help to eastern Europe will continue when private industry may not have the same financial imperatives to help eastern Europe and the Soviet Union?

My second question concerns decommissioning. The Minister said that liabilities follow associated assets. I went to Sizewell yesterday for the opening, and spoke to many people in the nuclear community who were under the strong impression, rightly or wrongly, that talks about decommissioning were continuing. They had by no means thrown in the towel in their struggle to prove that decommissioning should not be their responsibility. There may be gross misunderstandings about that, but they exist none the less. Are the Government sure that the nuclear industry understands that liabilities follow the assets? There must be some grave misunderstanding on that issue, which should be cleared up tonight.

Thirdly, as I understand it, one of the Government's arguments is that, if the industry were privatised, it would have greater access to capital markets and therefore be in a better position to undertake work overseas. Why have the French, who have a nationalised industry, had no difficulty securing work overseas? If they can do it, why has the British industry found it so difficult? It really does not take privatisation to secure those important markets overseas, or at least to be considered for them. I ask the Government, why was this privatisation necessary from the point of view of orders abroad and the capital market?

I was told, again at Sizewell, and elsewhere, that a legal cottage industry has sprung up—a lawyers' paradise—around this privatisation offer. I shall give just one example. I am told that, in the prospectus for the Hartlepool power station, it was suggested that Hartlepool power station was in an industrial area on Teesside. My hon. Friend the Member for Middlesbrough (Mr. Bell) on the Front Bench is a Teesside Member of Parliament, as is the hon. Member for Stockton, South (Mr. Devlin). I am told on serious authority, and I have checked this, that the lawyers came back and said, "Prove that Hartlepool is an industrial area," because that would be the kind of advertising that it should not undertake. I gather that this kind of thing can be repeated more and more and that legal costs, because of so-called obligations under the Financial Services Act 1986, are spiralling. It is becoming an enormous added cost.

Are the Government in any position to do anything about the lawyers' paradise that is developing around the privatisation process?

6.33 pm

Mr. John Battle (Leeds, West): This is the first debate that we have had on the nuclear industry since the death, in November last year, of John Collier of Nuclear Electric. I am sure that we would all wish to pay tribute to his contribution to the development of the British nuclear industry.

On 4 March this year, the marketing programme and presentations for stockbroker analysts, fund managers and the financial press were publicly launched. The programme, managed on behalf of the Government by Barclays de Zoete Wedd, their financial adviser, and Dewe Rogerson, publicity advisers to the Government and to British Energy, will pave the way for the newly privatised company to be.

We are in the final countdown of the sale, which is to take place in the mid-summer, yet there is, as has been made clear tonight, widespread confusion, speculation and less clarity than ever as the Government struggle to sell British Energy to the City. There are unanswered questions that focus on the financing of the deal. The Government's nuclear sums do not add up, as my hon. Friend the Member for Linlithgow (Mr. Dalyell), in his excellent summary questions, put it pertinently to the Government.

On 9 November 1989, however, the Government were crystal clear. The nuclear industry was withdrawn from the proposed privatisation of the electricity industry. The Minister at the time declared that retaining the nuclear industry in the public sector was

"the best way of ensuring a long-term future for nuclear power in this country."—[*Official Report*, 9 November 1989; Vol. 159, c. 1174.]

That rather contradicts some of the comments of Conservative Members.

The then Secretary of State for Energy, now Lord Wakeham, announced:

"The Government told the House on a number of occasions during the passage of the Bill that the arrangements for nuclear power would strike the appropriate balance between the interests of the taxpayer, the electricity consumer and the shareholder. In the event, unprecedented guarantees were being sought. I am not willing to underwrite the private sector in this way."—[*Official Report*, 9 November 1989; Vol. 159, c. 1171.]

I hope that we would all agree with that, so we are entitled now to ask: what has changed since then?

In May 1994, the Government set up the nuclear review, which reported in May 1995. It was set up to examine the possible options for introducing private sector finance into the nuclear industry—a precursor to the private finance initiative. The Government went further and said that they were prepared to consider without commitment representations on whether privatisation could, in principle, be feasible.

The accountants KPMG were asked to look at the management of substantial nuclear waste and decommissioning liabilities in the same year. We all know now that the compound liabilities of Nuclear Electric, Scottish Nuclear, British Nuclear Fuels plc and the United Kingdom Atomic Energy Authority amount to well in excess of £40 billion according to the Government's White Paper. Decommissioning alone accounts for some £18 billion—undiscounted—of that figure, according to estimates published by the National Audit Office as far back as June 1993.

KPMG's report was about the management of nuclear liabilities. We should remember that liabilities are defined as costs associated with the reprocessing of spent nuclear fuel, the decommissioning of nuclear plant, and the management, treatment and final disposal of radioactive waste, all of which are irradiated liabilities. KPMG favoured privatisation of all the generators and British Nuclear Fuels plc and as many of their back-end liabilities and associated risk as possible; in other words, pushing the whole lot into the private sector.

What did the Government choose to do? As usual, they went for a half-baked deal, a partial option. They privatised seven modern advanced gas-cooled reactor stations and the new pressurised water reactor, Sizewell B, leaving nine aging Magnox stations and BNFL with all their liabilities in the public sector. The Government propose to strip out the current revenue-generating end of the business for privatisation, leaving behind in the public sector as many of the liabilities as possible.

In a statement on the conclusions of the nuclear review, on 9 May, the then President of the Board of Trade made it clear that the Government intended to press ahead with privatisation on that basis. He said that no primary legislation would be needed, that the Government would not need to come back to the House, and that full and proper parliamentary scrutiny would not be necessary. During questions on the statement, my hon. Friend the Member for Edinburgh, Leith (Mr. Chisholm) posed a critical question. He asked:

"Was not *The Economist* magazine right when it said that it was a short-term financial fiddle to help the Tories but not the country? Why should the Government cherry-pick the nuclear industry so that a few individuals can make a great deal of money, while the vast majority of the British people are bribed with their own money in the short run and have to face higher taxes to pay for decommissioning costs in the long run?"—[*Official Report*, 9 May 1995; Vol. 259, c. 576-77.]

Needless to say, the President of the Board of Trade, now the Deputy Prime Minister, brushed the question aside—as usual. That devastating critique—in *The Economist*, of all places—bears another glance. The editorial declared:

"The privatisation of part of the nuclear-power industry set out in a white paper on May 9th looks likely to be a particularly creative example of the well-honed technique of bribing the voters with their own money. In this case, the bribe may be financed not just by selling assets that the taxpayers have paid for once, but by money borrowed from future taxpayers too."

What has happened since then? Nothing, except that the Government have pressed ahead in defiance of those comments.

The Select Committee on Trade and Industry, in the absence of any full parliamentary scrutiny, set up an inquiry into the plans to privatise the nuclear industry. It focused in particular on the scale of the liabilities, how they would be covered, Government guarantees to the private operators and questions of safety and insurance. According to Gordon MacKerron, the special adviser to the Select Committee, the key argument in favour of privatisation was the raising of the proceeds for and the removal of the AGR-PWR liabilities from the taxpayer. The funds raised would have to compensate for the loss of future income from the privatised reactor.

In his paper, Mr. MacKerron concluded:

"The Government seems optimistic both about the size and the uncertainty of the Magnox liabilities, and about the cash sums likely to be available to the public sector as credit against their eventual

[Mr. John Battle]

discharge. And the contribution that the sale of the most profitable parts of the nuclear industry is likely to make to the notional funding of these public sector liabilities will probably be small both in relation to the public money expended on nuclear power in the past and in relation to the net present value of the assets to be sold."

In other words, the special adviser to the Select Committee doubted whether there was scope for further significant cost and efficiency improvements following privatisation, given the nuclear companies' record over the past five years.

More important is the question of guarantees that a private company would meet. The key questions concern the real costs of decommissioning the pressurised water reactors and the advanced gas-cooled reactors and how much the private nuclear power companies would be required to set aside for the long-term storage of the nuclear waste produced by its reactors.

On 8 June 1995, in a written answer, the Minister said:

"The Government will ask all nuclear operators to draw up strategies for decommissioning their redundant plant . . . The precise level of the liabilities to be met will be a matter for the companies and their auditors in due course."—[*Official Report*, 8 June 1995; Vol. 261, c.*269-70*.]

As usual, we are not to know until after the event, when it will be too late.

It is notable that, when the Government first brought the privatisation proposal to the House, the then President of the Board of Trade—now the Deputy Prime Minister—confused us by saying that there would be segregated funds to cover public and private liabilities. He quickly had to correct the Government's position—but the confusion remains. As hon. Members have said, how can the public-private liabilities—decommissioning, reprocessing, waste management and future storage—be clearly separated out so that everyone is clear about where the assets and the liabilities lie?

The independent segregated fund, set up to cover British Energy sites and the longer-term post-closure costs of decommissioning, has now been announced at £230 million. However, as my hon. Friend the Member for Clackmannan (Mr. O'Neill) said, the key question is whether that will be a payment for reprocessing the core. We do not know what the fund is for. What we do know, however, is that that £230 million, plus the £16 million a year that has been set aside, comes to the exact figure included in the two-year provision in the Red Book for future years. In other words, the figure was already built in to cushion the sale.

The exact nature of the transfer of AGRs and Sizewell B liabilities to British Energy was one of the main issues studied by the Select Committee. Seventeen of its recommendations referred to the cost uncertainties. Those uncertainties will remain until there is a full debate on the report. The general proposition that, whatever the level of liabilities, they should follow the assets, is accepted by the Government, but every time we press the Minister on whether that means all the liabilities or some of the liabilities—and if so, exactly which ones—we get an evasive answer. Neither BNFL nor Magnox knows what liabilities it will have to pick up in future. They could be left holding the irradiated nuclear liabilities.

Mark Baker of Magnox said in his evidence to the Select Committee that he was not fully aware what the eventual shape of his balance sheet would be. In the light of increasing Government obscurity, it is tempting to say that the discharge of liabilities is being accelerated now to push towards privatisation and provide a cushion in the City. As the European Commissioner suggested, it practically amounts to illegal state aids to get the industry into the private sector. It is a rescheduling of the AGR liabilities, which are being loaded into the public sector as a sweetener for privatisation. Estimates for the annual contribution to the segregated fund would double if all the post-shut-down expenditure were to be covered. There is a real risk that the assets will not be sufficiently profitable to pay for inherited and future liabilities.

The Select Committee said that it was difficult to envisage how the fund could cope with a fourfold increase in a major part of the liabilities, especially if the increases occurred after existing stations had ceased to produce any revenue. The liabilities cannot be covered if stations are shut down.

I do not have time to go into detail on the fact that the Government have changed the notional discount from 2 to 3 per cent., effectively cutting one third of the liabilities and wiping out £7 billion. We saw the bullish BZW report—I believe that it is called "The Cash Generator". It says that privatisation offers investors £2 billion of free cash over the next five years. It is a revenue cash cow and a potential cash bonanza reminiscent of the lottery.

We speak of safety, but in the end this privatisation is Treasury driven. Like every other utility privatisation, it is being forced through the House. It is half-baked and not thought through. The Government want to push the industry into the private sector, grab the cash and leave somebody else to pick up the pieces. It is the fag end of a privatisation programme by a Government who are absolutely desperate for cash to buy back their long-lost popularity. *[Interruption.]* The Minister may mock, but in the Select Committee he said that he would have to be able to answer for the decisions that were taken. The reality is that he will not have to answer for them—he has decided to go before the ship sinks and to leave the liabilities to everybody else. That is why our motion should be supported and the privatisation halted.

6.48 pm

The Minister for Small Business, Industry and Energy (Mr. Richard Page): It is customary at this stage of a debate to say that it has been interesting. However, apart from the dynamic speech of my right hon. Friend the Minister for Industry and Energy, and the penetrating observations of my hon. Friends the Members for Castle Point (Dr. Spink) and for Ayr (Mr. Gallie), this debate has been par for the course. It has shown that the Labour party, like old Adam, has old Labour still lurking beneath the surface. Occasionally, through the thin veneer of new Labour, one or two honest souls popped up. For example, I found the speech of the hon. Member for Wolverhampton, North–East (Mr. Purchase) refreshing and enjoyable, although I do not think that it will do his career prospects any good.

If, somehow, we could have used the marvels of technology and each time the word "nuclear" was used put a line through it and used the words "British Telecom", the debate would have been indistinguishable from the debates of the early 1980s. I served on both the Committees concerning that privatisation, and they lasted

for more than 100 hours each. We split the telecommunications part from the Post Office, and then we privatised BT and created Mercury. The then hon. Member for Newcastle-under-Lyme spoke for more than 100 hours in Committee. What did he do? He promised, like the rest of the Opposition Members, that privatisation would mean the end of the known world, that there would be cherry picking and a collapse of rural services. One got the impression that people would have to lay in green wood in order to communicate by smoke signals. What has happened? We have one of the most successful telecommunications companies in the world.

Not to be outdone, the right hon. Member for Salford, East (Mr. Orme) said that public telephone boxes would be threatened with extinction. Surprise, surprise, the number of telephone boxes has risen from 67,000 to 130,000, and 96 per cent. of them work, which would have been most unusual in the early 1980s.

I have found it rather distasteful that the role of the nuclear installations inspectorate has been continually queried in comments that have bordered on the insulting. The implication has been that the inspectorate would use the Nelson touch—turn a blind eye to the shortcomings and short cuts, and condone shoddy work practices.

Ms Walley *rose—*

Mr. Page: With respect to the hon. Lady, there are only a few minutes remaining and I shall not give way, unless hon. Members want the debate to last until 10 o'clock; I have enough material to talk until then if necessary.

What is new? When we privatised the regional water authorities, we were told that we could not trust the private sector. What has happened? The very opposite: prosecutions went up, the quality of water went up, and we now have some of the best quality water in Europe. There are more blue flags on our beaches than ever before. There has been a general rise in the standard—delivered by the private sector, where the public sector failed.

Some people accuse the Labour party of U-turns. I am not one of those, but I would say that it is exceedingly flexible. I know, for example, that, in government, it set in train a massive programme of building nuclear power stations. Now, in opposition, all that has changed. It is against nuclear power and tries to undermine the industry by scaremongering. Nothing that has been said today by Labour Members would give me confidence if I were working in the nuclear industry.

The Labour party has, however, been consistent in one aspect: it has consistently opposed every privatisation that could possibly have been implemented, from British Airways to British Energy. Labour has set itself against privatisation. It has always been against it, and always will be, because it is against free enterprise. Old Labour re-emerges time and again through the thin, sophisticated veneer that has been applied by the right hon. Member for Sedgefield (Mr. Blair).

Rather than praising British companies and their success, the Labour party has sought to decry them. Instead of praising the remarkable benefits to consumers of privatisation, it has wilfully ignored them, which is par for the course. The Leader of the Opposition said that it was barely an issue that electricity prices would rise because of privatisation. As we all know, electricity prices have fallen in real terms. It is worth reminding the House that, under Labour, electricity prices rose by 2 per cent. in cash terms every six weeks. Labour said that there was no evidence that the Government's Gas Bill would produce cheaper gas, yet gas prices have fallen by about 20 per cent.

The hon. Member for Glasgow, Garscadden (Mr. Dewar) was foolish enough to say that a privatised British Airways would be the pantomime horse of capitalism if it were anything at all, yet British Airways is one of the most successful airlines—if not the most successful airline—in the world. Examples of such scaremongering roll on and on, but the facts show them to be wrong. It beggars belief that a party of dinosaurs has the nerve to call itself new Labour. Privatisation has been an enormous success.

Before I turn to nuclear privatisation, I must say that it is interesting to note that the Labour party's paymasters recognise a good thing when they see it. The GMB, which sponsors the odd hon. Member, and one or two of their Lordships in the other place, has £107,000 invested in British Aerospace, £201,000 in British Steel and £131,000 in Cable and Wireless. There are plenty of examples of where, having fought and argued against privatisation, the Labour party has joined it.

To build on that schizophrenia, the Labour party accuses us of rushing nuclear privatisation through, yet in the next breath it criticises us for taking time to consider properly the very thorough Trade and Industry Committee report. We will be replying to that report in the normal time limit allowed. We believe that the future of the nuclear industry deserves careful consideration rather than the instant, superficial soundbites favoured by the Opposition parties.

What are the Labour party's policies on nuclear power? I am afraid that I am no wiser after today's debate. In the view of Conservative Members, nuclear privatisation will encourage further improvements in efficiency and competitiveness and, like other privatisations, will produce real benefits to taxpayers through reductions in the levy, which in turn will produce further benefits for the consumer.

The Opposition have tried in every way possible to scaremonger about safety and have refused to accept the assurances of the independent regulator that there will be no reductions in safety standards. My hon. Friend the Member for Ayr quite rightly took the Labour party to task on that scaremongering. The hon. Member for Cunninghame, North (Mr. Wilson) prayed in aid the words of Captain Killick. It might help hon. Members if they knew that the good captain did not at any time raise concerns about safety with the company, the NII chief inspector or any of the staff directly responsible to him when he was employed by Scottish Nuclear as director of safety. It is only since he left the company that those concerns have suddenly surfaced. As Captain Killick knows, Scottish Nuclear has an excellent safety record. In fact, he helped to achieve it. Safety is paramount at Scottish Nuclear, and will remain so.

[Mr. Page]

The NII, the Government and the industry have all made it clear that safety will continue to be paramount and that the same rigorous regime will continue to apply after privatisation. I endorse the sense and sensibility of my hon. Friend the Member for Castle Point.

Mr. Purchase: Give him an Oscar.

Mr. Page: If only.

In reply to the question about access to the pool after privatisation, I can say only that matters will continue as they are at present.

The Opposition have gone on and on about liability without making a single reference to the tremendous cost reductions that have been achieved in recent years. It is estimated that the UKAEA decommissioning and waste management operational programmes—Drawmops—for the three years after 1994-95 have been reduced by a staggering 40 per cent. My hon. Friend the Member for Castle Point also referred to the savings that have been achieved by British Nuclear Fuels. I hope that that encourages the hon. Member for Wolverhampton, North-East, who also chipped in a few points about the savings achieved by the decommissioning programme.

The Magnox liabilities are currently in the public sector, and that is not going to change. What will happen, though, is that, through restructuring, there will be much a clearer focus on costs. I have every confidence that the creation of an independent Magnox company and its eventual integration into BNFL will cause a significant reduction in cost through greater efficiency in the management of liabilities. Has that not happened with all privatisations?

The hon. Member for Clackmannan (Mr. O'Neill) asked about the segregated fund. The fuel treatment that he mentioned will be included in the normal operating costs of the station. The initial endowment fund for the segregated fund, as announced the other day, will be £230 million and the annual contribution will be £16 million. The fund is expected to achieve a real-rate return of 3.5 per cent. on its investment policies.

The hon. Member for Linlithgow (Mr. Dalyell) kindly me gave me an offer I cannot refuse—to write to him on the subjects he raised. I am equally concerned about the situation in eastern Europe and I will write to him to answer—

Mr. Nicholas Brown (Newcastle upon Tyne, East) *rose in his place and claimed to move,* That the Question be now put.

Mr. Deputy Speaker (Mr. Michael Morris): I will not accept the hon. Gentleman's request at this point.

Mr. Page: Thank you, Mr. Deputy Speaker. This debate can go on until 10 o'clock if we feel so minded—*[Interruption.]* I am quite prepared to keep going because the Government have a good story to tell.

This afternoon, we have heard of the key role that the nuclear industry plays in our environmental policies. We have seen the schizophrenia of the Labour party. I have no doubt that when the industry moves into the private sector, it will be yet another success story. The unions will invest in it to earn funds to help the Labour party to keep going. I ask the House to support the Government amendment.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 261, Noes 293.

Division No. 86] **[19.00 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chidgey, David
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Denham, John
Dewar, Donald
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Flynn, Paul
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hall, Mike
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*

Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
McCartney, Robert
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Is'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Joe Benton and
Mr. Malcolm Chisholm.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Allison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bottomley, Peter *(Eltham)*
Bottomley, Rt Hon Virginia
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard

Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Page, Richard
Paire, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, The Reverend Martin
Soames, Nicholas
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Simon Burns and
Mr. Richard Ottaway.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House congratulates the Nuclear Electric and Scottish Nuclear companies which, with the advent of competition in the electricity market and the prospect of privatisation, have transformed their performance over the past six years; congratulates the Government on the planned sale of the nuclear power stations of Nuclear Electric and Scottish Nuclear, noting that it is consistent with existing legislation, will fully preserve the vigour of the safety and environmental regulatory system, will benefit the taxpayer through the transfer of liabilities to the private sector and the receipt of sale proceeds and will provide appropriate transparency about liabilities and how they will be met; notes that the Government intend to give a considered response to the Trade and Industry Committee within the normal timescale; and notes that the Opposition have opposed every privatisation, despite the proven benefits which have been recognised by a growing number of countries throughout the world.

Health and Safety

Mr. Deputy Speaker (Mr. Michael Morris): Before I call the hon. Member for Oldham, West (Mr. Meacher) to move the motion, I must announce that Madam Speaker has selected the amendment standing in the name of the Prime Minister.

7.18 pm

Mr. Michael Meacher (Oldham, West): I beg to move,

That this House notes that workplace accidents caused over 30,000 deaths and major injuries and over 138,000 injuries involving three or more days off work in 1994–95; notes that threatened Government cuts mean, in the words of the Chairman of the Health and Safety Commission, that "we can not meet all the expectations and requirements that Government, Parliament and the Courts are placing on us with the resources now available"; recognises that privatisation of the nuclear, mining, gas and railway industries is increasing the burden of safety regulation and enforcement placed on the Health and Safety Executive; believes that a safe and secure working environment is essential to the well-being of employees and to economic success; notes that the Commission does not believe that health and safety is a burden to small business; and therefore calls on the Government to withdraw the threat of funding cuts from the Health and Safety Executive and to reverse deregulation initiatives that threaten health and safety standards.

It is not often that a leaked document so comprehensively endorses the Opposition's case against the Government, and it is all the more striking when it has been written by one of the Government's appointees. The letter that is to be sent by Mr. Frank Davies, the chairman of the Health and Safety Commission and formerly chairman of Rockware plc, does exactly that.

The Opposition have constantly said that the Tory Government were taking unacceptable risks with safety. We are now told officially by the chairman of the Health and Safety Commission:

"the Commission . . . conclude that we cannot meet all the expectations and requirements that the Government, Parliament and the Courts are placing on us with the resources now available."

He could not be clearer than that.

The Opposition have constantly said that health and safety were underfunded. We are now told authoritatively:

"Assuming that our request for these additional resources is met"—

Mr. Davies is asking for £18 million, which is pretty optimistic—

"and that there are no further budget restrictions, we will still be facing a range of cuts in our operations, including a reduction in the number of Field Operations Division inspectors and of preventive inspections."

Mr. Keith Mans (Wyre): Will the hon. Gentleman give way?

Mr. Meacher: No, I shall go through what is in the letter. If, when he has listened to that, the hon. Gentleman wishes to come in, I shall be pleased to take his intervention.

The Opposition have constantly argued that proper health and safety provision was a foundation both of employee safety and of corporate success, not a penalty. Here we are told, by a former company chairman:

"Cutting HSE does not reduce burdens on business."

We have constantly asserted that privatisation undermined safety. We are now officially informed:

"Health and safety in the railway and gas industries in particular (though not exclusively) are high on the agenda of public concern; nuclear privatisation will raise similar concerns."

Mr. Mans: Will the hon. Gentleman give way?

Mr. Meacher: I have not finished with the letter yet, and I am sure that the hon. Gentleman wants to hear what his own Government-appointed chairman of the Health and Safety Commission had to say.

The Opposition have constantly argued that the Government's deregulation dogma puts safety at risk. Now we have it officially on the record that

"the pressure for new action"—

that is, action in reviewing and dismantling regulations—

"not least from the Deregulation Task Force and Unit,"

is

"relentless".

That leaked letter blows out of the water the Government's complacent claim that safety was being protected, and that there were no grounds to fear that lives were being put at risk. They clearly were, and they clearly still are.

Dr. Robert Spink (Castle Point): Will the hon. Gentleman give way now that he has finished with the letter?

Mr. Meacher: Yes.

Dr. Spink: The hon. Gentleman has just read out a letter. Does he believe what it says? Does he think that health and safety are underfunded by the Government? If so, by how much does he think the Government should increase their spending, and will that be a Labour spending commitment?

Mr. Meacher: It is perfectly clear that health and safety are underfunded, and that the chairman of the Health and Safety Commission believes that an extra £18 million is the minimum necessary to restore spending to what he regards as the bottom line. Indeed, I am sure that he would say that a great deal more was needed.

I notice that the Conservative Government never fail to fund money for inspectors to check on social security fraud. There are several hundred more of them then there are dealing with industrial safety. If the Government want more money, clearly they can find it for such purposes.

Mr. Mans *rose—*

Mr. Bernard Jenkin (Colchester, North) *rose—*

Mr. Meacher: No, I shall not give way for a moment.

Just as the nation is now learning to its cost that ministerial reassurances over BSE—bovine spongiform encephalopathy—were either misleading or even downright dishonest, so on all five counts—

Mr. Jenkin: On a point of order, Mr. Deputy Speaker. I clearly heard the hon. Member for Oldham, West (Mr. Meacher) imply that statements made by Ministers had been misleading—

Mr. Jacques Arnold (Gravesham): Or dishonest.

Mr. Jenkin:—or dishonest. Surely that is out of order.

Mr. Deputy Speaker: Statements referring to deliberate dishonesty are out of order. The hon. Member for Oldham, West might like to rephrase what he said.

Mr. Meacher: I am happy to rephrase, Mr. Deputy Speaker, by omitting the word "deliberate". In the light of the revelations of the past week, I do not think that there are many people in the country who do not now believe that what Ministers said in the past did mislead, and was dishonest—although I am prepared to accept that that may not have been deliberate.

Mr. Jenkin: He has just repeated it.

Mr. Meacher: On all the five counts that I read out, the letter shows that ministerial assurances about safety were hardly worth the paper that they were written on.

Mr. Jacques Arnold: On a point of order, Mr. Deputy Speaker. Is it in order for the hon. Gentleman to withdraw something and then just repeat it? Is that not contempt of the House?

Mr. Deputy Speaker: The hon. Gentleman did not just repeat it. The word that he used was "Ministers" in the plural; that is acceptable.

Mr. Meacher: Thank you, Mr. Deputy Speaker.

Our first charge is that the Health and Safety Commission cannot meet the requirements laid down by Parliament. *[Interruption.]* I hope that Conservative Members, who, for understandable reasons, are rather exercised about BSE, will also pay attention to what has happened with HSE, which is just as serious.

As I said, the first charge is that the Health and Safety Commission cannot meet the requirements laid down by Parliament. Major injury rates in many industries are now rising. In the hotel and catering industry, for example, they have nearly doubled over the past decade. Among the self-employed, a fast-growing section of the population, the major injury rate has shot up by one third over the past 10 years, and the fatality rate among them is now more than double that of employees. Yet HSE staff numbers are falling.

Mr. Mans: Just so that we can have the facts on the record, I shall ask the hon. Gentleman a question. Will it be the policy of any incoming Labour Government to restore the £18 million that he suggests has been cut from the HSE budget?

Mr. Meacher: The fact is—

Mr. Mans: Yes or no?

Mr. Meacher: I shall not say yes or no; I shall give my own answer. I find it extraordinary that the Government can spend hundreds of millions of pounds on dealing with social security fraud, but cannot find an extra £18 million. We are concerned to ensure that safety is properly protected, and that is what will happen.

The fact is that HSE staff—

Mr. Jenkin: Will the hon. Gentleman give way?

Mr. Meacher: No; I shall get back to the subject that we are debating—the extremely damaging and dangerous health and safety situation that has resulted from Government cuts. When the hon. Gentleman has listened to a little more, if he has a relevant comment to make I shall give way.

The letter from the chairman of the commission notes that there are now 8 per cent. fewer staff than there were two years ago, and that further planned cuts will lead to a reduction of 20 per cent. by the turn of the century. Those are far bigger cuts than could possibly be absorbed by any improvements in efficiency. As a result, the HSE, in an unpublished work plan, shows that planned inspections are now falling sharply.

The number of inspections fell by 6 per cent. last year on the previous year, and will have fallen by a further 8 per cent. this year compared with last. Other essential HSE work is also falling behind. For example, the investigation of accidents and complaints is planned to fall by 8 per cent. over two years.

Most seriously of all, the number of proceedings instituted by HSE inspection staff for breaches, some of them pretty serious, of health and safety regulations fell over the two years to 1994 by no less than 26 per cent., so an extremely serious situation has now arisen.

If all that were taking place against a background of a falling injury rate or a falling work load, it would be more readily understood—but it is not. The work load is increasing remorselessly, and the number of workplaces, too, is steadily increasing. Furthermore, rightly in my view, a whole range of new responsibilities has been placed on the HSE over the past 12 years, covering asbestos licensing, genetic modification, gas safety, the transport of dangerous goods by road, pesticides, railway safety, nuclear safety research, offshore safety and outdoor activity centres.

Several European Union directives have involved extra safety functions for the Health and Safety Executive and, most serious of all, the fragmentation of industry—as a result of privatisation—has hugely increased its work load.

Mr. Paddy Tipping (Sherwood): Has my hon. Friend seen the figures from the Health and Safety Executive about the fragmentation of the coal industry, and the fact that major injuries in the private industry increased by 17 per cent. between April and September 1995 compared with the same period under British Coal? Does that not mean that we need to monitor the situation more carefully?

Mr. Meacher: My hon. Friend is quite right: the situation certainly must be monitored. There has been a huge reduction in the number of coal mines owned by British Coal, and a steady increase in the number of private coal mines. This situation is serious, as most accidents occur in private mines. I think that the number

of inspectors in the coal industry has decreased to 22, which is totally inadequate for the size of the task facing them.

Enforcing a cut in staffing consistently over the years, against the steadily mounting responsibilities—it is quite right that they have been placed on the HSE—is like dismantling the dyke as the storm waves roll in. That is something for which the Government have to answer.

Charge two is that health and safety has not been properly funded, because the Government put cost cutting above safety. According to this year's Department of the Environment annual report, Government funding of HSE at constant prices is planned to fall by 14 per cent. over the next three years. As the agency spends about four fifths of its budget on staff, cuts in the budget mean staff reductions and—all too often, unfortunately—it is the most experienced who are pensioned off.

Mr. Anthony Coombs (Wyre Forest): Given the fact that we are not going to get an answer about the Labour party's spending plans on the Health and Safety Executive, I take the hon. Gentleman to task on his totally groundless assertion that privatisation has somehow affected the safety records of the industries concerned.

Is it not the case that, in the railway industry, the safety record is improving, that it has improved in the gas industry, that it has improved in the electricity industry, and that it has improved in the construction industry? Is it not really the case that the Labour party is trying to find arguments against privatisation because it is ideologically committed against it? Will the hon. Gentleman give me one single instance where the Labour party has supported a privatisation proposal over the past 15 years?

Mr. Meacher: We have not supported privatisation—and for very good reasons. The health and safety record of privatisation is appalling—it is substantially worse than when the organisation is publicly owned.

Mr. Jacques Arnold *rose—*

Mr. Meacher: I will not give way to the hon. Gentleman—I am answering a question asked by his hon. Friend.

There has been a lower fatality record in certain industries simply because the number of people employed in them has been reduced—there has been a huge reduction in the number of people employed in construction, in energy and in agriculture. Therefore, there is a lower fatality and major injury rate—purely because of the far fewer people who are working in the industries. The hon. Gentleman's premise is plainly wrong: the safety record of privatised industries is actually worse—for the very good reasons that I am about to give.

Mr. Bill Etherington (Sunderland, North): Perhaps my hon. Friend would like to point out to some of the ignorant people on the Benches opposite that—

Mr. Deputy Speaker: Order. Hon. Members, not people.

Mr. Etherington: Would my hon. Friend like to point out to Government Members that it was only on the nationalisation of the coal industry, the electricity industry and the railway industry that we started to see a substantial reduction in accidents? It is pretty fair to assume that—as we are now seeing the opposite—what Government Members are saying is rubbish.

Mr. Meacher: My hon. Friend has confirmed the point that I have been making: the record on privatisation is poor. The number of defects in rail safety and the continual stream of major failings by Railtrack—which we saw last year—suggest that the hon. Member for Wyre Forest (Mr. Coombs) should think very carefully before suggesting that privatisation produces a better record.

Mr. Arnold: Will the hon. Gentleman give way?

Mr. Meacher: No, I will not.

Of the 102 jobs that were lost last year, 85 were senior inspectors—I am making the point that, unfortunately, it is the most experienced who have been taken out. There is now a largely inexperienced group of staff, with the few senior staff left being largely taken up with training the rest. As a result, some people are now saying—I am only repeating it—that inspections are more superficial than they used to be.

The deepest cuts have been in occupational health. Each year, about 2,000 people die in Britain as a result of illness contracted at work—that is about five times the number of people who die as a result of industrial accidents—and the number of deaths is rising, particularly those from asbestosis.

The HSE's team of specialist doctors and nurses has been almost halved—in Scotland, there are only two doctors and four nurses; and in the largest of the HSE's regions, Wales and the south-west, there is only one doctor and five nurses to cover a huge geographical area and an enormous range of industries and industrial health problems. That is taking cuts almost to the point of invisibility.

Charge three is that privatisation is bad for safety—and perhaps the hon. Gentleman who asked the question will find some of this relevant. Commercial pressures will always tend to lead to cost cutting. Staff cuts, lower pay and longer hours will always be attractive in the search for greater profit margins. The experience of the deregulated bus industry shows that lower hours are directly associated with a poorer safety record, because fatigue causes accidents.

Privatisation also makes the jobs of inspectors far more complex. Railway inspectors at Crewe, for example, used to go to British Rail if there was a problem—they now have to get in touch with 25 different train operating companies. As I said, last summer a succession of leaks exposed major failings in Railtrack's safety operation, yet Britain now has to rely on only 36 railway safety inspectors, and Scotland has to rely on only three.

Mr. Jacques Arnold: Will the hon. Gentleman give way?

Mr. Meacher: Only if it is relevant to what I have just been saying.

Mr. Arnold: The hon. Gentleman made reference to public service vehicle licences.

Mr. Meacher: No, I did not.

Mr. Arnold: Yes, the hon. Gentleman made reference to PSVs about two paragraphs ago, as he will see if he cares to

[Mr. Arnold]

look at his notes. Will he tell hon. Members what changes were made to the hours that such people should work before privatisation and since privatisation, which led to him making the allegations? What has been the precise increase in hours?

Mr. Meacher: I referred to the deregulated bus industry and the fact that, as a result of that deregulation, the hours worked are about 14 per cent. longer than they were before, although pay has fallen. There has been an increase in accidents because of fatigue. Last year, there was an unprecedented increase in complaints about the privatised gas industry, many of them—

Mr. Jenkin *rose—*

Mr. Meacher: I will not give way again.

Many of those complaints were about safety issues. The coal industry, which is top of the industrial accident league, now relies on only 22 inspectors, despite the recent rapid growth in private employers. As my hon. Friend the Member for Sunderland, North (Mr. Etherington) said, most accidents occur in private employers' workplaces.

Mr. Anthony Coombs *rose—*

Mr. Meacher: No. I will not give way.

Mr. Coombs: On that point?

Mr. Meacher: I will not give way; the hon. Gentleman may resume his seat. Perhaps he would be interested to take into account the fact that British Coal ran a respected occupational health service, which is vital in an industry dogged with respiratory disease. That has now been cut.

As the leaked Frank Davies letter acknowledges, the idea of a privatised nuclear industry is causing serious public anxiety, because there is all the difference in the world between licensing a publicly owned utility with a well-established safety culture and deciding whether to give a private operator the qualification to hold such a licence.

As recently as a week ago, the Prime Minister assured the House that privatising the nuclear industry would not affect safety standards—a comment which, I presume, should be taken in the context of a similar assurance that no arms were exported to Iraq in the Iran-Iraq war. The hugely increased problems and complications caused by privatisation cannot be managed by a declining and less experienced inspectorate. That key point needs answering tonight.

Charge four is that prosecutions and convictions for health and safety breaches continue to decrease and fines are often derisory, so the message is being circulated that even serious safety irregularities are nothing much for employers to worry about. Last year, there were a third fewer prosecutions than in 1989, and the average fine was a pathetic £2,500. Such fines, which are common even in the case of a death in the works, insult the worker and his family and act as an incentive to management to make savings at the expense of health and safety.

It is adding insult to injury that more than 99 per cent. of all health and safety prosecutions go, not to Crown courts, where large fines or jail sentences are possible, but to magistrates courts, where the heaviest possible sentence is only a few thousand pounds. If we are serious about stopping the growing catalogue of death and maimings at work, the least we can do is ensure that the most serious health and safety offences go to the Crown court.

I emphasise that responsibility for health and safety must be vested at the highest level of each organisation. Not underlings, but a few well-known white collars, should be prosecuted for gross negligence. Companies responsible in the late 1980s for the Zeebrugge ferry disaster, the King's Cross fire, the Piper Alpha oil platform disaster and the Clapham rail crash all got off scot-free because the law currently requires blame to be pinned on a single person who is, as the statute says, "the controlling mind" of the organisation. That makes it almost impossible to convict a corporation of manslaughter. Companies should appoint an individual at board level with overall responsibility for health and safety.

Employers must be legally prevented from penalising workers who express legitimate doubts about safety. Scandalously, 140 North sea oil workers were made jobless because they queried safety standards after the Piper Alpha disaster. Although that happened many years ago, similar dismissals continue to take place frequently today.

I quote one of many cases whose details were recently sent to me by several citizens advice bureaux. A CAB in the south of England reports the case of a man working for an electronics company. At the end of October, a work colleague had had his arm caught in a conveyor belt. Three days later, another colleague caught his hand in the same conveyor belt. The man was worried because there was no safety guard on the conveyor belt, and raised the problem with his employer, saying that he would no longer work on the conveyor belt until the appropriate guards were put in place. He was dismissed. That is extremely serious. Obviously, any employer should be legally prevented from sacking workers who draw attention to safety problems.

I return to the central theme of the debate—that health and safety will be adequately protected only if there are enough inspectors and they undertake enough inspections. That cannot be achieved on current performance with the current establishment—22,000 fewer workplace inspections this year and 380 inspections per inspector year, compared with 420 last year, and decreasing. A century ago, workplaces were inspected once a year—there were, of course, many fewer of them. Two decades ago, it was once every four years. Now it is less than once every 12 years on average. Many workplaces are never inspected. A recent survey found that more than half of all workplaces are not notified, or known, to the authorities.

Charge five is that, all too often, the Tory party puts profits before safety. It did so in pushing through rail privatisation before an adequate safety framework was in place, as even Railtrack's safety director was forced to admit. It did so when the Deputy Prime Minister's deregulation unit prevented HSE inspectors from issuing immediate improvement notices in potentially dangerous workplaces. It did so in connection with BSE, by changing Labour's planned controls on animal feed and allowing the

industry to decide for itself on cattle feeding. It did so, most cynically of all, in Westminster by deliberately channelling homeless people into accommodation that Conservatives knew to be asbestos-ridden, to secure a voting advantage.

Mr. Mans: Will the hon. Gentleman give way?

Mr. Meacher: No, I will not.

A party that treats the public's safety with such reckless disregard does not deserve to stay in office. If ministerial assurances about beef, asbestos, rail privatisation and workplace safety are now almost universally distrusted and disbelieved, the Government should now go.

7.46 pm

The Minister for Construction, Planning and Energy Efficiency (Mr. Robert B. Jones): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'welcomes the Government's commitment to maintaining standards of health and safety at work whilst removing unnecessary burdens on business; endorses the Health and Safety Commission and Executive's role of assisting and encouraging business in its duty to assess risk and take action accordingly; and approves the rigorous approach which the Government takes to improving efficiency and effectiveness in all areas of public service.'.

As always, I listened with interest to the hon. Member for Oldham, West (Mr. Meacher). Even for a Labour party that habitually resorts to the use of stolen or leaked documents to prosecute its case, this was a strange record, based as it was on a letter that was never agreed or sent, much less received by Ministers. It is extraordinary that the Opposition motion fails to mention so many things that are much more relevant to the debate than gossip and tittle-tattle.

In quoting in the motion a figure of more than 30,000 deaths and major injuries, the Opposition are insensitively grouping about 30,000 major injuries and the deaths of 381 employees, self-employed people and members of the public. I do not believe for a moment that those figures are to be taken lightly. The Opposition motion fails to mention that the HSE has reduced the number of fatal injuries to employees by more than half since 1981. The number of major injuries has fallen by more than 15 per cent. since 1986-87. It fails to mention that the number of injuries to employees and to the self-employed involving three or more days off work has fallen by more than 21,000 since 1986-87. Since 1979, the HSE has presided over a steady fall in the number of work-related accidents and fatalities. The fatal injury rate for employees is at an all-time low—about a third of what it was in the early 1970s.

Mr. Meacher: Will the Minister accept that that is because the old, traditional industries, which were far and away the most dangerous, have many fewer people working for them? Bearing in mind also the huge increase in the number of safer and smaller premises, will he accept that there has been no reduction in either fatalities or major accidents?

Mr. Jones: No, I do not accept that. We should compare the rate of accidents per 100,000 employees and, on that basis, there have been large improvements across the board. We should not be judged, as the hon. Gentleman believes, according to some bogus measure of how much is spent: we should be judged according to our achievements.

As the hon. Gentleman was a member of the last Labour Government, I propose to compare their achievements—or lack thereof—with ours. I remind the House that in 1978 the fatal injury rate was 2.2 per 100,000 workers. It is now 0.9—the lowest level on record. In the construction industry—a sector in which I worked during the last Labour Government's period in office—there were 12.2 fatal injuries per 100,000 workers. That figure is now 6.2—the lowest level on record. Under the last Labour Government, the figure for the railways—an industry to which the hon. Gentleman has devoted much time—was 19.7 per 100,000 workers. That compares with 7.7 fatal injuries per 100,000 workers in that industry under the Conservative Government. The 19.7 figure was an increase from 18.7, which was the level when Labour took office.

Mr. Michael J. Martin (Glasgow, Springburn): In referring to the construction industry, is the Minister including in his figures any injuries involving 714 operators?

Mr. Jones: I am citing the figures for employees in the construction industry. I shall come to the self-employed in a moment, as it is a relevant point. The last Labour Government did not compile figures regarding the number of major injuries to members of the public—it took a Conservative Government to publish those. That is another step forward.

The Government should be judged also on our comparison with Europe and the world. According to the Health and Safety Executive, the number of deaths per 100,000 employees in the United Kingdom is half that of Germany, less than half the level in Italy, a third of the level in France, a quarter of the level in the United States and one seventh of the level in Spain. The number of injuries follows a similar pattern.

The Government have made abundantly clear many times our commitment to maintaining all necessary standards of health and safety protection for workers and for the public. I do not propose to take any lessons from Labour Members, given their appalling record. All those involved must play their part in ensuring that those standards are effective in the workplace. That is a clear principle of the Health and Safety at Work, etc. Act 1974. It is not just a matter for the Government or for purely specialist interests, such as the Health and Safety Commission or the Health and Safety Executive: it is the responsibility of every employer and employee.

Earlier today, in discussion with the hon. Member for Makerfield (Mr. McCartney), I referred to the fact that accidents occur because people are stupid. He subsequently issued a press release denouncing me for that comment. I make it perfectly clear: if it were not for stupid people—whether they are employers, employees or members of the public—the accident rate today would be much lower. That is common sense.

Mr. Ian McCartney (Makerfield): The Minister may wriggle and try to reinterpret his remarks, but his statement was totally insensitive. He was trying to find an excuse for why employees are killed and maimed at work. It ill behoves him to say that the 135 people who died on Piper Alpha were stupid.

Mr. Jones: There is nothing wrong with saying that people often cause accidents through stupidity. If we were

[Mr. Jones]

all more careful, there would be far fewer accidents. I do not know what the hon. Gentleman's experience has been, but I am sure that all hon. Members will acknowledge that every accident in which they have been involved—whether they were the victims or the cause of the accident—occurred largely because of stupidity, ignorance and all of the other human characteristics.

Mr. McCartney: Neglect.

Mr. Jones: The hon. Gentleman is correct. That is why the purpose of the Health and Safety Executive is to assess where those risks are likely to arise and to devote its efforts to preventing them.

Mr. Meacher: Is the Minister aware that a previous HSE report about fatal accidents concluded that about 70 per cent. of accidents were the result of inadequate safety management? That is a very different picture from the extremely inappropriate and undesirable one that the Minister is portraying.

Mr. Jones: I am relying on the Health and Safety Executive's study of accidents at work, which showed that almost three quarters were preventable either by management or by workers. Someone slipped up; someone was stupid. That is true not only of accidents at work but of those in the home and in the community.

The Government's role is clear: we must ensure that the legal framework is correct. Our basic legal framework is envied the world over. It sets goals that business must achieve; it does not tie firms up in details and prescriptive rules that quickly become out of date and therefore worse than useless. It focuses attention on risk and it promotes a response that is proportionate to that risk—tight controls if the risk is high, and a common-sense approach if the risk is slight.

I shall give one example of the impact of effective control. On the advice of the HSC, we introduced regulations requiring that helmets be worn on construction sites. A survey conducted afterwards estimated that those regulations alone reduced the number of fatal accidents by 41 per cent. and the number of major injuries by 22 per cent. To put it another way, 20 lives were saved every year. That is a significant improvement.

The Government are ensuring that our legal framework will work even better. In 1992, we asked the Health and Safety Commission to review all health and safety law—the biggest review of such law since the Robens report. We wanted to know whether it was still relevant to the risks faced by workers and the public. The Commission—which, I remind Opposition Members, includes members of the Trades Union Congress—found that 40 per cent. of health and safety law affecting the generality of business could be repealed as it was unnecessary.

We make no apologies for seeking to remove red tape from business, especially small firms. Time spent trying to find out what the law requires, or filling in countless forms, is time that is not spent running the business safely and profitably. We need a safety culture in all our firms, large and small, whereby the management of health and safety is seen as a primary task involving not just management, but staff, suppliers and customers. Removing unnecessary law will simplify the system: it will help business to focus on dealing effectively with the real risks and on complying with the essentials.

It also makes good business sense for employers to ensure that their businesses are safe and healthy places in which to work or to visit. The annual cost to business of work-related accidents and ill health is estimated to be between £4 billion and £9 billion. Health and safety is not simply a matter of obeying the law, nor of business common sense: firms have an important moral obligation to the community to ensure that neither employees nor the public are endangered by their activities. Employees and others are required legally to pay proper attention to health and safety at work. It makes good economic sense for business and, perhaps more importantly, it is the right thing for employers and their staff to do.

Mr. David Rendel (Newbury): I am delighted that the Minister is now getting on to the question of the safety of the surrounding population as well as of the work force. Since privatisation, and particularly since the privatisation of Aldermaston and Burghfield in my constituency, the Health and Safety Executive has been left as one of the few regulatory bodies to look into the very great risks—albeit a small risk in terms of likelihood—of what might happen if anything did go wrong at a nuclear site. I hope that the Minister will agree with me that any cuts to the HSE that in any way increased the risk at a nuclear site would be totally inappropriate.

Mr. Jones: Our objective is to build better performance in the future out of well-achieved performance in the past.

Mr. Michael Clapham (Barnsley, West and Penistone): On the point that the Minister made about a safety culture, he will be aware that the British deep coal mining industry was the safest industry in the world prior to privatisation. Can he confirm that, since privatisation, there has been an increase in fatalities and major accidents in terms of numbers per hundred thousand?

Mr. Jones: No, I cannot confirm that; indeed, it is not the case.

I shall set the figures that I have given in context to assess risks in the workplace. Let us consider fatalities. Nearly 400 employees, self-employed people and members of the public died as a result of workplace activity in 1994-95. In the year to September 1995, 3,663 people were killed in road accidents. In 1992—the last year for which figures were available—3,841 people died in accidents at home.

Let us examine the figures for major injuries. About 30,000 employees, self-employed people and members of the public received major injuries because of work-related activity in 1994-95. That figure compares with 46,115 people who were seriously injured on the road in the year to September 1995, and with 210,600 serious accidents in the home in 1994. Of course we would all love to be able to eliminate all risks from our lives.

Mr. Tipping: The Minister has been talking about major injuries. Returning to the coal industry, will he confirm that the HSE's figures show that major injuries

in that industry have increased by 17 per cent. in the period from April to September 1995 compared with the same period under British Coal?

Mr. Jones: I do not know what is the source of the hon. Gentleman's figures.

Mr. Meacher: The Health and Safety Executive.

Mr. Jones: Those figures were not available from any source that I have seen. Perhaps the hon. Member for Sherwood (Mr. Tipping) will refer to the precise source of the figures later if he has an opportunity to speak.

We would love to be able to eliminate risk, but we have to live in the real world. I suggest to Opposition Members that the evidence is that we are making great strides forward in identifying and controlling risks in the workplace. That does not mean that anyone should be complacent. In 1994-95, for example, within the downward trend of fatalities, there was a small increase in deaths in agriculture. The HSE is a sophisticated body, however, and it is well able to adjust to changing priorities. For example, it is working with manufacturers and suppliers of equipment in the agricultural sector to make their products safer and easier to maintain.

There has been much scaremongering about the effects of privatisation on health and safety. Let me put the record straight on that. On railways, my right hon. Friend the Secretary of State for Transport is satisfied that the current safety regime, which was put in place by the HSC with his agreement, is achieving its aim of maintaining standards during the process of privatisation and beyond. This year, the HSC plans, among other things, to visit all "new" operators as part of the railway inspectorate's planned programme of visits.

On gas safety, the Government accepted in full the HSC's March 1995 report, "British Gas Supply: A Safety Framework", which proposed a safety regime to support liberalisation of the domestic gas supply market. On 1 April, new Gas Safety (Management) Regulations 1996 will come into force, putting the Commission's report into effect. The new regulations will maintain existing safety standards and, where possible, offer scope to improve them. They require gas transporters to submit a safety case which must be accepted by the HSE.

Tougher legislation was also introduced in 1994 to reduce further the incidence of gas-related carbon monoxide poisoning by placing specific duties on landlords to maintain gas appliances supplied by them in rented accommodation and to arrange annual safety checks. New regulations, also to come into force on 1 April, will do more to combat carbon monoxide poisoning. The HSC has backed that up with highly effective publicity and advice, and it has run some major publicity campaigns, including some on the dangers of gas-related carbon monoxide poisoning.

The current nuclear regulatory regime in the UK is internationally recognised as a rigorous system for ensuring that a high level of nuclear safety is achieved. The Government fully support that approach. As a result of the commission's advice to the Government's nuclear review, the companies that in future will run the nuclear power stations affected by privatisation have been required to apply for new nuclear site licences.

This year, the HSC plans to undertake an audit on the impact of restructuring the nuclear industry to confirm that safety standards are being maintained. It will also continue its work on inspection of radioactive waste and ensure that progress is made on the decommissioning of older nuclear chemical plants. The Government are satisfied that the current work programme will ensure that existing high standards of health and safety will be maintained.

Industries involved in privatisation or liberalisation have seen steady improvements in health and safety since the 1970s. The number of fatal accidents in the mines industry has decreased from 13 in 1990-91 to two in 1994-95. On the railways, the number of fatal accidents has decreased from 68 in 1991-92 to 42 in 1994-95. In some industries, such as mines, part of the reduction is, of course, related to the down sizing of the industry. In other industries, such as railways, the reduction can only be the result of an effective safety regime and the monitoring of safety standards.

The commercial successes of privatisation have not been achieved by compromising on health and safety. On the contrary, as Ministers have said repeatedly, we remain absolutely committed to helping privatised businesses to maintain necessary health and safety standards. It is in any case absurd to argue that commercial managements would take risks with their employees or their customers.

What really irks Opposition Members is that privatisation is succeeding. That was the point made by my hon. Friend the Member for Wyre Forest (Mr. Coombs). Privatisation is increasing business efficiency, and it is allowing employees to take a direct stake in the companies in which they work and to feel more than ever that they have a personal interest in the success of those companies. Indeed, it is giving everyone the opportunity to own a real share of the nation's assets. The number of private shareholders has more than trebled, from 3 million in 1979 to 10 million today.

Mr. Meacher: Will the Minister give way?

Mr. Jones: If the hon. Gentleman wants to tell me about his shareholdings, I will give way.

Mr. Meacher: On the point that the Minister is making about employee involvement in companies, does he think that it is right that employers can currently sack employees who raise queries on safety standards? If he thinks that that is wrong, what do the Government plan to do about it?

Mr. Jones: As the hon. Gentleman knows, legislation is before the House on that issue, which we have been following with interest.

Even if it is too much to expect Opposition Members to join me in applauding the success of privatisation, they can surely join me in acclaiming the achievements of the Health and Safety Commission and the Health and Safety Executive in their 21st year. We should not be knocking a system that works.

Mr. Ian McCartney *rose—*

Mr. Jones: No, I have been very generous in giving way.

[Mr. Jones]

The HSC inherited a considerable burden of outdated and disparate health and safety law—with an ethos based on the old-fashioned idea that regulation must spell out in great detail what had to be done, and precisely how. Of the many achievements the HSC and the HSE can be proud of, perhaps the single most important contribution was to replace that outmoded approach to regulation with a new risk-based approach, encouraging employers and others to take action appropriate to the risk involved—no more and no less. The predominant thrust of today's regulatory activity is self-regulation: the acceptance of their responsibilities by those who cause the risks.

Nowhere has that contribution been more important than in the formulation of European health and safety legislation, in which the HSC's pressure, backed by its recognised expertise, has resulted in the progressively wider adoption of a risk-based system of regulation. That approach is far more effective and less burdensome on business than the more prescriptive legislation found in some other member states, which no doubt accounts for their much worse safety record.

At the same time as pushing forward that sea change in philosophy, the HSC has also provided continuity by maintaining a large-scale annual programme of workplace inspection and investigation. The speed with which our traditional industrial base has given way to new technologies has required considerable effort on the part of HSE inspectors to keep abreast of new technologies, new products, new materials and new processes. The HSE's field force has met the challenge magnificently. Along with all other Government Departments and agencies, the HSE must maximise its efficiency and effectiveness. Vital though the work is, there are many other calls on the public purse.

The HSE has a strong record of efficiency improvements. In 1994-95 it made efficiency savings of almost 3 per cent. of its running costs. That was achieved while broadly maintaining the level of staff resources deployed on inspection. The HSE used a variety of efficiency techniques to make these savings, including market testing, contracting out and other "Competing for Quality" measures. Its market testing programme alone has led to savings of £5 million a year.

Information technology has helped the HSE to make substantial gains in efficiency and effectiveness. The new Focus computer system, which includes a database of hundreds of thousands of industrial premises, will provide better information on which to base management decisions and improve the quality of advice that can be given to industry.

Like any large and complex organisation, the HSE continues to evolve. It operates in, and seeks to regulate, a rapidly changing industrial environment. The structural changes in British industry, including the growth in small firms and technological advances, have produced shifts in the pattern of workplace accidents and have caused the HSE to rethink the way it carries out inspections and interacts with those in control of work activities. That has led to the development of new techniques, alongside the traditional workplace inspection visit, to ensure that new and major risks are adequately regulated.

HSE is also undergoing structural change. It is moving to a leaner management structure—*[Interruption.]* It is typical of Opposition Members to be interested in management, not in what is being done on the ground by inspectors who are trying to deliver better safety. It is the record that counts. The HSE is moving to a leaner management structure, with improved arrangements for quality assurance and more effective collaboration between its many different areas of professional expertise. All this should further enhance its efficiency and effectiveness.

To sum up: the United Kingdom has a health and safety system that works. It is a risk-based system that focuses on prevention. It places responsibility on those in the workplace to assess and manage the risks. I therefore urge the House to throw out the Opposition motion and approve the Government amendment.

8.11 pm

Ms Ann Coffey (Stockport): I am pleased to take the opportunity that this debate offers to raise some of my concerns about the operation of the Gas Safety (Installation and Use) Regulations 1994.

Greater Manchester has the highest student population in Europe. It also has a high number of houses in multiple occupation—often old houses converted into flats and bedsits. Students occupy the worst of this accommodation. Unlike other low income groups, they are not able to claim, through housing benefit, a subsidy for their accommodation. That means that they tend to occupy the cheaper accommodation. It is cheaper because it is usually of a lower standard, either in terms of space, structure or repair, or because of its fixtures and fittings—or lack of them.

In these properties are to be found old, faulty and poorly maintained gas fires. In answer to a parliamentary question tabled by my hon. Friend the Member for Leeds, West (Mr. Battle) on 19 January 1996, the Minister for Health said that, on average, 272 young people under the age of 25 suffer a non-fatal incident of carbon monoxide poisoning every year, and 28 die. It is not difficult to see why.

On the same date, the Minister gave the comparable figures for 1985, when 250 accidental injuries owing to carbon monoxide poisoning were ascribed to home heating appliances. In 1994, there were 211, which is not very different. There were 16 deaths in 1985 and 30 in 1994—almost a 100 per cent. increase. These statistics and public pressure prompted the Government to introduce the 1994 regulations.

As the House will be aware, the regulations place a duty on landlords to have their gas fires inspected annually, and they allow prosecutions of landlords who fail to do so to be brought under section 33 of the Health and Safety at Work etc. Act 1974. It is estimated that between 349,000 and 699,000 households are affected by the regulations.

To find out how effective the regulations are, I asked a parliamentary question to which the Minister responded on 7 February. He said that only two convictions had been secured since the introduction of the regulations. But that information appears to be wrong, because the director general of the Health and Safety Executive told me in a letter that 41 convictions had been obtained. Whether the true figure is two or 41, it is still too low, considering the number of properties involved and the state they are in.

I am left speculating as to the reasons. The first problem is that the system relies on self-reporting. There is no independent inspection of HMOs; it is not within

the remit of the fire service or the local authority to check gas appliances. There may be a registration scheme for houses in multiple occupation, but it does not apply in this case.

The problem is well illustrated by a case brought to me recently by a landlord, who complained about Manchester city council's enforcement of the regulations in respect of a faulty gas fire in his rented property. On following up the matter, it was clear to me that the city council had admirably discharged its responsibility. Because of the landlord's delaying tactics, the council had gone in, done the necessary work and presented him with the bill—which is what he was complaining about. It was clear to me that the landlord saw his tenants as trouble makers and was determined to evict them at the earliest opportunity because of their contact with the council.

Irresponsible and neglectful landlords are the very people who are likely to fail to maintain gas fires and to make their tenants pay, either by rent increases, or by threatening them with eviction. Such are the limitations of self-reporting.

I suggest that the greatest problem with making the regulations effective stems from the shortages of staff and resources in the HSE. I have also asked the Minister about the number of complaints made by tenants and the number of visits by inspectors, but I was told that the information was not available. It would appear from the letter from the director general of the HSE that such information is simply not reported—very convenient, since it would embarrass the Government if it showed that the problem was indeed caused by a shortage of inspectors to implement the regulations.

Since the free gas safety advice line was set up in October 1995, more than 10,600 calls have been received, of which it is estimated that half came from tenants. Quite what that estimate means I do not know, as the information—again—is not recorded. I remind the Minister that only two prosecutions have been brought and only 31 enforcement notices issued by the HSE. I strongly suggest that those figures do not reflect accurately the scale of the problem. They merely reflect the fact that there are not enough inspectors or resources to do the job. Gas fires in the properties of unprincipled landlords are dangerous: they kill people.

Gas fires will continue to kill people unless the Government give the HSE the resources to do the job. What is the point of putting regulations on the statute book without underpinning them with the necessary resources? That renders them meaningless. I maintain that the statistics on enforcement and prosecution—they are the only ones we have—prove a lack of resources. That in turn means that the Gas Safety (Installation and Use) Regulations will not achieve the admirable objective for which they were introduced.

I ask the Minister to look again at this problem and to act, because act he must. These fires are dangerous, and people will continue to die unless something is done. The Minister has it within his power to reduce the incidence of carbon monoxide poisoning in this country. This week, the Government have said repeatedly that life is a risk. That seems to be the current line.

Mr. Etherington: Does my hon. Friend agree that she has made a paramount case for positive regulation that would place statutory responsibility on landlords to have appliances properly maintained by someone who has the knowledge to do it?

Ms Coffey: My hon. Friend makes an excellent point. I am sure that we are in total agreement that action must be taken.

This week, the Government have stated repeatedly that life is a risk, but surely it is the responsibility of the Government to minimise that risk, through the regulations that they put on the statute book and the staff they employ to underpin those regulations. If the Minister were to underpin the regulations with some resources, he might be able to reduce the number of people who die from carbon monoxide poisoning every year because of faulty gas fires.

8.20 pm

Mr. Bernard Jenkin (Colchester, North): I congratulate the hon. Member for Stockport (Ms Coffey) on her thought-provoking and interesting speech. I have not applied my mind to the gas regulations before. The hon. Lady raised some important points and mentioned some disturbing statistics and I very much hope that my hon. Friend, in replying to the debate, will consider what she has said thoughtfully.

In that spirit, I venture to suggest that the hon. Lady's proposal of state regulation as the sole prescription for addressing the problem might not always be appropriate. I am open-minded, as I have not considered the matter in detail, but she should remember that such a diversified problem affects many individual locations and the responsibility of many individuals. Although she referred to properties in multiple occupation or landlord-let properties, some of the figures she mentioned might also apply to owner-occupied properties.

Ms Coffey *indicated dissent.*

Mr. Jenkin: The hon. Lady shakes her head, so I stand corrected.

Public education, for example, could play a significant role in alerting individuals to the responsibility for their own safety. Obviously that is not the total answer, but I noticed the strong theme in the hon. Lady's speech. She insisted that the problem was the sole responsibility of Government, but her conclusion that the Government should be solely responsible for all those safety issues cannot be the final answer.

Mr. Etherington: I thank the hon. Gentleman for giving way and I am quite impressed by his approach. It would be fair to say, however, that when a problem is as well documented as the role of landlords in cases of carbon monoxide poisoning, it is not unreasonable to expect the Government to take some action.

Mr. Jenkin: I fully understand the point that the hon. Gentleman is making. I reiterate that I have not applied my mind to the gas regulations before now. I am simply pointing out that it might not be appropriate to regard all safety issues—even that one—as the sole responsibility of the Government, as though the Government were the only possible solution. Regulation requires a whole range of

[Mr. Jenkin]

solutions, not least to educate the public and employees—in their own interests and for their own safety—on how to behave and what to be alert to in particular circumstances.

As a Conservative, I am proud to speak in a debate about health and safety, for in the last century Conservative Governments made a great contribution to health and safety legislation and initiated the manner in which we now regulate health and safety. The Factory Acts spring to mind—

Dame Elaine Kellett-Bowman (Lancaster): And the mines and quarries legislation.

Mr. Jenkin: My hon. Friend reminds me that the mines and quarries legislation was also produced by Conservative Administrations. Those are examples of good Tory legislation.

As we become a more sophisticated and complex society, we need to create a culture for safety in industry and commerce, not just a regulatory environment. The real lesson that any business man operating a modern business in Britain must learn is that every accident—almost however minor—is of huge, disproportionate expense compared with the costs that might have been saved by omitting to provide for that eventuality.

Industrial accidents are hugely expensive for the businesses concerned and any decent modern business quickly learns—if it has not already learned—that safety is of paramount importance for its own viability, for the contentment of the work force and for the efficiency of the business.

There is a danger of a polarisation in attitudes across the Chamber, with one side of the House offering as the sole solution a huge system of compulsion and enforcement, seeming to neglect the enlightened self-interest of employees and employers to co-operate for their mutual safety.

The hon. Member for Oldham, West (Mr. Meacher) referred to employees risking dismissal by raising health and safety issues. I note that he glibly drew conclusions from the little information he gave us, but it is impossible to comment on an individual case. We have absolutely no idea from the information that he gave us of the detail of that case and its background. There might be a whole range of circumstances leading to the dismissal of an employee on health and safety issues. Of course it would be wrong to make it a hanging offence in business to complain about safety issues. Enlightened employers naturally wish to improve their health and safety record because it is bad for business to have a bad record.

In health and safety issues, regulations and enforcement must reflect a balanced assessment of risk. I know that I shall create shock and horror in some parts of the House when I say that the figures that my hon. Friend the Minister produced, comparing accidents on the road and accidents in the home with accidents at work, bear out the suggestion that in some industries we may be over-regulating for safety. It is impossible to envisage an industry that creates no accidents, however desirable that might be, and to regulate out those very last accidents—the last 5 per cent.—would be so prohibitively expensive as to make it impossible to run some industries.

Mr. Ian McCartney: I apologise if the hon. Gentleman has not reached that point in his speech, but will he advise us in which industries should there be total deregulation?

Mr. Jenkin: The hon. Gentleman appears to have misunderstood me. I am not advocating total deregulation of any industry and I would be grateful if he would register that fact. There are, however, industries where it would be impossible to regulate out all accidents. The method of regulation must therefore balance cost and benefit—the cost of regulation must match the benefit in reduced accidents and fewer lives being lost.

Let me give a classic example. Whenever we get into an aircraft, we accept the possibility that it will crash and all the passengers will be killed. We do not insist that the manufacturers include every possible safety feature: for instance, we do not insist that aeroplanes should have six engines in case five fail.

Mr. McCartney: The aeroplanes would never take off.

Mr. Jenkin: That is the point. The expense of applying such a regulation would make it prohibitive and counter-productive. Even after the Manchester air disaster, we do not insist that there should be an emergency exit at the end of every aisle, although many lives would have been saved by the provision of such exits. The same considerations should be applied to the regulation of health and safety in the workplace. Often, not enough cost-benefit analysis is carried out to ensure that the prevention of risk is matched by the cost of implementing safety measures.

For some reason, the public tolerate far fewer accidents and injuries on the railways than on the roads. The statistics are rather embarrassing; I am sure that the Department of Transport would not want me to advertise them. It seems that the cost of the saving of each life and the prevention of each serious injury on the railways by means of safety measures is far higher than it is on the roads: we are not prepared to spend nearly as much on the roads.

Dame Elaine Kellett-Bowman: Might that not be because on the roads we feel, however mistakenly, that our fate is in our hands—although there may be some mad beggars on the other side of the road—while on a train we are in other people's hands?

Mr. Jenkin: I agree that people are much more wary of risks that they do not understand and do not control. That is why—if I may digress for a moment—the current hysteria about the link between Creutzfeld-Jakob disease and BSE has become so out of control. Not even the scientists really understand the possible links, and because the information is so tentative and the consequences of catching CJD are so disastrous, although the risks may be infinitesimal compared with those of smoking a cigarette or drinking a pint of beer a day, no rational analysis of the risk has been carried out.

The nuclear power industry has been vastly over-regulated. *[Interruption.]* Some hon. Members are instinctively suspicious of the industry, because it is

"nuclear". That apparently puts the risks involved into a completely different category from the risks involved in, for example, crossing the road, although hon. Members are far more likely to suffer as a result of crossing Whitehall on a wet and windy day than to suffer from fallout as a result of a nuclear accident.

I am trying to put all the risks on a scale, but that is difficult, because it is all to do with perception. Nevertheless, we must do that if we are to regulate rationally and intelligently, without imposing excessive costs. If we fail, there will indeed be a terrible cost: we will have fewer jobs. Many may think it strange that we should balance safety in industry and commerce against the possibility of jobs; but if we over-regulate industry, we will not necessarily make industry much safer. There will still be accidents, and the excessive costs could destroy many jobs.

Every hon. Member must accept that it is a question of balance rather than absolutes. Too much health and safety regulation could create a much more dangerous society—a poor society in which there were fewer jobs, businesses were less prosperous and people were prepared to take worse jobs, perhaps with worse safety records, than they would in more prosperous conditions.

I want to view the issue of jobs versus health and safety in the context of the great European debate. The one area in which the United Kingdom has been successful under this Conservative Government is that of job creation. That is because we have taken an intelligent approach to health and safety and risk assessment, and to flexible labour markets. In other European countries, a creeping cross-fertilisation has led to the view that flexible labour markets are somehow inimical to health and safety. The most glaring example of that is the working time directive, which was initially promulgated under a unanimous voting provision of the treaties but which was subsequently labelled a health and safety item.

The recitals to the directive say that limitations on working hours are necessary to health and safety. That may be true in certain industries, and it is possible to regulate those industries individually: truck drivers, for instance, are allowed to drive for a limited time in a particular day or week. It is not necessary, however, to regulate all jobs in that way, and it is irrational to do so on health and safety grounds. Many hon. Members work for considerably more than 48 hours each week—

Mr. McCartney: That is their choice.

Mr. Jenkin: The hon. Gentleman may say that, but why should we allow the European Community to deny the same choice to others?

Mr. Meacher: They have a choice.

Mr. Jenkin: That is not true. The working time directive will make it illegal for employers to pay people for more than 48 hours a week. If the hon. Gentleman thinks that I am wrong, I shall be happy to give way to him.

Mr. Meacher: We might as well get the facts right. The working time directive contains a number of exemptions: it excludes public service workers, medical workers, police, firefighters and security people. It also permits an individual to work for more than 48 hours a week if he agrees to do so. What it prevents is the requirement by an employer for that individual to work for more than 48 hours against his will.

Mr. Jenkin: All sorts of employment in all sorts of industries require flexible working patterns. For example, it would be impossible to organise construction contracts effectively—such contracts are very dependent on the weather—if people could not be employed to work short hours in bad weather and long hours in better weather.

Mr. Robert B. Jones: When I worked in the textile industry, while the hon. Member for Oldham, West (Mr. Meacher) was a lecturer in social gerontology, I worked for 72 hours a week for one week and did nothing the following week. That is the continental shift system.

Mr. Jenkin: I am most grateful for a further example.

Dame Elaine Kellett-Bowman: May I add a further and rather more up-to-date example? The employees of a recycling firm in my constituency work three days on the trot and then have three days off, and then work another three days. They work 12-hour shifts and they love it because they can have long weekends.

Mr. Jenkin: I am most grateful to my hon. Friend and there are innumerable examples that hon. Members could bring to the House of people who voluntarily work more than 48 hours a week and voluntarily take jobs in which at times they will be compelled to work more than 48 hours a week. We do not require a whole European directive, promulgated on the bogus pretext of health and safety, to be imposed.

Mr. Etherington: Will the hon. Gentleman give way?

Mr. Jenkin: Certainly, although I wish to finish soon.

Mr. Etherington: I am grateful to the hon. Gentleman, but he will know that I have often given way to him in similar circumstances.

Does the hon. Gentleman accept that studies of mining and other heavy industries have shown, beyond any reasonable doubt, that the majority of accidents tend to occur towards the end of an employee's working day? Does he accept that under those circumstances it is bounden upon the Government to regulate the hours? We cannot have a system of deregulation if people are likely to work long hours and injure themselves and others.

Mr. Jenkin: As I have said, there is a case for regulating the hours in some industries. I do not know to which industries the hon. Gentleman referred, but I referred to the transport industry which certainly has regulations on how long people can work in the name of safety and because of fatigue.

Before I fatigue the House too much with my comments, I shall mention another directive with which we are threatened for so-called health and safety reasons—the extension of works councils. There is no conceivable argument in my mind that could justify compulsory works councils for businesses on health and safety grounds. Indeed, the present works councils

[Mr. Jenkin]

directive was promulgated under a unanimity provision in the treaty, and the United Kingdom vetoed it. It was then progressed under the social protocol and should not apply in this country. But the United Kingdom now has a competitive advantage and businesses based in the United Kingdom have decided not to invest in the continent of Europe because they will get tangled up in European works councils.

Some big businesses—for example, Hanson Trust—are investing substantially in third countries. *[Interruption.]* The hon. Member for Oldham, West should stop chattering across the Chamber and listen to what I am saying. He slapped enough Conservative Members down.

Mr. Meacher: The hon. Gentleman is waffling.

Mr. Jenkin: Businesses are coming to invest in the United Kingdom because they enjoy the flexibility and do not want to get tangled up with European works councils. The effect of the works councils directive as presently set up is to drive investment into this country and make Britain, as Jacques Delors said it would be, a paradise for inward investment. Our European Community partners cannot tolerate that, so now a consultation paper has been put out by the Commission which suggests that compulsory works councils should be set up—not just in Europeanwide businesses, but in domestic businesses—to discuss health and safety matters. That is a clear abuse.

The consultation papers says that, because the works councils would discuss health and safety matters, the Commission invites comments from member states about which treaty powers it should use to promulgate the directive. The obvious implication is that—as the directive is a so-called health and safety matter in the minds of its creators—it should be promulgated under health and safety and subject to a qualified majority vote. In that way, the directive could be imposed on the United Kingdom.

The important point is that our system of light-touch regulation, sensibly balanced with flexible labour markets, results in a better safety record. As my hon. Friend the Minister pointed out, the death rate per 100,000 workers in this country is half the German rate, less than half the Italian rate, a third of the French rate, a quarter of the US rate and one seventh of the Spanish rate. Yet the policy to which the Government were committed when elected is being stripped away by the action of European federal law, and we are denied the opportunity to pursue the policy on which we were elected. That is not only detrimental to the self-respect of and the public respect for a Conservative Government, but detrimental to the interests of this country.

On that crucial health and safety matter, I set great store by the paragraph on page 12 of the IGC White Paper, which we discussed in the House last week, that refers to the need for "Limitation of Community action", because unless we can contain the ever wider application of European federal law, we will have to admit to ourselves that we are in a legal federal system; that we will have incorrect policies imposed upon us; that we will be unable to pursue the policies that we were elected to pursue; and that we will fail the country. In the name of health and safety, that matter must be addressed.

8.46 pm

Mr. Ken Eastham (Manchester, Blackley): The hon. Member for Colchester, North (Mr. Jenkin) thinks that he has made a pretty speech, but it was one of the daftest speeches that I have ever heard in the House. He said that he thought there was too much health and safety regulation in the nuclear industry. One has only to remind him of Chernobyl and of the thousands of people who have died as a result of the lack of health and safety regulation in Chernobyl and in the nuclear industry. The hon. Gentleman said that regulation might cost a few jobs, but the lack of it has cost thousands of lives. I cannot believe the hon. Gentleman's ineptitude. Although he has probably never worked in industry in his life, he thinks there is too much health and safety regulation in the nuclear industry.

Mr. Jenkin: Will the hon. Gentleman give way?

Mr. Eastham: I will not give way, because the hon. Gentleman is not worth a reply. He is so silly.

Earlier in the debate, when my hon. Friend the Member for Oldham, West (Mr. Meacher) made his opening remarks, there were two or three Conservative Members here for nuisance value. They were gibing at my hon. Friend and they made a big scene about £18 million pounds for the Health and Safety Commission.

We make no apologies for trying to save lives. The director of the Serious Fraud Office addressed a meeting that I attended a couple of weeks ago. He reported that, last year, serious fraud in big business amounted to £10 billion. Little is being done about that, but Conservative Members showed great passion about spending £18 million on improving health and safety. That puts in perspective how they see the values of modern society.

The Health and Safety Executive used to report annually to the Select Committee on Employment. Of course, that Select Committee is no longer in action, because the Conservatives have seen it off, but I hope that the executive will still report to other Select Committees. The cost to industry of health and safety problems is estimated to be about £10 billion a year. That is a telling figure. It is a loss not only to industry but to the nation.

Another issue that is never mentioned is the massive burden that is placed on insurance companies which have to meet phenomenal costs that could often have been avoided. As my hon. Friend the Member for Oldham, West said, the Health and Safety Executive reported to our Select Committee that it had a serious shortage of doctors and nurses. Over a two-year period, the number had gone down by 50 per cent.—from 100 to 50. That is a serious matter and should worry all hon. Members.

I look through the annual reports year by year and I notice that one of the great problems is in the construction industry. On average, a person used to be killed every three days. Someone may say that it has changed over the past two years and that now only 2.5 people are killed each year, but the accident figures in construction are horrendous and we know some of the reasons for that. Small firms and cowboy organisations cut corners, and we are aware of the price that the industry pays.

Nowadays the buzz word in parliamentary circles is deregulation, but when we use that word we are playing with death. There is no doubt that there will be continual cutting of corners, and it is frightening to think of what

will happen. The results will not be evident immediately, perhaps not for 12 to 18 months, but I have no doubt that they will become apparent. To be fair, large firms are usually responsible and have very good records. The small firms cause the problems, and that should cause the House great concern. Many small firms do not have any written health and safety policy document for employees, and some employers do not even know that such a document is required.

Another problem arises because of the employment of part-time and temporary workers. The more temporary and part-time workers there are, the greater will be the increase in accidents. The CBI recently produced a report called "Flexible Labour Markets". I am bothered when I see in such documents references to the de-skilling of craftsmen's work. Serious consequences will flow from the trend in industry to have workers who are experts at everything. An employee is expected to be a gas fitter, an electrician and a mechanical engineer all in one. Such demands on some people in the work force will, in time, have an effect and will be costly for industry.

Less than two years ago, a document was issued by the West Midlands health and safety action advice centre. It is a catalogue, case after case on page after page, of all kinds of serious injuries in the midlands. Some horrendous cases could have been avoided. The document refers to the lack of meaningful penalties on employers and company directors. They go to the magistrates court and pay £200 to £300. A person may have lost two or three fingers or may never work again, but the employers seem to get away with it. The document is called "The Perfect Crime" and it relates how companies get away with manslaughter in the workplace. I commend the document to Conservative Members. If they have consciences, it might take the smiles off their faces.

The document contains an interesting little article about the United States experience. For example, in 1993 a company owner called Emmet Roe was imprisoned for 20 years following his conviction for the manslaughter of 25 workers. Does anyone think that the courts in this country would take matters as seriously as that? Would cases be used as examples of the importance of health and safety?

I read a recent newspaper story about accidents in hotels. Evidently, part-time, untrained students who are desperate to earn a few bob get work in hotels. Serious burns and all kinds of unacceptable accidents are happening; unfortunately, they are happening to young people. My hon. Friend the Member for Stockport (Ms Coffey) made a telling and worthwhile reference to the installation of gas boilers and gas fires. Often, untrained and unqualified fitters install such equipment, and only three years ago in Manchester there was a fatality from gas poisoning. An immediate inspection of 2,000 heating systems found that half were faulty. They were poisonous and could have caused fatalities.

I do not think that the problem is unique to Manchester. I wonder how many thousands of these lethal pieces of equipment there are throughout the country waiting to strike somebody dead tomorrow, next week or next year. That should cause us concern. That is why we place great importance on health and safety. We are not being flippant when we talk about health and safety; it is a very serious matter.

I remind the House of the Piper Alpha disaster. I am an engineer, and I remember Lord Cullen's inquiry. We lost 167 engineers, not because of faults that they had made. There was a catalogue of neglect—page after page—on the valves, the safety equipment, even on the equipment on the vessels that brought the people off the rig. We should feel thoroughly ashamed about that. Yet nobody went to prison. Nobody got 20 years, as happened in America when 25 people died. People held their hands up in horror and said, "We've got to do more about this and charge the people responsible." That is what it is really about when we talk about health and safety.

More recently, there has been the privatisation of the railways. There will be about 20 companies. I note that as soon as American buyers come in to buy the railways they talk about de-manning, but there will be a human price to pay. I think that there will be a number of horrendous rail accidents as a result of the serious de-manning proposed through privatisation. Hon. Members should prepare themselves, because in the next months and years there will be many serious but avoidable rail accidents because there will not be sufficient manpower to ensure that things function correctly.

Mr. Etherington: My hon. Friend's confidence will not have been boosted when he was recently made aware that one of the companies will get its rolling stock from a museum, where it has resided for a number of years, because it is felt to be more suitable than what it is running at the moment.

Mr. Eastham: That certainly fits the bill. Those are the quality and standards to which we can look forward in this great revolutionary improvement. The Government call it privatisation and get away with it. I wonder why people are not outraged, and not practically running to the barricades to say, "We are not having any more of this." The Government get away with it for now, but they will not at the next general election, because many of those bright young fellas on the Conservative Benches will not be Members of Parliament any more, that is for sure.

Can we honestly say that enough inspections are being made? Nowadays, life is far more sophisticated. Equipment in homes and factories is far more sophisticated. It is not like it was a hundred years ago. Surely there should be more health and safety inspections, not fewer. I believe that, under the guise of deregulation, the Government hope to reincarnate 19th-century working conditions. That is what they call progress at the end of the 20th century.

9.2 pm

Mr. Peter Butler (Milton Keynes, North–East): I declare an interest as a non-executive director of Stephens Itex Ltd., manufacturer and supplier of safety equipment, which appears in the Register of Members' Interests.

It is a pleasure to follow the hon. Member for Manchester, Blackley (Mr. Eastham). I have been professionally involved as a lawyer in cases of death and serious injury. I do not need to read a booklet to find out the horror that it causes and the problems that arise from it. Nor, I accept, does he, as his record on this is excellent. I agree that this is an extraordinarily serious matter.

It is not correct, as the hon. Gentleman implied, to say that privatisation—I prefer to call it denationalisation—of the railway industry will lead to lower safety standards,

[Mr. Peter Butler]

and it is irresponsible of him to run that scare. I make the point that the Government adopted in full, without quibble or hesitation, every one of the more than 30 recommendations that the Health and Safety Executive made on privatisation in its report to the Select Committee on Transport.

Mr. Eastham: It is one thing for the Government to accept those recommendations, but how can we be sure that they will be implemented when we already know that there is a massive shortage of inspectors? How can we be sure that inspections will take place? It is one thing to put that on paper, but it is another to ensure that they happen.

Mr. Butler: In law, we used to call that alternative pleading. The hon. Gentleman stands up and says that nothing is being done; he then stands up and says that it may be being done, but how do we know that it is effective? I do not accept his cynicism. Nor do I accept that the denationalised railways will want to kill their employees and injure their passengers. That is absurd. They will want to sell tickets and carry passengers; it will be the first time in my adult life that that happens on the railways.

I reject the Opposition's claim that our safety record as bad and, by implication, that the Health and Safety Executive is ineffectual. That is what they are saying when they claim that we have a bad record and that the system does not work. I want to record my rejection of both those contentions. I also want to take this opportunity to record the respect felt by all Conservative Members for the work done over the past 21 years by the HSE. I am sorry that its work is not recognised by the Labour party.

I remind the House that fatal injuries among employees, the self-employed and the public fell from 499 in 1986-87 to 381 in 1994-95. Fatal injuries per 100,000 employees in all industries fell from 2.8 in the year the HSE began its work to 0.9 last year—the lowest rate ever recorded. That is not a record of failure and ineptitude; it is a record of success, and substantially under this Government. Fatal injury rates in the construction industry are at their lowest on record—again, not the record of failure that the Opposition portray for the HSE. In the mines, the rate for fatal injuries is less than half the rate in the year that the HSE began its work—again, not a history of failure.

The Labour party is obsessed by the railways. I look forward to using them more in future, especially as the fatal injury rate for employees has fallen from 18.7 to 7.7 per 100,000 employees—a very low rate indeed. Those are not records of failure; they are records of success.

Mr. Clapham: Does the hon. Gentleman accept that the contribution of employees through their safety committees has played an important part in reducing accident rates?

Mr. Butler: I accept that the habit of safety, to which I shall refer later, is extremely important, not just among employees but among employers. However, I reject the suggestion by the hon. Member for Blackley that small businesses do not seem to know that they are required to have health and safety policies. That is not my experience of the excellent small businesses that I have visited in Milton Keynes, nor do I believe it to be generally true. It is an unfortunate slur on the major providers of new employment.

Mr. Walter Sweeney (Vale of Glamorgan): Is my hon. Friend aware that, in the last year alone, the HSE has issued more than 10,000 notices and dealt with many thousands of cases? The trend in the level of accidents is downwards.

Mr. Butler: I confirm what my hon. Friend says and I congratulate the HSE on its success—a success that has been enabled by the policies of this Government.

For the Opposition motion to be at all credible, we would have to believe that the Government were doing a complete volte face—or, to use the Opposition's expression, a U-turn—and suddenly neglecting the very issue on which they have been so successful.

Mr. Eastham: The hon. Gentleman took me to task for suggesting that there were not proper health and safety statements. Under the heading "Failure to write a health and safety policy", an article in "The Perfect Crime" states:

> "Since the end of May, Jeffrey Hughes, the warehouse transport manager, has been given the additional responsibility for health and safety. He told the Health and Safety Executive that there is not a current health and safety policy for the company as far as I am aware."

Mr. Butler: The fact that there is one thief does not make everyone a thief, and the fact that one small business is identified as being without a policy does not justify the hon. Gentleman's general attack on small businesses. That is perhaps the Opposition's knee-jerk reaction to the very companies that provide employment.

I should like to draw attention to the deceitful nature of the motion's wording. It refers to accidents causing more than 30,000 deaths and major injuries. Why have those categories been lumped together? The answer is that there have been fewer than 400 deaths, and if the Opposition motion had made that clear, the success of the Government's policies on health and safety would have been obvious. Instead of making it obvious, they obfuscate and run the figures together to hide the fact that the number of deaths is at an all-time low. There is no prevarication, no ifs and buts, no allowing for this or that, no on the one hand or the other about the matter. The number of deaths is at a straightforward, all-time low, and the Opposition have tried to hide it in the wording of their motion.

The Opposition also refer to the fact that more than 138,000 injuries involved three or more days off work in 1994-95. The House will be interested to know that, on Second Reading on the Health and Safety at Work, etc. Bill, on 3 April 1974—today is almost its anniversary—the then Secretary of State for Employment said that 1,000 people had been killed, 500,000 had been injured and 23 million working days had been lost through injury. To reach anything like those figures, each of the accidents to which the motion refers would have to result in about 137 working days being lost. The Opposition are attempting to hide the success of the health and safety policies over the past many years.

The Robens report said that the

"discussion on health and safety at work should play as prominent a part in our debates as should discussion about industrial relations".

With the greatest respect, he was wrong. Health and safety now properly plays a much larger part in our discussions than debates on historical facts about bad industrial relations.

The Health and Safety at Work, etc. Act 1974 gave the Health and Safety Commission what was described as "sharper, longer and tougher teeth". I think that since then there has been some capping, a little bit of dental work and the odd bridge here and there, if I may use the sort of terminology that my hon. Friend the Under-Secretary is likely to use in his winding-up speech. The effect is that the commission can still chew and take a firm grip where necessary.

The Bill was of course introduced by the Conservatives, and adds to our record on health and safety, to which my hon. Friend the hon. Member for Colchester, North (Mr. Jenkin) referred, which includes the first Factory Acts and the Offices, Shops and Railway Premises Act 1963, which was relatively new when the Bill was passed. The Conservative Bill was resurrected by Labour when it surprisingly took power. I was going to say that it was supported by both the Liberals present on Second Reading in 1974 and that that was exactly twice the number of Liberals present in this debate, but the one Liberal Democrat who was present left about five minutes after the debate started.

Mr. Etherington: No one tonight has mentioned the fact behind the Robens committee that led to the 1974 Act. The committee was set up as part of our obligations to the European Community under the treaty of Rome, and led to one of the biggest advances in safety legislation in this country. One or two hon. Members have said tonight that the EC is all negative. Safety legislation was one area in which Britain had a little catching up to do, and I was grateful that the 1974 Act achieved it.

Mr. Butler: I have waited for many things since I was elected in April 1992, and one of them has been to be able to agree with the hon. Gentleman. Although I agree with him, the Bill was still a Conservative piece of legislation, which was picked up and passed, with minor amendments, by the incoming Labour Government. I hope never to see an incoming Labour Government.

I represented companies that were prosecuted by the Health and Safety Executive and also represented injured individuals whose employers were subsequently prosecuted. I always found the Health and Safety Executive very reasonable and extraordinarily fair and helpful. It did not drop any of its cases against my clients, so my comment is not self-serving.

Every accident could have been avoided; that is certainly true. Unfortunately, it does not follow from that that we can guarantee an accident-free future, because the future never exactly replicates the past. I dealt with cases as diverse, for example, as a man whose legs were crushed by a fore-loader, a man who was killed as a result of electrocution from an overhead power line where the proper safety regulations had not been applied, and a child who was injured by a bursting balloon which ripped the skin from the eyeball.

I also dealt with a matter that may ring a bell with my hon. Friend the Minister for Construction, Planning and Energy Efficiency which involved an act of stupidity. In the basement of a house that was being rebuilt, the employer ran an electric cable down a steel pipe which was thus used as a conduit. The employer painted it red and hung signs on it, but that did not prevent an employee from taking an angle grinder and cutting through it until he was electrocuted and, unfortunately, killed. To be fair to the Minister, it is true to say that stupidity, regrettably, often plays a part. It is no good pretending otherwise if we are to take the subject seriously.

I would like to see a world in which there are no prosecutions under health and safety at work legislation because there is no need to have any, as a result of there being no accidents and as a result of everybody taking the proper precautions. On that basis, I again reject the Opposition's contention that, if there are not enough prosecutions, it must prove that the resources are inadequate and that the effort is lacking. I do not accept that at all.

I move now to a point that is common ground—the habit of safety, which is extraordinarily important and which starts in schools and in the home. I would like to praise the work of Hazard Alley in Milton Keynes. Schoolchildren can see, set up in a building, home situations, road situations and work situations. They can see apparent accidents happening and as they watch, unexpected things happen. It can be quite a traumatic experience. I have spoken to many children who have visited Hazard Alley—my own children have been there—and have found that without exception, they are impressed and alerted to the fact that safety is not only their shared responsibility, but something that is not guaranteed.

I have already said that hidden, slightly deceitfully, in the Opposition motion is the fact that fewer than 400 people were killed at work last year, although that is almost 400 too many. In the same year, just under 4,000 people were killed in accidents in the home; it is right to keep those figures in proportion. I commend Hazard Alley and similar schemes that are springing up elsewhere.

As the habit of safety grows, it is surely no more than common sense that the Health and Safety Executive should re-prioritise. As the habit of safety grows, there is no need to do some of the basic work that used to be necessary. There is now an accepted view that safety is everybody's duty, not just the employer's. It is not sufficient to have in place wonderful systems that no one follows, which mean that when the HSE visits, the employer can produce the booklet, the leaflet, the follow-up and the committee minutes. Nor is it just a matter of the employee's duty. Hon. Members have referred to the Victorian employer who takes people on, does not care about their safety and leaves it up to them, and who believes that, if there is an accident, it is the employee's fault. Safety is the duty of the employer and the employee, and it is also the duty of all of us.

From my experience as a director of a safety company, I know that the customer's interest is no longer what used to be called CATNIP—the cheapest available technology not involving prosecution. That used to be the case some years ago, but the interest now is, "How safe and efficient can I as an employer become?" or "How safe and efficient can I as an employee become at my place of work?" The House would commend and wish to support that as fully as possible.

If the Opposition motion was right about the need

[Mr. Butler]

"to reverse deregulation initiatives that"—

which should be "which"—

"threaten health and safety standards",

we would all support it. However, the deregulation proposals do not threaten health and safety standards and will not threaten them.

I pray in aid the fact that the deregulatory proposals come from the Health and Safety Commission, which in 1993-94 conducted a review of health and safety legislation with the aim of simplifying and clarifying the law. The proposals were intended to reduce the burdens on business, especially on small firms, but at the same time to improve enforcement practice. That comprehensive review recommended that about 100 regulations and seven pieces of primary legislation not only could, but should, be removed; that there should be new simplified regulations for reporting accidents—that comes into effect at the end of this week; several measures to reduce the sheer drudgery of paperwork; an enforcement policy statement to ensure consistent enforcement by local authorities—many hon. Members will have experienced one local authority taking one view and the neighbouring authority another; and a complete review of the commission's guidance documents, which hon. Members will be interested to know amounted to 650 separate publications. That review is under way.

Unfortunately, time is against me. I end by recalling that not only are more people in work than ever before but that they work in a safer and healthier workplace environment than ever before. That is the measure of the Government's commitment over many years. That is a continuing commitment. I urge the House to support the Government amendment.

9.20 pm

Mr. Michael J. Martin (Glasgow, Springburn): Hon. Members have talked about private industry and nationalised industry. I do not care what industry an individual works for; every man, woman or young person going out to do an honest day's work should be given every opportunity to work in a safe and healthy environment. That is not happening in every industry.

I was fortunate enough in the 1960s to get an apprenticeship as a metal worker. I worked in engineering until I came into the House. I remember looking forward to the day that I went into the factory. It was a great experience for me. It was not long—it was in the first few weeks—before I realised that working for a living in engineering was dangerous. The eyes of people who stood too near the electric welder were damaged by ultraviolet rays. People who worked at the guillotine without due care and attention could easily lose fingers. Some of my fellow apprentices were damaged by working with such machinery. Spot-welders could have their hands burned and scarred. Sometimes, young apprentices were required by the employer to carry weights that 15 or 16-year-olds should not have lifted. That happens today in our factories.

The women in our factory were exposed to chemicals that gave them dermatitis. There was vermin infestation that meant that, if sandwiches were left in the wrong place, they could be eaten or tampered with by rats or mice, and that people went without decent food that day.

I remember working with asbestos. As a young apprentice, I thought that it was better to work with asbestos because it gave off only a white powder instead of the oily metals that clung to our clothes. Little did I know that I was not only endangering my health but that my mother could have easily inhaled asbestos dust when I took my boiler suit home.

Hon. Members who understand the dangers of inhaling asbestos know that asbestosis manifests itself 20 or 30 years after inhalation. The Thatcher era saw the decline of engineering and the closure of many factories. I hope that the Minister can give an assurance to the men and women who are only now showing the signs of having inhaled asbestos. Because of liquidation or bankruptcy, many of their former employers are no longer around. Some mischievous employers have even changed their addresses, so as deliberately to stall claims arising from asbestosis.

As the Minister knows, few doctors will conclusively state when they examine someone for a post mortem, that the man or woman died from asbestos inhalation. That means that claims can often be lost because the family does not have on the death certificate the fact that the person died of asbestosis. It might be argued that the person died of heart failure, kidney failure or whatever. I feel strongly that, in view of all the factory closures, people experiencing asbestosis now should still be able to claim from their old employers.

Some hon. Members have talked about how death rates and accident rates have dropped. I do not have the statistics before me, but I have some common sense, and that tells me that, when 3 million men and women are sitting at home not working in factories or on construction sites, there are bound to be 3 million fewer people being exposed to the problems that employment brings with it. It is all very well for Conservative Members to say that the number of injuries and deaths has dropped, but they must also realise that an awful lot of people do not have a job.

Much has been said about the construction industry. When I was elected to the House in 1979, the vast majority of people in the construction industry had an employer, but nowadays joiners, slaters, plasterers, electricians and the practitioners of every other trade on the building site are 714 operators. When the Minister starts quoting statistics he must know that many of the 714 operators do not report injuries sustained on the building site.

We all know that, when an injury is sustained—back strain or a bone injury, perhaps—the damage may not be noticed until a few months later. There may be no report of an injury on the day, yet the worker, who may be on another building site by then, or even out of work, may suffer from it three or four months later.

Time is against me—the winding-up speeches must start now—so I shall finish by saying that I want good legislation that protects every worker throughout the country to be introduced. My hon. Friend the Member for Manchester, Blackley (Mr. Eastham) mentioned the hotel industry, but almost every industry has its danger spots—even caring industries such as the health service. Even those who work in hospital kitchens and nurses can sometimes be exposed to dangerous gases. The Minister will know that even an operating theatre can be a dangerous place if there is any neglect or carelessness.

Every man or woman who goes out in the morning to work for a day's pay should get good health and safety facilities, and the House should always be here to ensure that those facilities are backed up by legislation.

9.29 pm

Mr. Ian McCartney (Makerfield): I shall wind up on behalf of the Opposition this evening. The opening speech of the Minister for Construction, Planning and Energy Efficiency should get the annual award for sophistry.

The Minister did two things: first, he tried to identify statistics, but they did not compare like with like and, secondly, the only example that he could give of the saving of lives and resources was not a deregulation issue but a regulation issue. It involved an area where the Government took out regulations to introduce hard hats. As a consequence of regulating, not deregulating, 20 lives—and £17 million—was saved. The point of that story is simple: deregulation costs lives and resources; regulation saves lives and resources.

The Government's defence of cuts in health and safety was based on the premise not of deregulation but of regulation. The leaked documents were a cry for help to the Opposition—they showed that the Government, in private, were decimating the resources of the Health and Safety Commission and the Health and Safety Executive. The Government were decimating resources and forcing a change in culture—which will lead to an increase in accidents, injuries and deaths over the next decade.

There have been 400 deaths, 50,000 major injuries and 130,000 days lost through injuries resulting in three days or more off work. That is not a record of which the Government should be proud. As the hon. Member for Milton Keynes, North–East (Mr. Butler) said, it is not an excuse to start dismantling large sections of the health and safety legislation.

What were the key messages from the chairman of the Health and Safety Commission? He said that the commission could not meet the expectations of it and the requirements placed on it by the Government, Parliament and the courts, that the pressure from Parliament and the public about safety standards in new privatised industries had to be met, and that the Government's current expenditure levels cannot meet those new safety requirements. The HSC had a disagreement with the Government about deregulation being about assisting business. It took the opposite view—it does not accept that health and safety is about reducing burdens in business or that health and safety assists small and medium-sized businesses.

There was major criticism of the Deputy Prime Minister and the deregulation task force, which seems to be out of control and responsible to no one but itself. It is putting relentless pressure on the Health and Safety Executive to do away with large parts of the safety regulations, and to do so away from the public gaze and outside public accountability. That would disrupt the work of the commission, the executive and those who work in the front line on behalf of the executive.

A second report was released to the Labour party. It was based on a meeting of 13 March 1996—only a few days ago. Members of the executive and the commission met to consider the consequences of the Government's proposed cuts in the next three Budget rounds—1996, 1997 and 1998 through to 1999. Page 13 of the report gives the lie to the Minister's case that they are a Government of risk assessment. A Government of risk assessment would not reduce resources to the front-line troops. Page 13 states:

"I have to say that the scope for further efficiency savings looks limited. We have therefore had to accept, with reluctance, that the size of the field force can no longer be protected."

The safety officers at the sharp end have said that they can no longer be protected. The report continues:

"Our strategy for coping with the PES 96 therefore embodies a reduction in the number of Field Operations Division inspectors. This will be reflected in reduced activity, including fewer preventative inspections."

The whole risk assessment strategy of the Minister is in tatters. Officers cannot maintain preventive inspections, which means that they cannot maintain risk assessments.

Even worse, the report gives the Government a way of fiddling statistics. It says that discussions will take place in a short while between Ministers, the commission and the executive to find a new formula for maintaining statistics in order to "maintain public confidence", despite the reduction in resources and field activity.

The Government have fiddled unemployment figures 30 times. That is one thing, but to sit down in private to work out a system to fiddle health and safety figures is a scandal that should be exposed. The Minister should make a public commitment that that proposal will never see the light of day, whether it be proposed by the commission or by the deregulation task force.

The cuts come at a time when the Health and Safety Commission and Executive have been forced by the Government's deregulation policies to spend more than £1 million on private consultancies while cutting real resources at the sharp end. It is unacceptable and appalling that, when millions of pounds have been cut from the budget, they are being forced to commercialise and to privatise front-line activities.

The leaked memorandum sets out in detail the damage posed by further cuts in the budget for agricultural inspectors. When the memorandum was written, the Government knew about the 10 deaths from Creuzfeldt-Jakob disease and the link with BSE, yet they still proposed to impose draconian cuts on agricultural inspectors in the Health and Safety Executive.

On page 85 of the annual report of the Health and Safety Commission released in November 1985, there is an interesting paragraph about agricultural inspectors:

"agricultural inspector numbers reduced to 169 in line with plans to redeploy some posts to other work. This followed a workload analysis taking into account accident rates, reduction in employment in farming and competing demands of other sectors."

However, that was a serious overestimate of the number of agricultural inspectors operating in the field. Indeed, it is a total misrepresentation to the House of the true picture.

I have reliable information from inside the Health and Safety Commission and the Health and Safety Executive that only 78 inspectors are dealing with the agriculture industry. In the past few days, civil servants have been scurrying about Whitehall trying to concoct excuses for that gross manipulation of the Health and Safety Commission annual report to Parliament, just in case the Opposition receive a leak to show that that part seriously misrepresented the number of inspectors. I must tell the Minister of State that his efforts are too late. We already have the information from deep in the heart of the Health and Safety Commission.

[Mr. Ian McCartney]

The annual report goes even further than misrepresentation to Parliament. Ministers in the House tonight and in the other place have been complacent about inspectors in agriculture. Agriculture has one of the worst records on death and injury of any sector in the British economy. Fifty-four people were killed last year—an increase of 32 per cent. on 1993-94. That makes farm work the number one killer of workers, even worse than the construction industry.

According to the Health and Safety Executive, four out of 10 farmers have reported health problems directly caused by their work. As a result of the cuts, farms are now likely to be inspected only once in 30 years. The average fine for a serious criminal offence is only about £3,000, but in agriculture it is dramatically less—£500—and sometimes as little as £100.

The Minister complained earlier this year that I was harassing Ministers and the Health and Safety Commission by asking many wide-ranging questions about the Health and Safety Executive. Some of the answers were very revealing. Planned inspections by the commission fell by 5,400. Since 1979, the number of specialist doctors and nurses has fallen from 177 to 103—a cut of more than 40 per cent.

In March 1995, a report on asbestosis stated that there would be 3,000 deaths a year, on average, from cancers caused by exposure to asbestos. Despite those findings, the Department of Trade and Industry—I assume with the cognisance of Ministers at the Department of the Environment—is allowing trade in natural asbestos products for the construction industry. Some 60,000 tonnes have been imported into the United Kingdom, and a further 7,000 tonnes will be allowed in at a cost of more than £41 million.

One Department predicts a huge increase in the number of deaths from asbestosis, while another Department continues the trade in death by allowing huge quantities of asbestos to be used in the United Kingdom construction industry. It is not simply Westminster council that deals in asbestos: the heart of Government are allowing the importation of ridiculous quantities of asbestos, which will lead to further deaths and injuries.

The budget cuts are devastating—£17.7 million between 1997 and 1999—yet the Health and Safety Commission will be asked to do new work costing £18 million during the same period. There have already been cuts worth £7.8 million and, as a consequence, field officers have lost their jobs. As I have said, the number of inspections has decreased and the HSC has said that it cannot meet its legal obligations to Parliament and to the courts.

The truth is that the Government are prepared to put tax cuts before safety. They are prepared not only to undermine safety and their credibility on safety issues through their deregulation proposals, but to undermine the ability of the Health and Safety Executive to ensure continuity in health, injury prevention and occupational health and to target those areas of industry where health and safety problems remain chillingly high.

The situation with nuclear privatisation, as stated in the report, is even worse. It beggars belief, but it is true. Page 9 of the report states there will be a reduction of eight inspectors in the nuclear inspectorate, and that that reduction will increase to 12. The same will happen to the petroleum and offshore inspectorates. There are to be 12 fewer inspectors for offshore installations by 2000.

Following the Piper Alpha disaster, the Government gave a commitment that such disasters would never occur again yet, in the privacy of reports, they are prepared to not only cut resources to the Health and Safety Executive, but to force it to reduce the number of inspectors working on offshore installations.

Those cuts are not acceptable in any circumstances. The Health and Safety Executive and the Health and Safety Commission believe wholeheartedly in the development of strategies to prevent illness and injury at work and, as a consequence, the documents have been leaked to ensure that there is a vibrant debate about what the Government say in public and what they do in private, which is to cut resources, deregulate and undermine health and safety regimes.

It seems unbelievable but, in February this year, a company called Duke Power was interviewed by the Department of Trade and Industry with a view to its buying the British nuclear industry. The company subsequently admitted involvement in "silence for money deals", whereby workers would receive payments in return for keeping quiet about potential safety hazards. How could a Government who purport to be serious about health and safety even entertain the idea of such a company purchasing our nuclear industry?

My hon. Friend the Member for Stockport (Ms Coffey) stated clearly the position with regard to gas. The Minister would not accept the figures produced by my hon. Friend the Member for Oldham, West (Mr. Meacher) and other colleagues regarding mining safety. The Health and Safety Executive issued figures to my hon. Friend the Member for Sherwood (Mr. Tipping) showing that, between April to September 1994 and April to September 1995, there was a 17 per cent. increase in major injuries in the privatised coal industry.

In January this year, I asked the Minister whether he would

"require private coal companies to publish, at regular intervals, detailed statistics relating to the number and types of serious reportable accidents, sustained by (*a*) directly employed and (*b*) contract workers.

Sir Paul Beresford: No."—[*Official Report*, 17 January 1996; Vol. 269, c. 602.]

What does the Minister have to hide? What does the privatised industry have to hide? Why cannot it produce publicly figures relating to accidents at work?

The truth is that deregulation, under this Government, is out of control. It is the canker at the heart of the Government. They deregulated the labour market and created mass unemployment. Under this Government, people can lose their jobs and homes. If the Government get their way and deregulate the HSE, people will lose their health as well.

This debate has shown that the Government are prepared to take risks with people's lives but not to take responsibility for that. When it came to arms to Iraq, the Government blamed my hon. Friend the Member for Livingston (Mr. Cook). BSE, it seems, is all the fault of the consumer. Today, the Minister said that accidents at work are the fault of stupid workers.

The truth is that the fault lies with the Government and their policies of deregulation and budget cutting. I therefore ask my hon. Friends to support the motion and defend the right of workers not to be injured or killed by cowboy employers.

9.45 pm

The Parliamentary Under-Secretary of State for the Environment (Sir Paul Beresford): This has been a wide-ranging debate. We are all agreed, it seems, that we would like there to be no accidents. Although the accident rate is declining, however, accidents continue to happen.

Since 1974, the fatal injury rate for employees has dropped dramatically. It is currently the lowest on record; indeed, the United Kingdom's health and safety record is among the best in the world. It is certainly better than the records of all our major EC partners. The EC is learning from us, and well it might. Members of the Health and Safety Executive are in Brussels helping the Community to adopt the right approach to health and safety—not the approach that the Labour party has adopted.

I was rather disgusted by the Labour motion. It talks of 30,000 deaths and major injuries, but it fails to distinguish—rather insensitive, this—between the 381 deaths of self-employed and members of the public and the statistics for major injuries. *[Interruption.]* The hon. Member for Oldham, West (Mr. Meacher) says that I am wrong. If so, why did he not get the wording of the motion right in the first place?

The Opposition motion also fails to mention the fact that the HSE has reduced the number of fatal injuries to employees by more than half since 1981, or that the number of major industrial injuries has fallen by more than 15 per cent. since 1986-87. Furthermore, it fails to mention that the number of injuries to self-employed people involving three or more lost working days has dropped by more than 21,000 since 1986-87.

Since 1979, the HSE has presided over a steady decline in the number of work-related accidents and fatalities. The fatal injury rate is now less than a quarter the rate in the early 1960s, half that of the 1970s, and 20 per cent. lower than that of the mid-1980s. As the Minister of State pointed out earlier, the road accident figures provide a useful comparison. In the year ending September 1979, 6,633 people were killed on the roads, 46,115 were seriously injured, and 265,022 were slightly injured—giving a grand total of 314,800. That puts the matter into perspective.

Mr. Eastham: If the Minister is keen to put matters in perspective regarding serious injuries and deaths in industry, does he recognise that we now have virtually no mines or shipbuilding, we have only half the engineering industry that we had in the past, and these 400,000 building workers are without jobs? Does that not mean fewer accidents?

Sir Paul Beresford: I am sorry that the hon. Gentleman missed the point, although I repeated it. I was talking about the rate. In mining, although the work force has dropped to about 25 per cent. of what it was, the number of fatal accidents has fallen to 15 per cent. so there has been a dramatic improvement in safety.

The HSE inspectors are responsible for enforcing health and safety legislation in more than 650,000 business establishments, ranging from offshore oil rigs to mines, factories, farms and fairgrounds. Two of my hon. Friends stressed the importance of attitude of mind and a culture for safety. The attitude problem really belongs to the Labour party, which is looking towards total regulation. To use the same analogies as my hon. Friend the Member for Milton Keynes, North-East (Mr. Butler)—they were slightly familiar to me as they were dental ones—Labour Members are so bound up with regulation that they will give themselves, if not the country, lockjaw.

The Government fully recognise the importance of the task of the HSE and provide the necessary resources. Hon. Members will be interested to know that there are more than 30 additional HSE inspectors than there were on 1 April 1979.

Mr. Ian McCartney: What about doctors and nurses?

Sir Paul Beresford: The hon. Gentleman asks about doctors and nurses. They were mentioned twice. He is right to say that the number of Medical Advisory Service doctors and nurses has been reduced. That decision followed an internal review which recommended greater use of contract professional staff. In addition, the HSE ran a recruitment campaign in January, leading to several new MAS doctors being appointed.

Mr. McCartney: In answer to a parliamentary question, the Minister told me that the number of doctors had been reduced because more work had been passed on to nurses. I then asked how many more nurses had been employed, and the answer was that nursing staff had also been cut. The Government reduced the number of doctors and gave their work to nurses. Having transferred the work to nurses, they then cut the number of nurses.

Sir Paul Beresford: The hon. Gentleman failed to take into account the number of contract doctors and nurses who were brought in, some of whom were specialists.

Inspectors work predominantly through co-operation—something that the hon. Gentleman appears not to understand—in work activities. They advise and persuade at the workplace and use formal enforcement action only as a last resort. Inspectors do not go looking for criminals, as the Labour party seems to want them to do, nor are they anxious to enforce over-trivial matters. That is a sensible and cost-effective use of the inspectors, who are highly trained, capable professional staff.

The approach follows the principle of proportionality—that legal remedies should be used only when they are justified and according to the hazards and risks involved. When there is justification, there is no hesitation by the inspectors. They take firm action. They have extensive powers to do so. In 1994-95, the HSE issued 10,751 enforcement notices and took 1,789 prosecutions. The combination of the inspectors' expertise, professionalism, flexibility and discretion means that industry has considerable respect for the HSE and works in partnership with it.

The Health and Safety Executive uses a wide range of techniques to supplement the traditional inspector's visit. It approaches large national companies to promote system changes to management and health and safety across the country. It uses mail shots and undertakes other educational work. It issues some 7 million free publications each year. It runs workshops and seminars to

[Sir Paul Beresford]

explain what must be legally done at the workplace and how inspectors carry out work. It collaborates with intermediaries such as training and enterprise councils and chambers of commerce, and generally has gained access to a wide net of employers.

In short, the HSE inspectors have concentrated on activities that present a high risk to workers and/or the public, and have sought to use their time in the most effective way. They have developed a progressive partnership—I know that that is a buzz word at present, but it works—with industry and the work force, building up a preventive attitude. That is much the most cost-effective way of proceeding.

In recent years, of course, the number of preventive inspections has been falling, but the number of investigations in response to complaints or incidents has been rising. I say "of course" because there is no secret about it: the trends have been explained in the commissioners' plan of work in the annual report, which has been laid before the House. There is no mystery of what is happening.

The HSE is using new techniques to assist and encourage businesses to fulfil their obligations. There are ever-growing demands for investigations and advice, but that demonstrates a positive attitude to the HSE on the part of industry. Inspections take longer because they are carried out in more depth, and because new legislation must be explained carefully to employers and workers. There is no conceivable cause for concern. The enforcement strategy is working, as the accident figures show.

The chairman and leading commissioners visited me at the Department. The chairman was accompanied by representatives from the Trades Union Congress, the Confederation of British Industry and small businesses. They assured me personally that the HSE had adequate resources for the year ahead, enabling it to meet its obligations and priorities. I have received no advice for the years beyond that, and the letter that has been referred to has not surfaced—it has not been seen. When any letter arrives it will be read very carefully. As the hon. Member for Makerfield knows, however, pleading poverty is a normal enough negotiating tactic. As many hon. Members who have been in local government will be aware, it is exactly what should be expected.

The commission and executive have made considerable efficiency gains over the past few years. They deserve credit for that; they do not deserve to be derided, as they were this evening. They need encouragement to continue. We must not let up in our drive to maximise value for money. There is no merit in just throwing money at the problem, however worthy the presentation of continued regulation by Opposition Members.

Opposition Members have also derided the deregulation unit, but it has been very useful to a number of groups, including the HSE. It has provided good advice and lateral thinking, and has now developed a close, effective working relationship with the HSC.

Mr. Ian McCartney: I have a paper which says the opposite.

Sir Paul Beresford: The hon. Gentleman seems to feel that a paper that he has, which I do not have, says the opposite. I have seen the results, and they are quite different. He is, however, right to draw attention to the Government's drive towards greater efficiency. Business efficiency is a priority.

I am glad to have the opportunity to identify the part that effective management of health and safety plays. In the past five years, the coal mining industry has undergone major changes, but the accident rate per 100,000 employees has fallen. Great improvements have also been made in productivity: between 1985-86 and December 1994, overall output per man shift rose from 2.72 tonnes to 13.5 tonnes. It is nonsense to suggest that, by encouraging business efficiency, we put the health and safety of employees at risk.

The hon. Member for Makerfield has much to learn about health and safety, as he showed towards the end of last year when we were considering some woefully out-of-date and unnecessary legislation relating to home workers. He tells us that he is against deregulation; yet he tried to persuade a Committee to stop removing outdated law relating to feather sorting, fur pulling, the making of iron and steel cables and chains and the making of steel anchors and grapples.

The HSE has adequate funds to promote, efficiently, health and safety in this country, bearing in mind the work needed to make us a competitive nation. I ask the House to support the Government amendment.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 266, Noes 284.

Division No. 87] **[21.59 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beith, Rt Hon A J
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Caborn, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Chidgey, David
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Covy SE)*
Cunningham, Rt Hon Dr John
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham, H'dge Hl)*
Denham, John
Dewar, Donald

Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Eastham, Ken
Etherington, Bill
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
George, Bruce
Gerrard, Neil
Gilbert, Rt Hon Dr John
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hall, Mike
Hanson, David
Harman, Ms Harriet
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Hogg, Norman *(Cumbernauld)*
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheffld, H)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Kaufman, Rt Hon Gerald
Keen, Alan
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
McCartney, Robert
Macdonald, Calum
McFall, John
McKelvey, William
Mackinlay, Andrew
McLeish, Henry
McMaster, Gordon
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Paisley, The Reverend Ian
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin *(Belfast S)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon John D *(Strgfd)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Tyler, Paul
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Joe Benton and
Mr. Malcolm Chisholm.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Booth, Hartley
Boswell, Tim
Bowden, Sir Andrew
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Burns, Simon
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Eggar, Rt Hon Tim
Elletson, Harold
Emery, Rt Hon Sir Peter
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair

Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heath, Rt Hon Sir Edward
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Hill, James *(Southampton Test)*
Horam, John
Hordern, Rt Hon Sir Peter
Howard, Rt Hon Michael
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(W Hertfdshr)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lamont, Rt Hon Norman
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon, South)*
Martin, David *(Portsmouth S)*
Mates, Michael
Mawhinney, Rt Hon Dr Brian
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stern, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Sir Donald *(C'er V)*
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Derek Conway and
Dr. Laim Fox.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments) and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the Government's commitment to maintaining standards of health and safety at work, whilst removing unnecessary burdens on business; endorses the Health and Safety Commission and Executive's role of assisting and educating business in its duty to assess risk and take action accordingly; and approves the rigorous approach which the Government takes to improving efficiency and effectiveness in all areas of public service.

RATING AND VALUATION

Motion made, and Question proposed, pursuant to Standing Order No. 101(6) (Standing Committees on Statutory Instruments, &c.).

That the draft Electricity Supply Industry and Water Undertakers (Rateable Values) Amendment Order 1996, which was laid before this House on 1st March, be approved.

That the draft Non-Domestic Rating (Chargeable Amounts) (Amendment) Regulations 1996, which were laid before this House on 1st March, be approved.—*[Mr. Wells.]*

Question agreed to.

DEREGULATION

Motion made, and Question proposed, pursuant to Standing Order No.14A (Consideration of draft deregulation orders).

That the draft Deregulation (Salmon Fisheries (Scotland) Act 1868) Order 1996, which was laid before the House on 19th February, be approved.—*[Mr. Wells.]*

Question agreed to.

SITTINGS OF THE HOUSE

Motion made, and Question proposed, pursuant to Standing Order No.22 (Periodic adjournments).

That this House, at its rising on Wednesday 3rd April, do adjourn till Tuesday 16th April.—*[Mr. Wells.]*

Question agreed to.

Greenock Prison

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Wells.]*

10.14 pm

Dr. Norman A. Godman (Greenock and Port Glasgow): The Minister will not be surprised to learn that the subject of this debate was prompted by the recent publication of the report of the chief inspector of prisons, C. B. Fairweather, on Her Majesty's prison, Greenock. I want to ask the Minister a few questions, and I will begin here and now. Why are the chief inspectors of the Prison Service drawn from outwith the service, quite unlike the practice in the police and fire services?

The chief inspector's report is decidedly unsympathetic to the management and staff at the prison. I remind the Minister that, when Mr. Fairweather and his colleagues carried out their inspection in November last year, Greenock—a small local prison—was the most overcrowded prison in Scotland. As the chief inspector observes in paragraph 5.1 of his report:

"Greenock is designed to hold 172 prisoners in single cell accommodation though on the first full day of our inspection (Monday 12 November 1995) the population at lock-up was 249 (which represented 45 per cent. overcrowding)".

Chief Inspector Fairweather should have added that the governor and his staff were and are quite literally running two prisons in one. That has come about because of the unfortunate mix of prisoners in the prison. In my view, criticism should always be even-handed—or, at the very least, balanced by an acknowledgment of the difficulties experienced by those being subjected to criticism. Chief Inspector Fairweather should take that on board.

The Minister and the chief executive of the Scottish Prison Service, Mr. Frizell, know that I visit Gateside from time to time. I formally opened the summer fete at the prison two years ago. It was a huge success, with more than 1,000 local people coming into the prison, but not a single prisoner leaving on an unscheduled departure ticket. Last year's fete was opened by a very good friend of mine, Provost Alan Robertson, who is also well known to the Minister. That, too, was a success. Despite the fact that I was not invited to last year's fete, I still hold the governor and his staff in deep respect. I do not know why I was not invited, but the Minister and I know that that sort of thing happens to elected representatives.

In fairness to the governor, Dan Gunn, I must say that he persuaded me to think again about the advisability of employing women prison officers in male prisons. I readily admit that I have long argued that women should not be allowed to work on the deck of a trawler or in a male prison. Now, after my education by the governor, I readily acknowledge that it makes good sense to employ women officers in male prisons. What steps have been taken to recruit more women prison officers to serve in male prisons, and how many trainee governors have been recruited in each of the past three years?

As the Under-Secretary, the hon. Member for Aberdeen, South (Mr. Robertson), is present, I want to say that I do not for one moment advocate that women should work on our trawlers. There are sticking points for old reactionaries like me.

The prison in Greenock enjoys good relations with the local community. Not so long ago, some legitimate concerns were raised with me by the residents of Nimmo Street, which backs on to the prison. In fairness to prison staff, I think that those problems were, by and large, dealt with to the qualified satisfaction of my constituents in that street. Life is now a good deal easier for them.

I turn to the distressing issue of suicides at Greenock prison. I have been critical of Chief Inspector Fairweather, and, spotting the beam in my eye, prison staff were upset and angry at my comments that were reported in the *Greenock Telegraph*, following the suicides of two young prisoners within 24 hours. When I met a number of prison officers, they were not slow in telling me of their anger and distress at my comments. As they say in Glasgow, they did not miss me and hit the wall.

I readily acknowledge that individuals who are determined to take their own lives can sometimes obscure that fatalistic intent from others, which of course includes prison officers and doctors. A psychiatrist to whom I recently spoke said that it is not always possible to detect those who are intent on taking their own lives.

Chief Inspector Fairweather says in paragraph 3.15 of his report:

"There had been a total of five suicides at the prison since our last inspection, three of them by hanging within the last eight months. There had also been a very recent serious attempted suicide which, but for the quick reactions of staff, could have been fatal.

This alarming upsurge in suicide in such a relatively small prison should nevertheless be viewed against background statistics which indicate a trebling of the suicide rate in 1994 amongst prisoners throughout Scotland. This in turn mirrors the fact that suicide is now the second most common cause of death amongst the young male population in Scotland."

In paragraph 3.17, he adds:

"We felt that suicide awareness among all staff was good and as comprehensive as any we had seen elsewhere, but it is clear that staff intervention is only possible when suicidal intent is being signalled. Regrettably, there are still occasions when individuals will take their own lives without warning to staff or other prisoners."

That is an eminently fair observation of the distressing state of affairs.

With Mr. Fairweather and his colleagues, I too await with interest the report that the Prison Service has commissioned from Professor Gunn of the London Institute of Psychiatry into the service's suicide prevention strategy and the rising trend of suicide in our prisons. Will the Minister ensure that hon. Members are given ready access to that report when he receives it? When does he expect to receive it? Everything possible must be done to dissuade the mainly young prisoners who are prone to suicide from carrying out their distressing intent.

Mr. Fairweather's report makes numerous recommendations, which I sincerely hope the Scottish Prison Service and the Minister will treat sympathetically and seriously. Incidentally, when I visited Greenock prison last Saturday, I was deeply impressed by the architectural design of the new hall. The prisoners who are housed in the new hall, which is to be called Chriswell after an old farm near Inverkip—which will be part of my constituency if I am lucky enough to be re-elected—were very pleased with their new surroundings.

One prisoner in the new hall, a man who has been in prison for many years, pleaded with me to help him secure his early release. He asked me to make representations to "that politician who runs our prisons", and said that he thought his name was Mr. Willie Hamilton. I said that

[Dr. Norman A. Godman]

I thought he was confusing my old friend, that staunch republican, with the Minister. I know that there are those who would have liked to see Willie Hamilton put behind bars for some of his views.

I now turn to what I consider to be equally serious issues concerning PADs—persons awaiting deportation. As the chief inspector pointed out, the average number of such persons has risen from 11 to 16. On Saturday, when I was in the prison, there were 14 such persons, and I spoke to five of them. They are men guilty only of breaching immigration rules. They are not criminals, and they should not be in a prison.

Their detention at Gateside presents formidable and often distressing problems for them and serious difficulties for members of the prison staff. There are difficulties in terms of language, culture, religion and diet. Three Indians, who were decent and polite individuals, complained to me that they had not tasted a decent curry for a long time. I said that there was nothing I could do about that. More seriously, there are formidable problems for such persons.

What training is given to the staff at Greenock and Aberdeen, where, I believe, a few such persons are detained?

The Parliamentary Under-Secretary of State for Scotland (Mr. Raymond S. Robertson) *indicated assent.*

Dr. Godman: I see the Minister nodding.

What training is given to the staff to equip them to deal with such detainees? Are they given special training?

I have another serious question for the Minister. Does the Scottish Prison Service bill the Home Office immigration and nationality department for the detention of such persons in our prisons in Scotland? If not, why not? The immigration and nationality department has the responsibility for detaining those people.

I was able to speak to the detainees out of earshot of the governor and the prison officers in A hall in the prison. They told me that they had no complaints against the staff, which was gratifying for me to hear as the local Member of Parliament, but they were not so complimentary about certain prisoners. There is an Albanian in Greenock prison at the moment, and I was unable to speak to him as he knows no English. What assistance is given to prisons to allow such persons to be given an understanding of their rights, their privileges, prison regulations and the prison regime? That is an important question in terms of language difficulties.

I remind the Minister that, in a letter written on 14 September 1994 to my hon. Friend the Member for Lewisham, East (Mrs. Prentice), the then Under-Secretary of State for the Home Department said of detainees south of the border:

"It is true that some detainees are detained in prisons, generally because they require greater levels of security and control than can be provided in immigration detention centres. In such cases they are generally accommodated with unconvicted prisoners and accorded the same privileges."

That is not the case at Greenock.

Detainees are accommodated alongside untried prisoners, but they mix with prisoners who have been convicted in the sheriff court and the High Court. The fact that they mix with criminals of all kinds is simply not good enough. These people have broken immigration rules, but they have done nothing else. They are not criminals, and they deserve to be treated much more decently.

What access is given to legal representatives? Are the prisons at Aberdeen, Greenock, Perth and elsewhere as open in terms of access to legal representatives as those south of the border? In other words, is there access at weekends, and if not, why not?

In January, I asked the Home Office a question about the building of a holding centre at Glasgow airport. I was told:

"There have been no discussions with the British Airports Authority about building a holding centre at Glasgow airport."—[*Official Report*, 30 January 1996; Vol. 270, c. *706*.]

When I spoke to Mr. Vernon Murphy, the managing director of the British Airports Authority in Scotland, he told me that he could see no difficulties in finding a site for such a centre at Glasgow airport. In a letter to the Minister two weeks ago, I argued for the construction of such a centre. Doubtless the Minister will respond to that letter in his reply.

I remind the Minister of the observations of Chief Inspector Fairweather in paragraph 6.38 of the report:

"In our view, PADs are inappropriately located in a complex Hall housing a difficult and disparate population within an already overcrowded local prison."

I know that the prison is not as overcrowded as it was in November because of the opening of the new hall, but it is still overcrowded.

The report continues:

"On the one hand these men, who are a generally conforming group, are subjected to a criminal subculture in which violence and drug abuse are common and from whom they can expect racial taunts and intimidation . . . We are of the opinion that although the Prison Service is doing its best, this group should properly be located in secure hostel or other accommodation which is dedicated to the containment of this special category."

I hope that the Minister, Mr. Frizell, and others in the Scottish Prison Service will take on board the observations of Chief Inspector Fairweather.

Greenock prison, even though it is still overcrowded, is well run. That view is shared by members of the visitors committee, most of whom I know personally, and some of whom the Minister knows. The problems discussed in the report and his recommendations must be tackled comprehensively and expeditiously. I offer my best wishes to Governor Gunn, who is forsaking the green pastures of Greenock for Polmont. I regret his passing, but I am pleased that he is being promoted. I would be grateful to the Minister for answers to my questions.

10.31 pm

The Minister of State, Scottish Office (Lord James Douglas-Hamilton): I am glad to respond to the hon. Memer for Greenock and Port Glasgow (Dr. Godman), and glad that he has changed his views about women not being allowed to operate as deckhands to a more politically correct attitude. The Scottish Office also has a good record. The Scottish Prison Service follows an equal opportunities policy, and women recruits are warmly welcomed. There is an increasing number of women in the service, including management posts. Recruitment and promotion are, of course, on merit.

I am grateful to the hon. Gentleman for the opportunity to speak about the work of Greenock prison. I agree that it is a good and well-run prison. I know that he has, for many years, taken a positive interest in its work and in helping to maintain good relations between it and the local community.

The hon. Gentleman raised four issues: persons awaiting deportation, overcrowding, suicides, and the chief inspector's report.

He expressed concern about the use of the prison for the detention of persons awaiting deportation. The Prison Service in Scotland provides a service on behalf of the immigration service to hold in secure custody persons detained under the Immigration Acts. Such people are foreign nationals detected as illegal entrants or overstayers. They are normally held at Greenock, Edinburgh or Aberdeen prison until their deportation orders are served or their cases are otherwise settled. The advantage of Greenock is its close proximity to Glasgow airport.

The average number of persons held in Scottish prisons awaiting deportation is around 12, but it varies from month to month. The maximum number recorded in Greenock prison was 33 in August 1995.

In his recent report on Greenock prison, the chief inspector recommended that the Scottish Prison Service should enter into a dialogue with the immigration service with a view to identifying suitable alternative accommodation for all persons awaiting deportation. As my right hon. Friend the Secretary of State for Scotland indicated in his response to that report, the governor has maintained an informal dialogue with immigration service officials about the use made of Greenock to hold persons awaiting deportation.

However, although the persons awaiting deportation add to the pressure on the establishment, their numbers may not be so great as to make provision of a separate purpose-built detention centre a practical proposition. None the less, in the light of the chief inspector's concern, the Scottish Prison Service is discussing that matter further with the immigration service, and the director of custody will meet the director of the immigration service on 10 April. Any separate purpose-built facility would be the responsibility of the immigration service.

As the chief inspector acknowledged, the staff at Greenock prison will continue to manage the needs of those awaiting deportation with sensitivity and humanity. Regular visits are made by representatives of Strathclyde community relations council to advise on any religious, social or dietary needs of persons awaiting deportation. The council also arranges for interpreters, as required. The prison staff organise fortnightly discussions with persons awaiting deportation to resolve any problems.

Every six weeks, those detained are able to meet representatives from the local ethnic minority communities socially in the prison chapel. Videos and reading material are provided, and they are offered frequent access to facilities such as the gymnasium. The prison's ethnic minorities liaison officer monitors their situation. Any concerns are relayed immediately to the immigration service, and the few instances of racial harassment that arise are dealt with firmly.

The hon. Member asked about staff training. There is, of course, close liaison with Strathclyde community relations council. The present ethnic minorities liaison officer has spent several days training with that council, which provides prison staff with advice on the sensitive handling of persons awaiting deportation.

As for overcrowding and the overall regime at Greenock, unfortunately the prison has had to cope with high prisoner numbers, often 30 per cent. above its previous design capacity of 172, for some time. That is why we have built an additional accommodation block there.

Chrisswell house, which consists of 60 cells on two galleries, cost £2.2 million, and opened last month. It is being used to house long-term, low-risk prisoners preparing for liberation. That will reduce overcrowding, and allow single-cell occupancy in Darroch hall, where long-term prisoners are also housed. At 15 March, Greenock was holding 236 prisoners, as against the enlarged design capacity of 232.

As for the rest of the prison estate, every effort is being made to minimise overcrowding by making the best use of accommodation and by bringing refurbished accommodation on stream as quickly as possible. The changes in the use of Castle Huntly, from housing young offenders to housing adults, and in that of Cornton Vale, so that it will take some young male offenders in segregated accommodation, are enabling the Scottish Prison Service to reduce overcrowding elsewhere in the system. That reduces the pressure on the local prisons at Edinburgh and Barlinnie.

The SPS is also working on obtaining a new prison under the private finance initiative. That prison will operate under the prison rules, and to a specified level of service. It will have about 500 places, built to category B standard to allow for future flexibility.

Because of its location, and in order to make the best use of the particular facilities there, Greenock prison holds a range of prisoners. It is a local prison serving the courts in the west of Scotland, principally those of Greenock, Paisley and Dumbarton. It also provides an enhanced regime for long-term prisoners nearing the end of their sentence—a "top end" facility for prisoners who are preparing for release and reintegration back into society.

I shall now talk about the distressing subject of suicides, which the hon. Gentleman mentioned. One suicide in the Scottish prisons is one too many, but it has proved difficult to ascertain why there has been an increase in the number of suicides. Each confirmed death by suicide has been extensively examined by management at the prison, by the Prison Service suicide risk management executive steering group, by the medical adviser to the service and by fatal accident inquiries. No common theme or pattern has emerged, and the medical adviser can see no reason for the increase in the number of suicides.

The fact that rare events sometimes cluster, and that the rate of suicide among young males in Scotland as a whole has increased, is of little comfort. The Prison Service has rightly commissioned Dr. Kevin Power and Dr. Joseph McElroy of the department of psychology at the university of Stirling to undertake the comprehensive evaluation of the suicide prevention strategy.

In addition, Professor Gunn of the institute of psychiatry is to provide authoritative independent assessment of the ways in which the Prison Service seeks to prevent suicide, with a view to ascertaining what steps could be considered in addition to action taken. Both the

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reports are expected in the near future. Professor Gunn's report is certainly coming within the next few weeks, and we will consider it very carefully. We will await his advice, and we will consider how his analysis might best be disseminated.

At Greenock, a room has been set aside for vulnerable prisoners on the bottom flat of A hall, which is linked to the staff office and can be monitored constantly. Recent action across the service includes a new emphasis on providing care facilities that allow prisoners on strict suicide supervision greater personal interaction, a new design of supervision cell, new types of clothing and bedding for at-risk prisoners, and a rolling programme of training for prison nursing staff.

The hon. Member asked why the chief inspector is a lay appointment. It is, of course, important that the chief inspector brings a completely independent view to the inspection of the service. It is in line with the citizens charter, therefore, that he should be a lay person. Naturally, he is supported by a deputy chief inspector and an inspector, who are governors seconded from the Scottish Prison Service. The need to balance the competing demands of the different regimes at Greenock has been fully addressed in the context of the governor's strategic plan for 1996-97.

The deficiencies in the regime, to which the chief inspector referred, reflect the fact that Greenock is in a transition stage. As it develops a regime profile, it will be better able to assist and challenge prisoners to address their offending behaviour under the sentence planning scheme. There are now sufficient resources available—both by reallocation of existing resources and by resource injections through the strategic planning process—to take account of the opening of the new accommodation block.

Progress is being made in Greenock in the delivery of programmes aimed at reducing reoffending. Work is in hand to develop a comprehensive model for assessing prisoners' needs for counselling and training, and to identify welfare problems. There has been a substantial investment in training prison staff to deliver programmes aimed at addressing offending behaviour, and the prison aims to achieve the investors in people standards.

The existing regime includes a range of programmes to address offending behaviour. There are group sessions on violence and anger management, and on drug and alcohol awareness. Inverclyde Alcohol Services assists in providing the alcohol counselling service. The education unit runs a course on listening and counselling skills, and has prepared a life skills and pre-release course. A cognitive skills training programme has been introduced to help prisoners to develop appropriate problem solving and coping strategies to break the cycle of persistent reoffending.

The cognitive skills programme was originally developed in the Canadian correctional service, and is based on extensive research there, which showed that many offenders have particular difficulties in solving problems, in thinking through the consequences of their actions, in understanding the needs of others, and in relating effectively to other people. I am glad that Greenock is playing a pioneering role in this connection. The Scottish Prison Service programme, which is being introduced throughout the service, consists of nine modules delivered over 35 two-hour sessions.

Research on the effectiveness of the cognitive skills programme in Canada showed an 11 per cent. reduction in overall reoffending among federal offenders serving two years and over. The programme will help prisoners to rationalise problems and to make better decisions, which should have a significant impact on how they conduct themselves when they return to society.

I could go on for a long time in this regard, but I shall conclude by telling the hon. Member that he is right to praise Greenock prison, and that he has addressed some important issues tonight.

Question put and agreed to.

Adjourned accordingly at sixteen minutes to Eleven o'clock.

House of Commons

Wednesday 27 March 1996

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Local Government (Dorset)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Burns.]*

9.34 am

Sir Jim Spicer (West Dorset): Thank you, Madam Speaker, for allowing Dorset Members of Parliament this debate on the future of local government in Dorset. Before I turn to the substance of my speech, I should like to make a heartfelt plea for the future of Dorset's farming community. Just one week ago, that future looked secure and prosperous. It is amazing how much can change in a week. Over the past week, we have seen how inextricably the prosperity of our farming community is linked with the future of our county.

I therefore make a plea to every Member of this House—especially those representing Dorset—to our county, district and parish councillors, and to everyone else, to spread the word that British beef is 100 per cent. safe, and that we should all make it a point of honour to eat only British farm produce until the iniquitous and politically motivated ban on British food in Europe is lifted. My plea is directed particularly to those who have done their best in our county to spread alarm about the safety of British beef and to cast doubt on the integrity and competence of the members of the Spongiform Encephalopathy Advisory Committee, who have given such splendid scientific advice to the Government—advice that we have all hitherto supported.

We want to stress our anxiety about what will happen to services and costs in what will remain of Dorset once Poole and Bournemouth depart in May 1997—although I well understand that that will not be the primary concern of my hon. Friend the Member for Bournemouth, East (Mr. Atkinson). In broad-brush terms, Poole and Bournemouth contribute 45 per cent. of our population, and almost the same percentage of our finance. So, from 1 May 1997, the new truncated and much smaller Dorset will have just half the population and half the budget that we have at our disposal for 1996-97—roughly £550 million.

These are stark figures. If I were the chairman of a company about to lose half my customers and income, I would by now be imposing draconian disciplines and preparing the ground for major reconstruction and cuts in staff and services.

Over the years that I have been in Dorset, our staff at county hall have served us remarkably well, but at this moment they must be feeling insecure and extremely unhappy. They must be looking for leadership of a quality that has perhaps been lacking in the past two years. I wish that I had confidence that the Liberal-controlled administration was of sufficient calibre to bite the bullet and take the necessary tough and unpopular decisions. Unfortunately, its track record to date suggests that it is not.

I offer one or two examples of what I mean. Until about three or four months before the last county council elections, leading Liberals on the county council were kept fully informed of plans for a waste disposal site at Holnest. They wholly approved of the purchase of the site, and agreed that it desperately needed to be brought into use as quickly as possible.

Then it became politically expedient for them to disapprove totally, using as an explanation for that complete about-turn the proposition that Liberals

"are in the vanguard of progress and therefore support a policy of waste to energy".

They indicated at that time that they were totally opposed to any future use of landfill sites, which were so terrible for the environment.

On the night after their victory—by one vote—the leader of the Liberal group, the leader of the Liberal Democrats and their supporters drank champagne at Holnest to celebrate the birth of this great new environmental dream. My hon. Friend the Member for South Dorset (Mr. Bruce) will no doubt tell the House just what has happened since that momentous gathering; all I will say is that the whole sorry saga adds up to a lack of backbone and an unwillingness to take tough and unpopular decisions. What did the reversal of the Liberals' support cost the council taxpayers of Dorset? I would like to see that figure quantified. I have never seen it, but I have heard used the figure of approximately £1 million.

Of course, to cover their tracks, on this and all other things, the Liberals are always ready to "consult"—or at least when it suits them to do so. Just a month ago, we were informed that the BBC is to close its local radio station in Dorchester. There was no consultation with the people of Dorset, the district councils or, for that matter, anyone beyond a small group from the county council. One official who met the BBC agreed that it would be worth while, and that there was no alternative. That is not consultation.

When it suits them, however, they consult. For example, quite recently, about 55,000 glossy consultation documents were sent out, in which the people of Dorset were asked one simple question:

"What do you want to happen to your waste?"

Approximately 4,000 replies were received, and, inevitably, the vast majority were in favour of a waste-to-energy policy. Had a box been provided for the question: "Are there any other points you would wish to make?" all those people who replied would have said, "Yes. Waste-to-energy, but not anywhere near my house." What a waste of time. We all know that people want their waste disposed of in the most effective way.

Mrs. Diana Maddock (Christchurch): Is the hon. Gentleman aware that the Government asked county councils to consult on their waste plans, and that our consultation was part of that?

Sir Jim Spicer: I am extremely grateful to the hon. Lady for raising that point. The consultation document was glossy in the extreme and implied all the way through that we were dealing with a caring council that had

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marvellous views of its own and was committed to a waste-to-energy policy. As I said, my hon. Friend the Member for South Dorset will show only too clearly what has happened to that marvellous dream of waste-to-energy in Dorset in the face of opposition.

As I have said, the BBC station in Dorchester will close on Friday. I regret that, and resent the way in which that has been done by the BBC, which did not consult me or any other Member of Parliament as far as I know—except, possibly, the hon. Member for Christchurch.

My second example comes from Sherborne, and relates to the former playing fields at the grammar school there. Before the county council elections, Liberal candidates in the Sherborne area staunchly opposed the sale of the playing fields site. The inevitable "Focus" campaign leaflet condemned it as

"selling off the family silver".

Now, the same leading and formerly well-respected Liberals in the area are leading the charge to sell off that land for building.

I caught one leading Liberal councillor slightly off guard, and asked, "Why on earth did you ever change your mind on this?" Unbelievably from a Liberal, I got an honest answer straight away. He said, "We never thought for a moment that we would win control of the county council." That says it all as far as I am concerned, and illustrates only too clearly the way in which some Liberals on our county council have behaved over the past two or three years.

My hon. Friends and the hon. Lady will remember that, last year, we had a crucial and decisive meeting with the Minister of State at the Department of the Environment. At that meeting, the leader of the county council and his colleagues begged—I use that word advisedly—not only the Minister but all Dorset Members of Parliament to support the proposal for a rural Dorset county council as opposed to unitary authorities. They gave me—my hon. Friend the Member for North Dorset (Mr. Baker) was particularly concerned about this—a total assurance that they understood only too well just what this would mean in terms of a reduced service from county hall, and as a priority promised to ensure that the cost of the retention of the smaller county council would be kept to an absolute minimum.

We asked for this debate because we are fearful that the present Liberal-controlled administration does not have the will, the stomach or, indeed, the ability to face the inevitable cuts that would result—if my hon. Friends the Members for Bournemouth, East (Mr. Atkinson) and for Bournemouth, West (Mr. Butterfill), who sadly is on a Committee this morning, were here, they would disagree with me—from the departure of Bournemouth and Poole from our county, as announced by the leader of the Liberal group, who said that the Liberals totally supported that, on the night of the county council elections. That closed off the option that most people in my part of Dorset wanted: to retain our county exactly as it is. The Liberals sold the pass on that, and then had to fall back on this much smaller rural county council.

What help can my hon. Friend the Minister give us and the people of Dorset to monitor the administration in county hall and to ensure that it has the determination to put in train the cuts that we all know will have to be made? If the Government are not able to monitor in the way that we would want, and to force the county council to live up to the promises it gave, we all know that, on 1 May 1997, after the county council elections, the new Conservative-controlled county council will inherit the lack of will and determination that has been shown by the current Liberal administration in Dorset.

Mrs. Maddock: Will the hon. Gentleman give way?

Sir Jim Spicer: Not again—I am so sorry. I am sure that the hon. Lady will have her opportunity in a few moments.

I make two further points. Liberals in Dorset are very much on the defensive at the moment, and rightly so. Two recent by-election results demonstrate that clearly—one in the Hamworth division of Poole, in which their majority was cut from 823 to 87, and the other in the Lodmoor division of Weymouth, in which their majority was cut from more than 900 to just 139.

We all know that the Liberals are desperate—I do not blame them for that—to retain control at county hall. I fear that, over the next financial year, they might consider upgrading the priorities for schemes that might just retain, or even gain, votes in marginal county council seats. Such a course of action would put even more pressure on what is bound to be a very restricted budget from 1997 onwards. I hope that the Liberal Democrats in Dorset will not embark on such a devious course of action. I can assure them that, if they do, it will be noted and exposed.

Equally, I hope that the Liberal Democrats will not continue to raise expectations in our schools by asking them what services they would like to have after 1997. They should warn our schools that the range of services available from county hall will almost certainly have to be curtailed, a fact that may encourage more schools to opt out and take full control of their budgets with no deductions by county hall, and then buy in whatever services they need from the best sources at the best prices.

Local politicians must spell out the education system they want. As my hon. Friend the Member for Bournemouth, East will know only too well, there are very good grammar schools and a number of grant-maintained schools in the Bournemouth area. Presumably, under the new unitary authority they will not only remain but be encouraged, by Liberal as well as Conservative councils. We certainly hope that that will happen.

Mr. David Atkinson (Bournemouth, East): When the Liberal-controlled Bournemouth borough council took control in 1991, one of its first actions was to pass a motion seeking the abolition of grant-maintained schools. I fear that the future of grant-maintained status in Bournemouth will be in jeopardy if the Liberals retain control.

Sir Jim Spicer: I am very sorry to hear it. I had always thought that Bournemouth would take the lead in that regard.

We should like to know what the present county council feels about the education system that will emerge in our part of Dorset after the elections. Is it completely opposed to grammar schools? Does it see any merit in

grant-maintained schools? If not, is it intent on maintaining the comprehensive system? All those questions must be answered during the next few months; the size and shape of central education services at county hall will depend on the answers that are given.

Having spoken for just over 15 minutes, I want to end as I began, by saying a little about the morale and quality of staff at county hall. They are a superbly dedicated group, but, inevitably, their morale has been lowered, and many of the more senior staff have announced their intention of leaving. Decision-making from the top will be desperately needed over the next year. If we are to have a chairman and a managing director, they will have to make decisions of the kind that many of us have had to make in business over the past 10 years when our companies have been cut right back. We have had to make those decisions, and we have had to carry our staff with us. I implore the present county hall administration to cut out the politics, to do what is right for the people of Dorset, and to carry their staff with them.

I was distressed when, last Friday, the Liberals on West Dorset district council—which has been a shining light in local government—decided to turn it political. None of us in West Dorset wants that: it is entirely unnecessary. Let me end on that sad note, while expressing the hope that some of the thoughts that emerge from today's debate will strike a chord with people at county hall.

9.52 am

Mrs. Diana Maddock (Christchurch): The debate is very well timed. It takes place just a few days after the publication of the Audit Commission's league tables for local authorities; it also gives us an opportunity to assess the progress that the county is making during the current reorganisation. Moreover, it coincides with an appeal in the House of Lords relating to a case involving the Government and Dorset county council.

The debate also gives us an opportunity to put the record straight. There has been misinformation in Dorset. The hon. Member for West Dorset (Sir J. Spicer) spoke of the need to take politics out of the county's affairs; I hope that he will do that himself, and that we Dorset Members will do our best to fight Dorset's corner here at Westminster.

The Audit Commission's figures confirm what I have always believed—that the county council is very underfunded by Government. Although its spending is at the capping limit, expenditure per head in Dorset is the lowest in the country. Because of that, services might be expected to be poor, but the Audit Commission praises the county's efficient performance. Although it is the third lowest spender on education, its GCSE results are the sixth highest in England. As for the thorny problem of waste disposal, only two counties manage to recycle more than Dorset. It ranks fifth highest among the English counties in the provision of library books and other materials.

If I had been allowed to intervene at the appropriate point, I would have asked the hon. Member for West Dorset when he last spoke to officers and councillors at Dorset county council about the progress they had made with reorganisation. As far as I know, the hon. Gentleman did not speak to officers, or even to the Conservative group leader, before today's debate—unless he has done so since yesterday morning.

Sir Jim Spicer: That is absolute nonsense. I speak to the leader of the Conservative group on a weekly basis, and have done so ever since last year's crucial meeting. I do not take all my information from him, but I am told about some of the council's expenditure—such as the money spent on establishing a European office, which was wasteful and unnecessary. If you look after the pennies, the pounds will look after themselves.

Mrs. Maddock: I am glad that the hon. Gentleman raised the question of Europe, because that is one of the issues on which there has been disinformation. Hon. Members will see that if they consult this Session's early-day motions. At a town council meeting in Verwood on Monday, I was asked why we were not receiving more money from Europe. Those who asked me that question had attended meetings in Devon and Cornwall; I explained that Dorset was slightly different. The county council had, in fact, saved money by uniting with Hampshire to try to ensure that we obtained what we could from the European Community, to which we pay a good deal of money.

Mr. Ian Bruce (South Dorset): Will the hon. Lady give way?

Mrs. Maddock: No. I want to make some progress.

Let me say something about local government reorganisation. The Minister was responsible for a conference entitled "Partnership Across the Tiers". He pointed out that the districts were doing good work, and identified three issues that needed attention. One was good will.

I believe that Dorset county council has tried to generate good will between itself and members of district councils at all levels. The Minister also wanted a systematic review of all services. There is an agreed programme for that in Dorset; much of the work has been undertaken at officer level, and reports will be submitted to the county's reorganisation committee. The chairmen of policy and resources meet every fortnight to discuss reorganisation.

Only a few counties are working with all districts: that was the Minister's verdict. Dorset is one of those counties. Its chairman of policy and resources has written to the district councils assuring them of its good will. The door is open: members of district councils have been invited to attend and speak at meetings of the county council. I hope that the hon. Member for Bournemouth, East (Mr. Atkinson) will give credit where it is due. County council officers have given every help to Bournemouth and Poole in the run-up to unitary status.

The hon. Member for West Dorset drew attention to the serious problem of funding during reorganisation. Dorset's budget could be reduced by up to 45 per cent. However, Bournemouth's budget will increase by 600 per cent. I know that it is taking on new powers, but even so, that is a large amount. Poole's budget will go up by about 700 per cent. Obviously, we will need to monitor with great care the massive transfer of staff and budgets and services.

There will be a drastic reduction in chief officer posts in the county departments, and a reduction in the committee structure. There is a root-and-branch examination of staffing and the funding of county services. There are detailed discussions on specialist services, and discussions

[Mrs. Maddock]

are starting to ensure joint administration where possible, so that we do not duplicate what is happening in the two tiers. We also want meaningful dialogue between district, town and parish councils.

I spoke about the meeting that I attended in Verwood on Monday. I knew that there would be a local government Minister in this debate, so I promised to raise the concern of the people at that meeting about funding. When the uniform business rate was introduced, part of their funding disappeared, and I should be grateful if the Minister could say whether he sees any other way of returning finance to the town and parish councils which do so much good work at local level.

As we speak, an appeal is taking place in the House of Lords involving the county council and the Government. The Government have asked county councils to try to make sure that, where possible, services are put out to the private sector. Dorset has done that for residential homes for elderly people who need care. That has cost the council money, but the Government are not prepared to reimburse it. There was one appeal which the county won, but the Government are appealing against it; that is not the best way to support our county when it is going forward, and in view of its good record on providing services for the elderly. It has followed the Government's advice.

Hon. Members have spoken about education and about what should be happening in Dorset. Over the years that I have been in this place, it has become clear that Dorset does not get a fair deal. That has also become clear to the local electorate. That is why, in the May elections, despite the points that were made by the hon. Member for West Dorset, the Liberals made an enormous number of gains and the Conservatives lost many seats. We gained 21, and the Conservatives lost somewhat fewer seats than that.

Over some years, the verdict on the Liberal Democrats is that they like what they do. People are pleased that we consult them and listen to what they say. The hon. Member for West Dorset spoke about leadership. Leadership is also about working with people for the benefit of the community and listening to them. That is what Liberal Democrats have done in Dorset, and that is why they have been rewarded with votes.

It is for the Government to look at why Dorset is the lowest spender and how they can help us. Rising numbers of children are entering our schools, and increasing numbers of elderly people need care, but we are not being given the grants to keep pace with those rising demands. It is up to the Government to recognise that Dorset is not the same as some of the counties in the south-west. They give extra help to counties in the south-east in recognition of the costs of providing services, and anyone who crosses the border from Hampshire to Dorset will see that the amount plummets.

There is as much as £100 a head difference on each child in a school, and in the average first school that means an extra teacher. Some children in Highcliffe cannot get into the school, because there is not enough space and there are not enough teachers. If those children lived two or three miles down the road in Hampshire, there would be enough money to fund a teacher, and they would be able to attend school there.

The Government should reward Dorset for its increased good stewardship, but that has not been done. Dorset Members should unite. I ask Conservative Members to stop fighting the Westminster corner in Dorset, and join me in fighting Dorset's corner in Westminster for a fair deal. People in Dorset recognise that they are not getting a fair deal, and that is why they have voted for those who have spoken up for them.

I am pleased to note that the hon. Member for West Dorset agrees that we need to encourage all those in county hall, and that we need to do our best. I ask him to join me in ensuring that we stop the knockabout and fight for a fair deal for Dorset.

10.5 am

Mr. Nicholas Baker (North Dorset): I congratulate my hon. Friend the Member for West Dorset (Sir J. Spicer) on securing this debate on local government in Dorset. The debate is timely and urgent. I associate myself with his remarks about BSE and its effect. I endorse his wish to restore confidence to people in Dorset, who eat beef, I am glad to say, and to the farming community. His remarks were timely and they have my complete support. The ban on beef in schools and its extension to Dorset county schools is not the way to address the scientific evidence or to restore confidence in that excellent product, British beef.

The history of Dorset county council until 1993 under Conservative control was of a low-spending, low-charging authority that was free from borrowing. It was managed on sound and clear lines and had councillors who were good at listening, were free from party politics and worked for the benefit of Dorset people. Examples were the continued, responsible financial management of the county's affairs, a resistance to borrowing and steady improvements.

Capital spending in the schools programme was noteworthy, and additional spending on, for example, the education of children with special needs was a substantial achievement. The roads programme was responsibly managed, and, thanks to good capital management, road maintenance and new road schemes were implemented. All those areas are currently under threat.

I agree with my hon. Friend that Dorset county council has been blessed with high-quality officers and staff, to whom I pay tribute. They have followed their instructions and have done the best they could within them for the county. Any criticism in my speech is directed not at them but at their political masters.

I return to the point succinctly made by my hon. Friend the Member for West Dorset. The local government review will have a substantial impact on Dorset, and I make no secret of the fact that the plans that are being implemented to allow Bournemouth and Poole to go their own way, for reasons that I understand, while the remainder of the county remains a one-county unit, were not my favoured solution. However, it was clearly agreed that, if that plan were decided by the Secretary of State, the county council would make strong endeavours to reduce the cost and administrative expenses in the county that remained, so that, after reorganisation, the level of services and charges, apart from reorganisation costs for my constituents, would be unaffected.

County council leaders clearly recognised that that would involve a reduction in administration and the severing of offices between the county and the urban

authorities in Poole and Bournemouth, and that maximum co-operation would be ensured between elected representatives in Dorset at all necessary levels to achieve the necessary economies, contractions in administration and preservation of services.

Mrs. Maddock: When was the last time the hon. Gentleman had discussions with the county council and with councillors? What progress has been made in the direction that he has mentioned?

Mr. Baker: The answer to the hon. Lady's suggestion that I have not been in touch with the chief executive is that I received a written report from him in the past week. She has anticipated the next part of my speech.

I requested a report on the current situation of the local government review. I was glad to receive the reply, but it was less than satisfactory. Necessary progress in achieving economies and reduction in bureaucracy and administration has not yet materialised, although the officers are, of course, doing what they can. They are doing an excellent job, as they always have done, but a funding shortfall of 5 per cent. to provide current standards of service will not do. There must be some political will and co-operation, which was agreed in my original discussions, to ensure that services for my constituents and all our rural constituents are preserved.

Dorset county council must do a great deal—of course, there is a great deal that the district councils and district councillors must do as well—to reassure the people of Dorset that services will be maintained.

Mr. Ian Bruce: Does my hon. Friend recall that the reports we were originally given by the district councils and the county council ruled out the current suggested reorganisation in Dorset, because it was financially unviable, as no savings were coming from unitary authorities for the rump of the county? Are we not criticising this county for deciding at the last minute to change its negotiating tactics, and providing something to Dorset taxpayers that will never be paid for?

Mr. Baker: Yes; my hon. Friend is, of course, quite right. I think that it was explained to the county that, if it changed its mind in that way, there would be very severe financial implications for the administration and bureaucracy, which had to be attacked. We received an assurance that they would be attacked, because of the point that my hon. Friend rightly made.

Mrs. Maddock: Will the hon. Gentleman give way?

Mr. Baker: No; I am sorry, but I have given way once, and I have other things to say.

My hon. Friend the Member for West Dorset described the Liberal Democrats' U-turn—supporting the landfill site at Holnest and then abandoning it when it proved unpopular, which unseated a distinguished and respected Conservative councillor—to achieve control of the county council at the election. That they abandoned the alternative of incineration when it proved unpopular was a disgraceful episode, and it has done nothing to improve the standing of politicians, particularly the standing of Liberal Democrats, in Dorset. I hope that such episodes will not be repeated.

In order to secure votes in the election, Liberal Democrats gave commitments to support capital expenditure on schools. Speaking as an outsider and one whose constituency was not affected by those commitments, I must say that the urgency of the commitments was questionable. They achieved power with the assistance of promises on school capital spending, but they found that they had so skewed the budget that vital revenue expenditure on education had to be cut.

Instead of providing, for example, for part of the easily anticipated teachers' pay settlement—as the previous Conservative administration had done—at a time, I accept, of a very tight financial settlement, they failed to provide sufficiently for the settlement and simply passed on the costs and the problem to schools, urging them to deal with the matter and saying that it was all the Government's fault.

The well-worn and substantially misplaced complaint that everything that is inconvenient or difficult is the fault of central Government may have fooled some of the people on that occasion, but it is increasingly failing to fool all of the people all of the time. The frequency with which the Government are blamed for facts of life such as budget constraints, awkward choices and other decisions that are local government's responsibility—which responsible local government should be willing to exercise—is not only wearing thin in Dorset but is eroding local responsibility for local matters.

Dorset county council has grievously disappointed those of us who support the extension of nursery schools. It rejected the opportunity to act as a pilot for the nursery school voucher scheme, which would have benefited many parents in Dorset. Some courage, some leadership, and a decision that was not entirely easy to make were required to grasp that opportunity.

My hon. Friend the Member for West Dorset, vigilant as ever, and others of us arranged for a visit to Dorchester by the Under-Secretary of State for Education and Employment, so that we could explain the scheme and extend the time in which Dorset county council might have joined in. That visit was to no avail. The minds of council leaders were made up on the matter, and—on party political and doctrinal grounds—the parents of Dorset were denied that opportunity.

As an hon. Member has already said, I hope that the county council will respond positively to applications for grant-maintained status where schools and parents wish it. I should like to add a bouquet here. There have, hitherto, been no grant-maintained schools in my constituency, but I am very pleased to say that Beaucroft school, in Colehill, which is doing a first-class job of educating children with special needs, has been granted that status. I am sure that the county council joins me in wishing it well on its independent status, which I have no doubt will be to the benefit of all its students.

One of the county council's responsibilities is, of course, social services and therefore implementation of care in the community, which has had the support of all political parties and everyone involved in social services. The total amount available to spend on social services through the special transitional grant and standard spending assessment is £93.8 million in 1996-97, which is an increase of £7.285 million—or 8.4 per cent. in cash terms—on 1995-96. Budget cuts below that provided for through the SSA by central Government grant have been a major setback for Dorset social services.

[Mr. Baker]

The very large hike in charges for non-residential care has also given rise to substantial concern among disabled people and others affected. I have the greatest sympathy with the social services department, which is gamely trying to provide a service against the financial background provided by its political masters, but the way in which this matter has been handled has surely called into question responsibility for care in the community, and whether it would not be better handled by the Department of Health and general practitioners. I know that my hon. Friends may have more to say on that matter.

As I said earlier, I am concerned about the future of highway maintenance in the county. Many of us take the view that the days of large-scale road construction in Britain are over, and that the traffic schemes we have must increasingly be sensitively handled and justified in terms of cost. Part of our approach to roads in future has to be a much greater analysis of how each road is used, and how—by controlling traffic flows, using traffic calming measures and in other ways—the use of each square foot of road can be maximised without the expense of new road construction. It makes no sense, however, to downgrade road maintenance in a way that threatens road transport in the county, which only serves to defer the financial bill, as some of us have already had to point out.

I am glad that we have played some part in persuading the county council to consider traffic calming measures and a more sophisticated use of roads. I hope that those measures are developed in the future. I pay tribute to the county surveyor and his staff for their continuing dedicated work.

I have mentioned the perennial wail of Liberal Democrats at county hall about Dorset county council's budget and its standard spending assessment. I know that the Minister will address that point in his reply, but I must say that—in the years in which the Government have rightly reigned back on their own and on local governments' expenditure—Dorset has, with one exception, been treated fairly.

The SSA settlement for the current year was increased by 2.9 per cent., and the education component was increased by 4.8 per cent. I will not be alone in Dorset, certainly among hon. Members, in saying that I regard education expenditure as a very important priority.

The exception, to which I referred a moment ago, is the way in which Dorset is affected as a result of the area cost adjustment factor in the SSA. The hon. Lady also referred to that. Although Dorset and adjoining counties to the west are excluded from any beneficial treatment, it is true that Hampshire to the east has benefited under the formula in a way that can hardly be justified in comparison with Dorset. I am glad that the Secretary of State for the Environment has asked for that factor to be investigated, and that the relevant team is due to report in June. I hope that some adjustment to the formula will result, and we anxiously await the outcome of that investigation.

I hope that the present regime at county hall will carefully consider its planning responsibilities. As part of those responsibilities, I am aware that it is conducting a consultation on Dorset's structure plan, and that it has said, as a regional guidance figure, that about 63,000 more homes will be built in Dorset by the year 2016. It is quite clear that that figure has been found as a result of a mechanical extrapolation of existing trends. It is far too high.

Mrs. Maddock: Will the hon. Gentleman give way?

Mr. Baker: I am sorry, but I cannot give way. I must not shut out other hon. Friends, or I shall be lynched.

The Minister for Local Government, Housing and Urban Regeneration has made it clear that he would like a debate to be held on the precise needs of each county, as well as an examination of the capability of each county to absorb increased development. I am pleased that he has also stated the aim that half of new developments should take place on existing developed land. I hope that that could be regarded as a minimum requirement in many parts of the country.

I hope that the county council will try to assess properly the needs of the county, rather than swallow wholesale a figure arrived at mechanically, and then simply pass on responsibility for it to the Government. I expect, however, that it will do that. The greater say in local planning matters for which I and a number of my colleagues argued strongly in the past was not achieved in order to allow the county council to abandon responsibility for such housing figures. The people of Dorset do not want over-development of the county. They expect our precious environment to be respected and conserved, and so do I.

It would be fair to summarise by saying that the current delivery of local government services in Dorset is a matter of concern to me and my constituents. One day, Dorset county will again have an excellent Conservative administration, as it enjoyed in the past, but until then I hope that hon. Members and county councillors of all parties can work together. I renew that wish, despite the criticisms I felt it right to make today.

I hope that the Liberal Democrats who control Dorset county council will abandon partisan party politics for its own sake; consider the best interests of the people of Dorset; and have the courage to take the difficult decisions which are necessary to preserve the services that the people of Dorset deserve.

10.22 am

Mr. David Atkinson (Bournemouth, East): I, too, welcome this timely opportunity to discuss local government in Dorset. As the House knows, the borough of my constituency and that of my hon. Friend the Member for Bournemouth, West (Mr. Butterfill), together with the borough of my hon. Friend the Member for Poole (Mr. Ward), who is present, are looking forward to becoming unitary authorities next year, to which elections will take place on 2 May.

In our constituencies, there is near-universal acclamation at the prospect, now certain, of ending our direct relationship with county hall. We can then become responsible for our own destiny. The achievement of that break during the lifetime of this Parliament was one of the principal aims I set myself at the general election. That aim will now be delivered, despite the opposition of the Dorset county Labour party. Our constituents will applaud this Government for making it possible.

In Bournemouth's case, the change represents a reversal of the injustice imposed in 1974 when it ceased to be a county borough council. We also lost our county,

Hampshire, and were moved into Dorset to underpin—that is, to subsidise—a predominantly rural economy. I am still receiving letters addressed to "Bournemouth, Hants", either as a result of continuing ignorance or in continuing protest.

Even though Bournemouth did not choose to have its major services run by Dorset, I believe that it made every effort to make the new arrangements work. As we come to the end of our 23-year relationship with county hall, I hope that due tribute will be paid, as I pay it today, to all those who have represented Bournemouth and Poole for their contributions to the county of Dorset.

Despite those contributions, however,it must have soon become clear that it would prove impossible to assimilate adequately the provision of services to the predominantly urban and expanding conurbations of Bournemouth and Poole with those of the predominantly rural county; and so it has proved. It has, however, only become apparent in more recent years that that credibility gap between county and district has widened, and certainly so following the election of a Liberal-controlled council in 1993, for the first time in the county's history.

This winter is the first for three years that I, and I suspect all my Dorset colleagues, have not received waves of orchestrated letters from angry parents of primary school children complaining about overcrowded classrooms. They had every right to complain, as I saw for myself when I visited all the primary schools in my constituency in response to their letters. Of course we all pursued those concerns with Ministers, whose replies acknowledged the problem, but fairly pointed out that Dorset's SSA for education increased by 30 per cent. between 1991 and 1995—well above inflation. What has been the problem? My hon. Friend the Member for Bournemouth, West, with great assiduity, has exposed the fact that the cost of the provision of central services from county hall is at the heart of the problem. Dorset is spending £660 per pupil per year on county bureaucracy—far more than other shire counties.

What cannot be challenged is that overcrowded classes in our primary schools represent a failure by the strategic authority—the county council—to match the provision of education with those planning permissions it has allowed, which has led to the increase in classroom populations. Yet it was the same county council which, 10 years before, closed down a much-loved school in my constituency, Beaufort, because it was surplus to requirements. Much of its site was sold for redevelopment.

Another cause for concern that my hon. Friends the Members for Bournemouth, West and for Poole have asked me to raise is the continuing lack of speech therapy provision in Dorset's special schools, notably Winchelsea. I accept, of course, that the Health Commission is the providing authority. It seems that the local education authority and the Health Commission blame each other. It is hoped that the forthcoming reorganisation will produce a new determination to resolve that problem once and for all.

Mrs. Maddock: Will the hon. Gentleman give way?

Mr. Atkinson: No. I do not have much time, and I want to hear from other hon. Friends, the Opposition spokeswoman and the Minister.

In addition to primary school education, growing dissatisfaction has been expressed about the county-run library services in Bournemouth, because of reduced opening hours and threats to close down local libraries such as Springbourne and Strouden Park in my constituency.

As my hon. Friend the Member for North Dorset (Mr. Baker) has said, undoubted dissatisfaction is felt at the dramatic increase in home help charges to the elderly and the housebound, particularly when it is realised that the county does not even spend its SSA-related grant for personal social services. There is also growing awareness of the dire consequences of the county's abandonment of the route that would have completed the link between our superb inner-urban highway, called Wessex way, from the east, with the equally good Dorset way, which leads to the west. I hope that the two new unitary authorities of Bournemouth and Poole will be able to rescue that completion as soon as possible.

In the light of those experiences of a Liberal-run county council, it would be the greatest tragedy if, having once again become our own masters in Bournemouth, the Liberals were to be elected to run the new unitary authority in May. In that event, one would expect Bournemouth council, with a Liberal majority, to follow the official Liberal party policy. It is not awfully clear what that policy is, but I understand that the Liberals remain committed to a local income tax. That would mean that income tax payers would be taxed not once but twice, and someone at the town hall—it might be one's neighbour—would know all about our tax returns.

The Liberals are also committed to higher income tax, so income tax payers would be not only paying twice, but paying more. That should come as no surprise, because, this year, Liberal-controlled councils have, on average, charged 20 per cent. more in council tax than Conservative-controlled councils. That is equivalent to an extra £112 on a band C house. The Liberals also want to get rid of the capping regime, so that they could spend even more than the Government allow them to spend at the moment.

A Liberal-controlled council would be expected to follow official Liberal policy to abolish Bournemouth's grant-maintained schools—Bournemouth school for boys, Bournemouth school for girls, Avonbourne and St. Peter's in my constituency alone. They were good grammar and secondary modern schools before, but, as the league tables show, they have excelled since being free of bureaucratic LEA control.

That, however, should come as no surprise, because, as I told my hon. Friend the Member for West Dorset (Sir J. Spicer), when Bournemouth council fell under Liberal control in 1991, one of its first actions was to pass a resolution committing itself to end grant-maintained status for schools. Its policy was to end the assisted places scheme for children from poor backgrounds to obtain places in independent schools, about which the vicar of St. John's, Boscombe recently wrote to me to thank me on behalf of his daughter, who goes to Talbot Woods independent school.

After our experience with Liberal-controlled Dorset county council, any prospect of Liberal councillors, supported by Labour colleagues, taking control of our new authority, whose budget will rise fivefold up to

[Mr. Atkinson]

£150 million, and of our good schools, social services, libraries and highways, horrifies me. It should horrify my constituents.

The voters of Bournemouth will want to know the Conservative alternative for our borough's future. Having read our draft manifesto, they will not be disappointed. It represents a clear strategy for the future that will carry the support of residents and businesses. It emphasises that Bournemouth's future success, like that of its past; lies in the promotion of the quality and value for money of its attractions and services.

My constituents will welcome the 10-point plan to make Bournemouth safer from crime and from the criminal, including more security cameras, crime prevention initiatives and an increase in the police presence on our streets. We know that, following the Prime Minister's announcement of 5,000 more police nationwide, Dorset will receive 66 extra police, on top of the 128 extra officers that it has had since 1979, but there is no reason why our chief constable cannot add to those. He now no longer needs Home Office approval. He will have more money to do so—there will be an increase of £4.1 million, or 6.2 per cent., next year—and he has scope to replace deskbound police with civilian staff.

We all welcome the recent announcement that, thanks to our persistent representations, council tax payers will no longer contribute to the cost of securing party conferences in Bournemouth. All that is different from what is suggested by the Liberal Democrats in their current propaganda campaign. I quote from the so-called "Parliamentary Spokesman for Bournemouth East"—obviously the Liberal Democrats' candidate to challenge me at the next election, but I can understand why he does not want to say so. He says:

"For years the government refused to allow Dorset Police any extra officers."

We know that that is not true. He goes on:

"Recorded crime is rising in Dorset according to Home Office figures."

I hope that he will withdraw that statement in the light of yesterday's figures that, last year, recorded crime fell in Dorset as well as in the rest of the country.

My constituents will welcome our Conservative manifesto commitment to improve standards in bedsits and hostels, the so-called houses in multiple occupation. I commend the Government on going further than they were originally prepared to go in the Housing Bill, which is before the House, to give town halls the powers they need to deal with the problems, which, if left unchecked, would have destroyed tourism in our town and, ultimately, the town itself.

That will require, however, a council with the will and determination to use the new powers to their fullest extent to hold to account the seedy landlords and their organisations, so that it may remove this cancer from our midst. Only a Conservative council will do that. Our voters will respond to that message in particular.

It will, I hope, be clear to my constituents that the outcome of the elections on 2 May will be crucial to Bournemouth's future. It was Conservative councillors who laid the foundations and built the Bournemouth of which we were proud. The past five years of Liberal leadership, with Labour in support, have proved no better and, in many ways, much worse, as last week's Audit Commission report has shown. As our relationship with Dorset county council becomes history, I hope that our voters will have the good sense to return a Conservative council again, to take Bournemouth into the 21st century.

10.34 am

Mr. Ian Bruce (South Dorset): I also congratulate my hon. Friend the Member for West Dorset (Sir H. Spicer) on securing this timely debate. I especially welcome the opportunity to nail once and for all the biggest lie in Dorset. That lie has been mentioned by the hon. Member for Christchurch (Mrs. Maddock). It is that Members of Parliament for Dorset and the previous administration in county hall have not fought Dorset's corner. Nothing could be further from the truth.

I cast no aspersions on other people's ability to fight for Dorset, but any Member of Parliament who comes to this place knows that they represent their constituents, and that no one else will fight for a better share of national resources for Dorset. I therefore become angry when I read headlines trying to steal the thunder of Members of Parliament, all of whom have been in this place much longer than me and have done an extremely good job, constantly bringing to Ministers' attention what we need for our Dorset constituents.

That should never remove from our minds the way in which we correctly use money in Dorset, and the fact that, throughout the decades, our officers have been extremely skilful in dealing with the low resources coming to Dorset. The hon. Member for Christchurch mentioned what good education we achieve with virtually the lowest spending on education. That must be reflected at the beginning of all our remarks. We must be proud of teachers in Dorset and of how they achieve value for money. Many people could learn from what we do in Dorset. We are proud of everything we do in our national health service and other such organisations. I hope that any robust comments I make should not reflect on the abilities of the people who work in those organisations.

At our first meeting with the new administration, the leader of the Liberal Democrats and the new chairman of the policies and resources committee came to see us in a spirit of co-operation. We had what seemed to be an extremely positive and sensible exchange of views. I did not agree with Councillor Trevor Jones's view that we would be wasting our time if we continued to press the Government on several issues. That was annoying.

One of the issues was the area cost adjustment. Councillor Jones said that we had been banging on about it for many years, and that the Government simply would not listen. To a certain extent, we were becoming worried that that was true.

Another issue was the funding of the police. At the meeting, he specifically said—I have noted it down; I was a little surprised—that we should concentrate on increasing the standard spending assessment for education and on other sectors, and remove from our campaigning tactics the area cost adjustment and the funding of the Conservative conference for the police force. Councillors agreed, however, that we should still bang on about those issues and press the Government.

The Government have now said—belatedly, but it is to be welcomed—that they are considering the area cost adjustment, and that a report will be published this

summer. I hope that the inequities of the policy will at long last be clear to everyone. It will be shown that area cost adjustments were a fiddle factor for high-spending inner-city authorities, and that the Labour party could not have continued such high spending if the authorities, especially those in London, had received only their fair share. It shows that the south-east has been receiving far too much of the national cake.

Given what has happened, it has been difficult to get at the facts and figures of the low SSA, as newspaper headlines on the latest settlement have shown. The Government will know that Dorset has just received the best settlement ever. One only has to read Councillor Trevor Jones's speech to discover that that is exactly what he thinks. One headline said, however, that there would be £4.7 million-worth of cuts. The council came to that wonderful figure simply because it decided that it would like to increase its budgets across the board by 7 per cent., and when it received only an increase of 6 per cent., the difference was £4.7 million.

Mrs. Maddock: Conservative Members seem to be afraid of facing the facts. Is the hon. Gentleman aware that at the end of Trevor Jones's excellent budget speech—I understand that Mr. Jones is yet to receive a reply from the hon. Member for South Dorset (Mr. Bruce) to questions on some of the points that the hon. Gentleman has raised in the press that appear not to be quite right—all his Conservative colleagues said that, although the proposed budget was excellent, they were not prepared to vote for it, which is pretty poor, and that they sat on their hands? They did not propose another budget. I have yet to hear how Conservative Members think that all the wonderful services that they think are necessary should be paid for.

Sir Jim Spicer: Just get on with your speech.

Mr. Bruce: My hon. Friend the Member for West Dorset (Sir J. Spicer) suggests that it would be a good idea if I got on with my speech and did not give way. It clearly would have been wise not to allow the hon. Lady her to make a fool of herself over that issue.

We all know—I am glad that the hon. Member for Christchurch (Mrs. Maddock) emphasised it—that this year Dorset county council received its best ever settlement. Despite that, it issued press releases saying that it was losing £4.7 million, and my constituents believed that all their services would be cut. Yet the truth is that budgets will increase by 6 per cent., which most councils would have been amazed to receive from the Government in such a tight spending round.

Mrs. Maddock *rose—*

Mr. Bruce: If the hon. Lady can contain herself a little more, I shall try to explain exactly why it was so difficult to get to the truth about the county's financial arrangements.

When Dorset received what we all agree was its worst settlement, we had great difficulty in understanding why, when the Government allocated only half the cost of the increase in teachers' salaries, the Liberal Democrat-controlled county council decided not to allocate even that amount to schools. It gave the schools zero per pupil from that amount. The newspapers then of course reported how terrible that was and advised people to write to all their lousy Conservative Members of Parliament about it.

At the end of that year, when we were looking for about £5 million to give to schools, we found that the county council had been able to put away, apparently in its back pocket, £10 million. Some people have been rather upset about my use of the word "filched" concerning that money, and I withdrew it in December in a letter to the chief executive.

I should explain to hon. Members exactly what happened. I had the greatest difficulty understanding the reports on the county's funding. Although it said that it had been able to put £5.5 million in one year into its balances, I could not find the other £4.5 million that it claimed it had underspent. I wrote to the chief executive and received a rather interesting reply. Rather than what I had expected him to say—that the money was to be found in this fund or that—I was told:

"The cost centre underspends in 1994-95 are not included in the general balances; as explained they are earmarked for spending in the current year and are playing a vital contribution to maintaining existing services."

In other words, one can look as hard as one wants at the county's accounts and one will not find that money. How can councillors, Members of Parliament and head teachers put a case for funding to the county when money is hidden so well?

I should like to turn to local government reorganisation. where I am afraid that again we find the Liberal Democrats' sleight of hand, at which they seem to be so adept. It is interesting that, when the county council suddenly changed its policy on the way in which the county should be divided, a campaign, financed at county hall, was launched to keep the county as one body, and resulted in the distribution of petitions, posters and all sorts of literature, which were so misleading it was unbelievable. The official line was in fact that the county should be split into three and that all the district councils should be retained.

The House will be pleased to know that the leader of the Liberal Democrats, Geoffrey Tapper, wrote to me when I made allegations about that campaign and passed them to the district auditor. He said on 29 April:

"I shall not lie awake at nights worrying about the district auditor checking out your allegations."

I hate to tell Geoffrey Tapper, but I spoke to the district auditor this morning and discovered that he will be having a meeting on 3 April with the county council's chief executive. That will give the council the chance to comment on the district auditor's report. I think that Geoffrey Tapper ought to start having a few sleepless nights.

The allegations have been levelled not only by the Labour mayor of Dorchester and myself, but by many others. I discovered them at a dinner party where a lady arrived late because she had to load into her car all the material that was being produced and photocopied in county hall in order to spend the first few hours of the following morning passing the stuff out to all the education institutions. When I challenged the county council about whether such a practice was a proper use of council funds—I assumed that it must have voted on it—I was told that the cost had been absorbed in the budget. Which budget? It was of course the education budget, the one that was under such pressure that all the allocation could not be spent. We ought to find out what is going on.

The hon. Member for Christchurch wanted to jump to her feet to challenge the fact that there have been fewer police officers recently, which is right. The reason for

[Mr. Bruce]

that, however, is that, when the council became Liberal Democrat-controlled, it got rid in a by-election of Chips Selby-Bennett, who had been the biggest campaigner among the Conservatives for more bobbies on the beat.

The Liberal Democrats attacked him on the premise that the Conservatives were not doing enough for the police, yet the first thing they did was pass an emergency budget to cut police spending. The proposal was sent off to the police committee, which was not Liberal Democrat-controlled and included magistrates and all sorts of other representatives. The committee of course threw out the proposal, and forced the council to think again and retain the Conservative commitment to spend an extra £2 million every year on policing.

When the Government decided that policing should be funded separately, the county could still have allocated that £2 million to the police force if it had wanted to and if it had believed its own propaganda that was being sent out week after week. Of course it did not. It said that the funding was separate, and it was therefore able to dump it without being blamed. Press releases then said that the council had to get rid of some of its police officers. That is the sort of lie that we shall nail in this debate.

We have heard a little about the European office. Does it cost £50,000? Does it cost £100,000? Direct costs may be about £50,000, but we would like to know all about the indirect costs of having officers in this country.

The hon. Member for Christchurch talked about a parish council asking, "Where can we get help?" Well, when I asked councillors from Weymouth and Portland council, which is not controlled by my party, how much help they got from the county council's spending on the office in Europe, they replied, "Nothing." They do not even know where it is, and have never had a report from it. Nor has any Member of Parliament. We have never heard anything from that office.

I have told councils time and time again that we are allowed at least one free visit to Europe every year, and that we have an excellent Member of the European Parliament in Bryan Cassidy, who knows everybody. "Please use him," I say. Of course they do not, because that would not give them the headlines, or allow councillors to go and open offices and have freebies in Europe.

Another forthcoming report suggests that we join yet another such organisation. That would be fine if it saved us money or got us more money, but if it does not, we must find out what is happening.

I know that I am rapidly running out of time, but I must say something about waste disposal. In my constituency there is a site at Crossways, and I worked with local people who were upset about the life of that tip being extended. I also worked closely with the Liberal Democrats—they were in the Social Democratic party then—and the campaign was successful. It was fought on the planning issues, and the application was turned down, so we thought that there would be no tip there.

Then the county spent a lot of money—about £1 million, I think—deciding on Holnest, which my hon. Friend the Member for West Dorset has mentioned. It spent that money producing a scheme that had the total support of all the political parties—until election time came round. Then the Liberal Democrats went out and campaigned with other people, many of whom were Conservative supporters, against a tip at Holnest. They promised to dump the idea straight away and choose another type of waste removal.

The council then decided on an incinerator, and even negotiated a contract with a company, which must have spent tens of thousands of pounds getting it organised, with details of the pricing for the incinerator and everything else. But of course, when a decision had to be made on the siting—the choice was between two sites in my constituency—the local people would not have it. Indeed, the local Liberal Democrats would not have it, either, and they campaigned against it. So that idea was knocked on the head. We are now back to Crossways.

I know about the difficulties of waste disposal, and the county's problems. None the less, the Liberal Democrats cannot keep marching their troops up to the top of the hill, spending millions of pounds on plans and then, as soon as there is some resistance, saying, "Sorry, officers. Rip all that up and do something else." That is Liberal Democrats through and through. They are not willing to take difficult decisions; they just want to moan and tell people that it is somebody else who is stopping them spending the money.

We were also told that, if the council were allowed a higher cap, it would not spend all the money. But needless to say, as soon as it was given a higher cap, it spent right up to the limit. I hope that we shall get some good news for Dorset from the Minister. He can rest assured that Conservative Members will ensure that any money is spent correctly.

10.53 am

The Parliamentary Under-Secretary of State for the Environment (Sir Paul Beresford): Like everybody else, I congratulate my hon. Friend the Member for West Dorset (Sir J. Spicer) on securing the debate. I congratulate, too, my hon. Friends on having joined in, and, of course, the hon. Member for Christchurch (Mrs. Maddock).

Today, a number of markers have been put down for local authorities, especially Dorset county council, which will be called upon to meet those targets—targets which in many ways it has set for itself. The hon. Member for Christchurch was to some extent trying to defend the indefensible—but we shall wait and see; the results will come forward.

In defence of the council, the hon. Lady mentioned the Audit Commission report. I do not think that I have ever seen an Audit Commission report on a council that could not be called a curate's egg, so obviously she can pick out some of the nice bits and leave some of the more distasteful bits for other Members to ponder upon. I hope that they will do so.

The hon. Lady also made comparisons of costs with other counties. That is difficult to do. As she will be aware, one must consider standard spending assessments and other factors, and also the nature of the other members of the family. Those factors alone are enough to suggest that savings would be available.

The hon. Lady made the standard complaint about expenditure vis-a-vis Government expenditure. We must recognise that, as has been said, the SSA for the county increased by 2.9 per cent, its SSA for education rose by 4.9 per cent., that for the fire service by 9 per cent., and

the capping limit by 3.3 per cent. Those figures are not targets but ceilings, and I am sure that the county council could spend well within and below them.

The other predominant factor in the debate was the result of the recommendations of the Local Government Commission. As has been said, my right hon. Friend the Secretary of State considered the commission's report and the representations that he had received, and on 21 March last year he announced his decision. He accepted the recommendation that there should be unitary authorities for Bournemouth and Poole, but decided that the rest of the county should remain with two-tier local government.

As my hon. Friends have pointed out, that hybrid solution was promoted by the county council itself.

Mrs. Maddock: Will the Minister give way?

Sir Paul Beresford: I have only about five minutes, and I have already cut my speech considerably. I shall just run through a few points.

Mrs. Maddock: I realise that time is short, but to blame Dorset county council for what happened over local government reorganisation is amazing. It was a Government-inspired operation, and there was no agreement in Dorset among anyone—county council, district councils or Members of Parliament—about what should happen. In the end, we have all had to suffer a hybrid position that very few people wanted.

Sir Jim Spicer: Who inspired it?

Sir Paul Beresford: If the hon. Lady is having some problems with private grief over her own disabilities and so on, I shall leave her to struggle with it. The fact is that the hybrid solution was ultimately promoted by the county council. To my mind, that means that the county council must make it work.

The order to make Bournemouth and Poole unitary was made on 11 July last year. All-out elections to those authorities will be held in May this year, and reorganisation will take effect on 1 April 1997.

The county council has said that it is committed to carrying out a fundamental review of the division of functions and finances between the two tiers. As part of that service review, it proposes to delegate decision making and service delivery where appropriate, and carry out service audits jointly with the districts. It is committed to streamlining service provision in collaboration with the district and other councils. It also proposes sharing principles and objectives with the districts—for example, for trading standards and for libraries.

During the local government review, many local authorities made such undertakings. We made it plain that we expected local authorities not only to make such undertakings but to put them into practice.

As the hon. Member for Christchurch said, I was at a conference on Monday at which the Local Government Management Board launched a report analysing the commitments given to the Local Government Commission during the review. The report shows that some authorities are putting their words into action and introducing many innovative improvements.

On the other hand, it is clear that progress across England has been patchy. That is true not only of the nature and scale of improvements, but also of the range of people involved. Dorset was not one of the areas used as a case study, but there is some evidence of intentions, and we expect those intentions to be fulfilled.

Mention has been made of costings, expenditure and the anticipated standard spending assessments of the authorities affected by reorganisation. The methodology for each service will be the same as it is now. Indicative 1996-97 SSAs will be available in May. That gives a short but physically possible time in which authorities can organise themselves.

Of course, Government offices will be keeping watch over progress towards reorganisation date; their interest will be directed towards particular local authority services in which they have a special interest. However, it would be fair to say that we shall not see clearly how things are developing until after the elections to the unitary authorities in May. Indeed, the regulations placing powers and duties on authorities to prepare for reorganisation reserve much of the power to make policy decisions to the councillors who will be elected then.

Apart from the Government office, the Audit Commission and the district auditors are in a unique position to see what is happening in each authority, and the Audit Commission has a statutory duty to promote efficient, effective and economic local government. Preparation for reorganisation and developing co-ordination and co-operation across the tiers form a part of the agenda.

As authorities consider their performance, external auditors will be able to help councils assess how successfully they are working with each other and will suggest areas where improvements can be made. It is fairly obvious that my hon. Friends will also do exactly that. I encourage them to do so, because it will help decide whether their constituents are successfully served by their county councils or not. I hope that my hon. Friends will continue to put pressure on authorities, as they have done this morning.

Swimming (Schools)

10.59 am

Miss Kate Hoey (Vauxhall): I welcome the opportunity for a slightly longer debate than I had perhaps expected. Wednesday mornings are useful in that they provide time for the House to consider issues which do not necessarily hit the headlines but which are important to millions of people.

The Under-Secretary of State for Education and Employment, the hon. Member for South-East Cambridgeshire (Mr. Paice), is probably wondering what he is doing here. I could not see swimming mentioned anywhere in his job specification. That suggests that there is a problem with responsibility for the matter. I would have liked to debate swimming generally, but there was a problem with finding the appropriate Minister. I decided that I wanted to deal mainly with swimming in schools and the attitude of local authorities to the subject, and the Under-Secretary of State for Education and Employment has been chosen to reply.

I would have liked the Minister with responsibility for sport to be here, but he might not have been able to answer the debate because the Department for Education and Employment is responsible. The situation is unclear, and the departmental cross-responsibility shows the need for co-ordination and strategy. Nevertheless, I welcome the presence of the Under-Secretary of State for Education and Employment. In all my dealings with him, he has been generous with his time and prepared to listen to arguments.

I wish to start by dwelling on the importance of swimming. The ability to swim combines a worthwhile and pleasurable activity with a skill that could one day save a life. Not for nothing is swimming sometimes referred to as a life skill. It is also medically advantageous to general physical and mental health and it has special benefits for people with disabilities. It is a very fine way to establish mobility and a feeling of balance and control.

The difference between swimming and other sports is that, as well as being a superb recreational activity, the ability to swim is a critical factor in reducing the risk of accidental death by drowning. Research among all age groups has shown that the risk of drowning is more significant for non-swimmers and in the 10 to 24-year-old age group non-swimmers were three and a half times more at risk than swimmers. That may seem a somewhat obvious point, but it is worth making.

The debate is timely, as it follows the successful Olympic swimming trials at the Ponds Forge international pool in Sheffield last weekend. I congratulate the Amateur Swimming Association and its chief executive David Sparks on the organisation of the event. The trials involved choosing not only the teams for the summer games in Atlanta but the those for the Paralympics that will follow. This was a first in British sport in that both able-bodied and disabled athletes were selected at the same event.

Most of the 28 members of the British team for the summer Olympics are young—the youngest, a 16-year-old, is still at school. Our team is in the top 16 in the world, and I am sure that we all wish them every success.

Mr. Peter Bottomley (Eltham): My question may be slightly apart from the main thrust of the debate, but does the hon. Lady agree that we should send a message to the Amateur Swimming Association and to those who help fund the British Olympic team that getting the coaches of some of our major swimmers to join the coaching team would be of great advantage? It seems odd that coaches who help swimmers to get chosen for the team and to have a chance of winning a medal are denied the opportunity to accompany those swimmers.

Miss Hoey: The hon. Member raises an important point. Anyone involved in competitive sport realises the importance of a coach to an individual athlete. The relationship of an athlete or swimmer in the team representing their country with their coach is crucial, and I will pass on the hon. Gentleman's comment to the ASA.

The members of the Olympic team are the stars of today, but my research suggests that there is widespread concern about what is happening in schools and about how schools are teaching and providing opportunities to swim. In the 1980s, despite the undoubted link between swimming ability and safety, many schools and education authorities had no requirement at all for schools to provide swimming lessons. Although many authorities did bear the costs of pool hire, transport and the provision of instructors, and although many schools raised enormous amounts of funding for themselves, until recently there was no legal compulsion for swimming teaching to be provided by schools.

The three national governing bodies for swimming—the Royal Life Saving Society, the Amateur Swimming Association and the English Schools Swimming Association—became so alarmed at the trend that they formed the Swim for Life campaign, with the aim of securing the teaching of swimming by all schools. In 1988 the campaign surveyed local authorities and schools and found that more than half had no clear policy on the teaching of swimming and that more than 80 per cent. of local authorities could not meet the three basic standards for the provision of swimming lessons: the meeting of charges for the children, the setting of a minimum swimming standard and the specification of the minimum number of lessons to be provided.

A more recent survey by the Secondary Heads Association in the late 1980s confirmed that trend and showed that there had been a further reduction in the provision of swimming lessons. The survey showed that fewer than half the 11 to 15-year-olds had any curricular swimming whatsoever. The Swim for Life campaign lobbied for a swimming requirement to be included in the physical education section of the national curriculum and in 1991 it was successful. Here I pay tribute to the hon. Member for Congleton (Mrs. Winterton), who promoted a private Member's Bill—of which I was a sponsor—to raise the awareness of the need for children to learn swimming at school.

In response to a report by the national curriculum physical education working party, the then Secretary of State for Education—now Chancellor of the Exchequer—said:

"I note the group's firm recommendation on swimming. This . . . would have serious practical implications for many schools. I shall need to consider them in the light of what you and those commenting on your report have to say about their feasibility."

He added:

"it is not part of the group's remit to make recommendations on the resources to be provided for PE. I would expect your recommendations to be realistically related to the general level of school funding which can reasonably be expected to be available."

At a conference organised by the Swim for Life campaign to discuss the resource implications of the working group recommendations, the then Sports Minister—the right hon. Member for South Ribble (Mr. Atkins)—said:

"Our concern has to be with resources, and whether all maintained primary schools would be able to deliver swimming lessons for all pupils."

The right hon. Gentleman at least recognised the importance of swimming, but he was unwilling to give a firmer lead on behalf of the Government. I wonder whether the Under-Secretary of State for Education and Employment who is to reply to today's debate is demonstrating his ambition to succeed his hon. Friend the Member for Harwich (Mr. Sproat) and become the latest in a long line of Conservative Sports Ministers.

All schools have been provided with a programme of study for swimming that should be taught during key stage 2—for pupils aged seven to 11. If a school chooses to do so, the programme can be taught during key stage 1—for pupils aged five to seven. The programme holds that children should be taught to develop confidence in the water; to rest in water, float and adopt support positions; to develop a variety of means of propulsion using either arms or legs, or both; to develop effective and efficient swimming strokes on front and back; to swim competently, unaided, at least 25 metres; and to practise and understand the skills of water safety and survival. Those proposals came into effect on 1 August 1994.

A tremendous amount of good work is going on in the teaching of swimming in the United Kingdom and we must recognise that fact. A great number of teachers and various organisations are working on improving and disseminating best practice. The Physical Education Association of Great Britain and Northern Ireland produced an in-service manual for teaching physical education, including swimming, at key stages 1 and 2 and is soon to launch a national postgraduate training programme for primary teachers who want to become curriculum specialists, in association with a network of university training providers throughout the United Kingdom. I congratulate Peter Harrison and his colleagues at the PEA on the work that they do.

The Amateur Swimming Association rightly regards education as a vital part of the job of the national governing body for swimming and invests heavily to ensure that there is an education programme for pupils, teachers and coaches. It will be doing a lot more. It has already provided some training for 17,500 swimming teachers and coaches in 1993-94, it issues 1.5 million incentive awards per year and it became the first national governing body to introduce national vocational qualifications into teaching and coaching. Good work is going on, but without a central commitment from the Government, it will not stretch to every school in the land.

The regional sports councils for greater London and the south-east region have adopted swimming as what they call a focus sport and will be devoting officers and resources to developing the sport in the next three years. The London regional sports council points out, however, that provision for children with disabilities is patchy and in many cases tuition is not being delivered by appropriately qualified teachers. Where children with disabilities are integrated into mainstream education, problems are often exacerbated by the fact that teachers are unaware of and unqualified to deal with the needs of such children. I shall be interested to hear the Minister's comments on the situation in relation to young children with disabilities and how he feels that that aspect of swimming is working throughout the country.

The National Union of Teachers and other teachers' unions have taken a great interest in swimming. Doug McAvoy, the general secretary of the NUT, commented:

"There is a much heavier burden of responsibility on teachers who undertake to teach swimming or act as a lifeguard".

Obviously, the responsibilities placed on teachers when young children take part in any activity involving risk are greater. Unfortunately, we have seen the demise of county and local authority advisers; swimming and physical education advisers of that sort no longer exist. Greater responsibility has therefore been placed on professional associations such as the PEA to provide the training.

There seems to be a tremendous variation between how much different local education authorities and schools spend on swimming. For the year 1992-93, approximately half the LEAs in England and Wales delegated swimming budgets to schools. According to the NUT, of those LEAs which retained swimming budgets centrally, to ensure that provision was made for school swimming, the amount varied between 26p and £17.20 per pupil. That is a very big difference and I should like the Minister to comment on the variation in the cost of swimming in different parts of the country. Does he really feel that 26p is adequate? Perhaps he does. Will he also comment on the huge disparity in provision?

The pattern is for new swimming pools to be designed as leisure pools, which seek to mimic the seaside with wave machines and water slides—fun activities and all very commendable—but according to the Sports Council only 28 pools in London meet the recommended dimensions for a learner pool. In addition, there are apparently 66 indoor pools which are adequate even if they are not quite the right length or width. Although young children enjoy leisure pools, it is difficult to learn to swim in one.

The Institute of Swimming Teachers and Coaches—another commendable organisation—has produced a good and thorough statistical report on swimming provision in schools. I commend it to the Minister and to colleagues—I presume that the Minister will have seen it. The work done by Colin Lee, the consultant, shows that, despite the inclusion of swimming in the national curriculum, less than half the infant, junior, primary, first and middle schools that he surveyed provided swimming weekly throughout the year for any given age range. Only one in 20 of the schools provided weekly swimming for pupils over more than four years at school.

The Amateur Swimming Association tells me that a school swimming pool in Dudley, which was recently refurbished, is not being used as the school has no funds to run the heating system. The ASA says that there are similar problems throughout the country and it is hearing more and more reports of local authorities making substantial cuts—there have been cuts in swimming in Cambridgeshire, restrictions in Derbyshire, constraints in Hertfordshire and two schools in Warrington have abandoned swimming completely. I ask the Minister whether anyone really knows how varied swimming provision is throughout the country. Whose job is it to monitor that?

The survey of 741 schools by the Institute of Swimming Teachers and Coaches showed that in 84 per cent. of cases children had to travel so far to a pool

[Miss Hoey]

that some form of coach transport was necessary. Public transport was not always possible. The increasing cost of coach travel, set against ever-increasing demands on the delegated school budget under local management of schools, is having an obvious effect. When new regulations on coach travel and seat belts come into effect this year, schools which were able to fill up a coach by transporting three very young children on two full-sized adult seats may find that they need a second coach, doubling the cost and forcing the school to reconsider the position.

While I welcome a campaign for additional safety measures in the transport of young people—there was a particularly horrific accident involving a cadet troop from my constituency several years ago—I regret that the additional costs of the safety measures may ultimately cost lives because fewer children will learn to swim. I do not want to be alarmist, but I mention that fact to see whether the Minister has thought of it and whether there is any suggestion that local authorities and schools may be able to recoup some of the extra costs that they may have to bear to transport children to go swimming because of the safety measures.

The survey also found that in 63 per cent. of cases parents were asked to contribute to the cost of coach hire for swimming lessons. That does not happen in other countries, where it is taken as a right that, if a school provides for children to go swimming, the parents do not have to pay. A further 59 per cent. of parents covered by the survey were asked to pay in part for the swimming instruction. That is all very well in some areas of the country and, indeed, in some schools—many parents will do their utmost to ensure that their child has the opportunity to participate in many non-curricular activities—but it is wrong if parents are being asked to contribute to paying for something that is part of the national curriculum and is meant to be happening in schools, particularly primary schools.

It is worth briefly comparing our commitment with the action of other countries. In France, a comprehensive swimming instruction programme has been matched with a drive ever since the 1960s to build hundreds of extra 25 m pools and provide excellent teacher's guides. In Germany, every school leaver will have received three years of swimming teaching at no cost to the family. In Holland, I understand that swimming lessons are offered across the board in school time for children aged seven and over with nationally-applied qualifications for swimming teachers and a standard test of swimming ability for children. In London, there are 47,000 people per swimming pool against 18,000 in Berlin and 15,000 in Paris.

The survey's most disappointing result was that only one in five teachers or parents teaching swimming in schools had swimming teaching qualifications. How can that be allowed? How can we claim to take the teaching of swimming in schools seriously if the Government have no central plan to tackle the swimming teacher shortage? It is not enough to have people, however enthusiastic, teaching swimming classes, even if they are lifeguard trained, if they do not now know how to teach swimming and promote stroke stamina.

When I trained as a physical education teacher, physical education was an arduous three-year course and swimming was a very important part of it. I know how much stamina and strength are needed to qualify as a swimming teacher. The matter has not been treated seriously enough by local authority education departments or by some schools.

Another side effect of the resource implications of Government restrictions has been that some local authorities have been forced to put their leisure centres out to contract. That is not necessarily always a bad thing, but as the balance sheet mentality takes over, more leisure centres feel the pressure to charge more to schools for lessons and to consider different sorts of clientele who can pay more for the use of the facilities. That is affecting schools and the school use of swimming pools.

In my constituency, Steve White, a very good head of physical education at Charles Edward Brooke school, has been telling me how difficult it is to hire swimming pools even if schools have the money. There is far less opportunity to hire time in a swimming pool when it is free of other users. Children are taken to swimming pools that the public are using. That can make the proper teaching of swimming difficult.

If the Minister is serious about ensuring that proper attention is paid to swimming in schools, we need more information. Perhaps he will agree to commission the Institute of Swimming Teachers and Coaches to carry out a nationwide study to give us the national picture.

I am a long-time supporter of the national lottery, which has had some positive effects. To date, it has offered funding to 43 swimming applications, almost exclusively for new pool developments, out of a total of 1,027 grants across all sports. Swimming has received £42 million, which is 23 per cent. of the £179 million paid in lottery awards by the Sports Council. The average award is £970,000 per pool because of the high capital cost.

Of the 43 successful swimming applications, only five involve school pools. That is a problem because the more schools that have their own pools, even if they are small, the more travelling costs are cut and the easier it is for schools to have swimming as a genuine part of their curriculums. I know that the Secretary of State for National Heritage is considering the problem that applications for lottery funding must have a certain amount of other money. The small number of school-related grants is partly because there have not been many applications from schools because of the various difficulties and restrictions on application. I hope that the Minister will consider that and have a word with the Secretary of State.

I have a good new idea that would change the face of swimming in London. Hon. Members may have seen in the *Evening Standard* a couple of weeks ago the announcement of plans to build a lido swimming pool floating on the Thames near the House of Commons on the opposite side of the river. It would be beside Gabriel's wharf in the Waterloo area. It would be called the Thames Lido and is being promoted by the excellent Coin Street Community Builders in my constituency and has been designed by Lifschutz Davidson. It proposes not only to tackle the lack of swimming provision in the north of my constituency and the London borough of Southwark but to consider ways of making swimming imaginative and

interesting. It may have a roof that could move back and forth so that people can swim throughout the winter. People would have the feeling that they were swimming in the river as they would be in the river, but not in river water—not many people would want to swim in the Thames.

I hope that the proposal will succeed. National lottery funding will be crucial, but we are clear that if it is to happen there will have to be an arrangement whereby local schools and communities will have the opportunity to use the pool to learn to swim and to have their classes. There is a dearth of swimming pools in the borough of Lambeth and across the northern part of south London.

I have mentioned the English Schools Swimming Association, but there is another good organisation that works in London—the London Schools Swimming Association. Brenda Sullivan is its long-time secretary and it recently held an anniversary celebration that the hon. Member for Ealing, North (Mr. Greenway) and I attended. I give his apologies as he is serving on the Noise Bill Committee this morning. I am supposed to be in that Committee, too, but he has stayed there as he is promoting the Bill. I know of his interest in swimming.

The London Schools Swimming Association does an enormous amount to maintain swimming galas and competitions, despite all the difficulties. It, too, has called attention to the shortage of pools, the insufficient training of teachers and volunteers and the growing costs of transport. On the restriction to key stage 2 of a definite requirement for swimming in the national curriculum, Brenda Sullivan comments:

"It appears that many secondary school children do not have swimming lessons unless they have a school pool."

We know how few schools in the maintained sector have swimming pools. It is interesting that few of the fee-paying schools for which parents pay a lot of money do not offer swimming pools—usually indoors, which is even better. The independent sector, where people are prepared to pay lots of money, regards swimming as important. It is the Government's responsibility to ensure that as many schools as possible have ready access to swimming pools.

Brenda Sullivan stresses that more has to be done to encourage school competitions, which used to be more regular. When schools compete together in a friendly way, they learn the benefits of competition. They learn how to lose and win properly. I am afraid that such competitions no longer happen in the way that they used to. There may be many reasons for that, but crucially, schools do not have the opportunity, within the tight restrictions of curriculum and costs, to stage activities that are not clearly related to the curriculum but that give the benefits of swimming to children in a fun way.

The London Schools Swimming Association is concerned that children are simply struggling through their 25 metres. If children cannot swim with confidence and with stamina, the lessons must continue. Does the Minister realise that in many cases, once children can swim 25 metres with difficulty, that is their last opportunity to take swimming lessons? Primary schools are relieved to have fulfilled that part of the national curriculum and, because of other restrictions, they stop providing swimming lessons. Therefore, many children do not have the opportunity to swim throughout their primary schooling.

There is more involved than simply the ability to swim—although that is important. Stamina and confidence while in the water are not achieved by attending the two or three lessons that will get children through their 25 metres. Roger Millward of the Swimming Teachers Association tells me

"the general feedback from our members is that due to strict budgets swimming is severely curtailed and either not enough time has been allocated to this sport within the academic year which makes it difficult to provide a continuous, progressive teaching system, or alternatively the absolute minimum is achieved and then the lessons stop."

Primary schools in my constituency take varying approaches to swimming. Sometimes it is only the children in their final year who receive swimming lessons and sometimes it is the top two classes. Some schools are committed to teaching swimming, despite all the difficulties, and all the children in those schools swim every week.

Walnut Tree Walk primary school in my area is absolutely convinced of the importance of swimming—not just for safety reasons, but in view of the health aspects and the comradeship associated with a worthwhile activity that everyone enjoys—and it ensures that every child at the school takes swimming lessons every week. That imposes a massive burden on the school in terms of transport costs and time. All the children are transported by coach to the pool in Clapham, they spend only a short time in the pool and then have to travel back to the school. The activity also takes a number of teachers away from the school.

I believe that swimming is a valuable activity and that all schools should receive assistance to allow every child—like those at Walnut Tree Walk—to take swimming lessons. At present, it is pot luck whether primary schools in my constituency and across the country are able to provide such opportunities.

A number of problems need urgent attention. Does the Minister accept that, in view of the obviously sketchy provision of swimming teaching across the country, someone should take a definite lead? I am not quite sure which Government Department will take the lead, as the activity crosses the boundaries of responsibility for schools, local authorities and sport generally. How can schools do their job and take their responsibilities seriously if the national curriculum, and the Government's checking and monitoring of it, fail to ensure that teachers are adequately prepared? That is crucial to organising the proper teaching of swimming in our schools.

The Physical Education Association, which seeks to maintain standards in physical education teaching, has said that a postgraduate student undertaking the general postgraduate certificate course can spend as little as 12 hours per year on the whole subject of physical education, of which swimming is just a part. The PEA recommends that all generalist primary teachers should devote a minimum of 60 hours initial teacher training to physical education. In my view that is not enough, but I am perhaps slightly biased in that regard. We must also provide career-long training for teachers by significantly increasing the funding for in-service teacher training. It is no wonder that there are reports of teachers who cannot swim conducting swimming lessons.

Swimming is one of the main recreational activities in the United Kingdom. It is ranked second in the top 10 sports for men and women, according to the 1990 general

[Miss Hoey]

household survey. The increase in adult swimming has shifted the balance in pool use. Whereas children once outnumbered adults at swimming pools by three to one, the figure has now reached parity as more adults and fewer children swim. The sex ratio has also changed: indeed, it has been reversed: there are now three women swimming for every two men.

Throughout the country, there is a piecemeal and arbitrary approach to swimming training. There is no national strategy. No Government Department is taking responsibility or showing leadership. The practices of local authorities and schools differ widely, and it is important to know exactly what is going on. I do not think that we have that knowledge at present. Apart from the surveys which have been crucial in raising certain issues, much of the evidence is anecdotal. Does the Minister agree that there should be an annual statement to Parliament about the status of swimming in our schools? Swimming is part of the national curriculum, but it requires different resources which are not provided in the classroom. Will the Minister comment on that?

I urge the Government to do more to encourage all schools to provide swimming lessons. They should not try to get away with doing as little as possible, but should ensure that swimming is an important part of the teaching curriculum. It is a life-saving activity which brings enjoyment and is good for the country generally. If the Minister cannot comment on particular points that I have raised this morning, I ask him to refer them to whoever has the relevant responsibility within his Department.

11.36 am

Mr. Peter Bottomley (Eltham): The House is indebted to the hon. Member for Vauxhall (Miss Hoey) for introducing the debate and for paying tribute to my hon. Friend the Member for Congleton (Mrs. Winterton), who has also been involved in Swim for Life. The hon. Member for Vauxhall referred to the benefits of research and the importance of enthusiasm. She made the sensible suggestion that we should debate the matter again in a year to see whether the situation had improved.

There are one or two ways to monitor progress. First, we should examine the number of applications for new swimming pools, not just from the independent sector—where, as the hon. Lady said, swimming is considered to be important—but from private leisure companies, which make their facilities available to schools, and for lottery funding. It is clear that one of the tasks of the millennium fund should be to ensure that, within three or four years, all children can expect to have access to a swimming pool that is located a convenient distance from their school. That will not necessarily apply to the children on Rathlin island, but at least their families will introduce them to swimming. In every conurbation—whether it is a large village, small town, London borough or municipal district—people should say, "We deserve to have, and we shall work to make, a swimming pool available to us—preferably within walking distance."

In addition to the points raised by the hon. Lady, there is the question of providing worthwhile activities for young people. More adults are swimming today because they learned to swim while they were young. Imagine what it must be like for 10-year-olds or 12-year-olds who live in an inner-city or suburban area. What are their worthwhile activities after school, at weekends or during the holidays?

I know that hon. Members too often fall into reminiscences, but swimming was almost the only thing that I was any good at when I was that age. I used to walk around the corner to the swimming pool in Chelsea Manor street. When our children were young, they were fortunate to attend a primary school whose headmaster, Mr. Mudge, was very keen on swimming and where every child learned to swim as a matter of course.

The hon. Member for Vauxhall paid tribute to the London Schools Swimming Association. Inter-school swimming galas, which involved primary schools in the local area, meant that there was an expectation that people would not just learn to swim but would participate in competitions and lose—as in politics—and their parents would be involved with after-school swimming in addition to, rather than in substitution for, what happened during the school day. The primary school had a small and overcrowded playground, and swimming was the one way the children could participate in an activity, have fun and do well.

When I lived in the hon. Lady's constituency, I used the swimming pools at Stockwell Manor and at Clapham Manor on the weekends, but they were not sufficient, and Elephant and Castle was quite a journey—it was necessary to go by bus or by train. Young people deserve to have a way of letting off steam, at a cost they can afford and within a distance that it is safe for them to travel. They are the challenges. In a year's time, I would like the Minister who responds then to say how it will move forward.

In my view, it is not only the responsibility of central Government to make it all happen; parents and teachers associations, and residents and tenants groups should put it on their agendas as well. People should be saying with pride, in public, what they have managed to achieve or what they take for granted for themselves. There is an old Malaysian poem—which I can now only remember in English—which goes like this:

> "The turtle lays a thousand eggs
> and no one is the wiser;
> The hen lays a single one
> but is a worldwide advertiser."

If people can be as proud of their development of swimming as they are of their local theatre or their local sports stadium, swimming will get the prominence that it deserves, which will lead to progress. Obviously, the pinnacle of swimming is the Olympic games. I was glad to hear the hon. Lady refer to the selection for the Paralympics as well as for the able-bodied Olympics.

Swimming is an activity where, in effect, people become equal—the water has the same effect on bodies whether they are fully able or disabled, whether they are elderly, young or somewhere in between. Swimming is not like a game of squash—if one is slightly better than someone else, one does not have a game and one does not have much fun. Everyone can share in swimming and it is not always competitive or for toning up one's body; it provides a whole range of activities, from the incidental to the purposeful.

The hon. Lady will agree that swimming is the key to other sports. For example, people cannot go canoeing, rowing or sailing without being able to swim. Swimming

is the key in the growth of water-based sports. One need only go to the Westminster boating base at Plimlico, opposite Dolphin square, to see how young people in an inner-city area get the benefit of the leadership of Robin Turner and his team and get involved in activities that develop confidence and competence and are likely to be the key to other worthwhile activities.

Our problem in this country is not about the people who fail in any way—they may get into trouble once or twice with the law or they may fail an examination; those things are fairly normal. Our problem is about people who never experience success—they do not start to accumulate the badges saying that they have gone from the bronze, to the silver, to the gold, from this standard to the next standard in life saving or in swimming. People who are involved in the organised chaos of youth activities—such as the woodcraft folk, the scouts, the brownies, the boys' brigade, et cetera—take it for granted that they will start to accumulate recognition for short-term achievements that become cumulative.

Virtually all hon. Members participated in worthwhile activities when they were young and they thought it was normal to do things, whether they were paid for it or not, that lead to association with others and to the feeling that they could contribute more.

I join the hon. Lady in paying tribute to all the teachers who take the swimming instructors' qualifications. She is right in saying that the swimming instructors organisation should have some public funding and should conduct a survey to find out what is being achieved, what proportion of schools have the required number of teachers with the qualifications and what could be done—not just in teacher training courses but in various ways—to encourage people to develop themselves and achieve the extra qualifications. Perhaps teachers should receive extra financial recognition if they go beyond the normal school day in providing leadership and training to young people.

A number of hon. Members wish to contribute to the debate—I am glad to see that there is able representation on both Front Benches. There is much to be said about other pastimes and other sports, but swimming provides an easy opportunity for people to do something—whether organised, with friends or alone—that is healthy, gregarious and stops them from becoming couch potatoes. There is a lot to be said about video games and skills with interactive media, but it ought to be combined with swimming—which many hon. Members have taken up, whether it be at 4 Millbank or elsewhere.

I conclude by making a positive suggestion to people around the country: they should invite their Member of Parliament and their councillors to come to their primary school and spend half a day going out with a swimming class or hearing why swimming is not possible in that school. Once Members of Parliament are exposed to that—perhaps once a year—the level of support in the House will drive forward and others will be able to share in what many of us have enjoyed, which is what the Government and the sports authorities want to achieve.

I fear that we will not have a parliamentary swimming championship this year—I do not think I have won it for the last 10 years, but I have been in training. If hon. Members want to find a way to put it on, I challenge any Member of this House or the House of Lords and I shall see whether I can get back to the pinnacle of success that I experienced when I was young.

11.46 am

Mr. Tim Devlin (Stockton, South): My contribution to the debate will have to be brief as I am serving on a Committee upstairs—I ran down to the Chamber when I saw the debate on the monitor. This is an important subject. I declare an interest—following on from the interesting contribution of my hon. Friend the Member for Eltham (Mr. Bottomley)—in that I am one of those people who started off with the bronze swimming award when I was about nine, and I then got the silver and the gold; I became an instructor for the Amateur Swimming Association; and I became an instructor and then an examiner for the Royal Life Saving Society.

Swimming is an important part of my life now and it always has been. At one time, I swam at county level—sadly, not for Yorkshire where I now live, but for what was part of the Greater London council. The boys with whom I swam throughout my childhood enjoyed the activity. I then went on to work for the Thames rescue service in the school holidays. I have also worked as a lifeguard in the borough of Stockton-on-Tees at Thornaby swimming pool, which is in my constituency, and at Stockton swimming pool, which is just outside my constituency boundary. They are both good facilities for swimming—and they have recently been refurbished.

Many hon. Members campaigned for swimming to be part of the national curriculum. We recognise just how important it is that every child learns to swim, not just from the point of view of personal safety—although that is critical—but from the point of view of giving young people the ability to express themselves in another way, to develop their bodies and their physiques, and to enjoy themselves. I have always found swimming to be a tremendously enjoyable experience. I still enjoy swimming and I very much enjoy taking my young nephews and nieces swimming and teaching them to do it properly, which their parents have not done—I hope that they do not read *Hansard*.

It is important that children learn to swim properly. The school competitions, which were mentioned earlier, are important in developing swimming as a sport. Like everyone else in the country, I enjoy it when our athletes come back from the Olympic games with a handful of gold, silver and bronze medals—and I hope that in due course they come back from the Olympic games with some swimming medals.

Given that swimming is in the national curriculum, it is critical that we ensure—and we have a national strategy to ensure—that it is properly taught in schools and that every child has access to a proper swimming pool.

The hon. Member for Vauxhall (Miss Hoey) made a forceful and persuasive speech, much of which I agreed with whole-heartedly. The Government should introduce a proper strategy for the provision of swimming pools across the country so that they are within easy reach of all our schools. The Government should use more of the national lottery funds which have become available for that project. At the moment, we divide national lottery money into chunks for national heritage, the millennium, and so on, and then offer it around to various organisations. Unfortunately, because the amount raised from the national lottery has grossly exceeded our expectations, there is a significant problem throughout the country of matching funding.

[Mr. Tim Devlin]

In my constituency, we are requesting a national lottery grant to build a swimming pool at Yarm and we are having the devil's own job to assemble the money from other sources to meet the matching funding requirement. That is not just a problem for swimming pools and sports facilities; it is a problem everywhere. Another isolated example—as some London Members of Parliament are aware—is that of Sadler's Wells. The large redevelopment of the Sadler's Wells theatre in Islington will not happen unless it is able to raise some £19 million privately. The Royal Opera house has the same problem, as do all the other arts and sports facilities. They are now beating a path to the doors of the major corporate donors—the large oil companies, insurance companies, chemical companies and the banks. The same people are always being asked to hand out money on a private basis to swimming pools, theatres, playhouses, activity and outdoor centres and the whole run of worthwhile facilities that could be funded by the national lottery except that we insist that 50 per cent. of the funds have to come from the local community.

In the northern region, we have had applications for millennium funds for all sorts of daft schemes. Last week, I was sent something called "Bridging the Millennium". Some genius had come up with the idea of building a footbridge over every river in the northern region and calling it a millennium bridge, to soak up some millennium money. That would be paid for by 50 per cent. from the lottery and 50 per cent. from local authorities, which already have great problems with their spending requirements. The suggestion is ludicrous. If we have the sort of money that means that people have to think up daft schemes to soak it up, perhaps we should return to the originating legislation and reconsider.

Perhaps we should have a strategy for the whole country to have a swimming pool within a certain distance of so many people in the local population. That project could be funded by, say, 75 or 80 per cent. from national lottery funds. We could also consider endowing those facilities for the long term. It is no good giving a large dollop of capital to a local authority to build a swimming pool and then not giving it the money to run the facility. In Stockton-on-Tees now, we have a newly refurbished swimming pool at Thornaby in my constituency and we have recently switched over to the unitary authority of Stockton borough council, which is trying to find ways to reduce expenditure. It has turned immediately to leisure facilities as something that it is not statutorily forced to deliver; therefore, it has discussed the possibility of closing our newly refurbished swimming pool. That is absolutely crazy.

If we are serious about delivering swimming to every part of the population, especially our young people—I hope that we are serious—we will have to rethink. I have to tell my hon. Friend the Under-Secretary of State for Education and Employment that the system is not working well at the moment.

I fully endorse what the hon. Member for Vauxhall said about the need for school pools. School pools can often be advantageously shared with the local community. Just outside my constituency, a school in Stokesley has a large pool which is shared with the local community as a community centre for leisure and recreation. It is available out of school hours to the local population and is extremely popular. I do not see why such a facility cannot be put in place in more communities in the north of England and in the country generally.

Mr. Peter Bottomley: If I had known of my hon. Friend's qualifications, I would have delayed my speech because he has more expertise than I have on this subject. He has referred to Yarm and Stokesley. What are their populations? I suspect that many of us who represent inner-city areas would dream of having two or three swimming pools in our constituencies, let alone in good-sized towns. Does my hon. Friend also accept that it might make sense for lottery funding to be available for a pool partly funded by a commercial partnership if a good proportion of the pool's availability were dedicated to schools and other community groups?

Mr. Devlin: The population of the borough of Stockton is about 175,000. It has three swimming pools—at Billingham, Stockton and Thornaby. The population of Yarm is about 12,000 and it is a large and affluent community. It also has a large rural hinterland which it serves as a market town. It used to be the northernmost market town of north Yorkshire. In a survey that we conducted recently in my constituency, one message came back loud and clear about leisure facilities—if we were to build anything for the population, they wanted more swimming pools.

I am aware of the problems of swimming in urban areas such as Eltham and Vauxhall. I went to prep school in the constituency of my hon. Friend the Member for Eltham and we swam at the Ladywell baths in Lewisham. I do not know if that facility still exists, but we certainly enjoyed it at the time.

We must have a strategy. As the hon. Member for Vauxhall said, we should have a formula so that everyone has a swimming pool somewhere in the vicinity. People should not have to travel large distances just to go swimming. There are private examples of just how popular an initiative that would be. I do not know if it is the same in London, but in the north of England many new leisure clubs—privately funded and developed—have sprung up. They include swimming pools, saunas, gymnasiums and jacuzzis, and people pay a subscription to use the facilities. Those clubs are usually quite expensive, but they are heavily patronised and many have waiting lists. If that is what people will use when they can afford it, we can be absolutely sure that they would use it if they could not afford it.

We should be providing such facilities on a publicly funded basis. That would be something useful we could do with lottery money instead of looking around for schemes that people do not want. There is no demand in Teesside for either of the millennium bids that have been put forward by the borough council and the Teesside development corporation. We must identify what people want and try to provide that, rather than think up some whizzo scheme and tell people that that is what they want.

In Teesside, we have recently developed an excellent new canoeing course in the centre of Stockton and Middlesbrough. It is the biggest white-water canoeing course in the country and is rapidly becoming the national centre for canoeing and white-water rafting. It is an entirely artificial construction and it is a wonderful facility, but it is amazing that many of the people who

could use it, including teenagers, are not equipped with the swimming skills that would enable them to rescue themselves from a difficult situation. We must try to put the horse in front of the cart, and not the other way around, when we consider this subject.

11.58 am

Mr. Tom Pendry (Stalybridge and Hyde): I congratulate my hon. Friend the Member for Vauxhall (Miss Hoey) on winning the ballot and raising this important subject—a topic in which she and many other hon. Members take a great interest. Those who have spoken since she made her speech will agree that she talked a great deal of common sense and asked the Minister some informed questions. I hope that he will respond to them and to the points made in the excellent speeches by the hon. Members for Eltham (Mr. Bottomley) and for Stockton, South (Mr. Devlin)—particularly the latter's point about matching lottery funding. I hope that the Minister will be sympathetic. *[Interruption.]* We fully understand why the hon. Member for Stockton, South must now return to his duties upstairs; I just wanted to let him know that his speech was appreciated.

It will not require much effort to convince hon. Members who are present of the value to health of swimming. In my book it is of greater importance to physical development than almost any other sport. It exercises the whole body and is virtually free of the risks of injury. The hon. Member for Eltham eloquently stressed that point.

One of our greatest international swimmers, Sharron Davies, drew attention to the importance of swimming when she said:

"Swimming is one of the best sports for promoting all-round fitness, suppleness and endurance. So if you are going to start with developing some sports then maybe swimming is one that you should always put in the forefront."

Those were wise words. It is only a pity that the Government have not been as keen in this respect as Sharron Davies or the hon. Member for Eltham.

Many hon. Members will remember only too well the last time this issue was seriously addressed in this place. That was in 1991, when the House was considering the position of swimming in the national curriculum. For hon. Members who were not here at the time, I shall briefly outline the events that led to its statutory inclusion in the curriculum for children up to the age of 11. At the beginning of 1991 the interim report of the national curriculum working group on physical education recommended that all 11-year-olds should be able to swim 25 m and have a sound knowledge of basic water safety skills. The report concluded:

"Swimming was too important to leave to chance and should be an entitlement for all young people under the national curriculum."

The group reached this decision after some startling research by the Swim for Life campaign. It showed that, in the preceding three years, 200 children under the age of 15 had drowned; 80 per cent. of them could not swim. At the time, it was estimated that, with proper targeting of existing facilities and resources, it would cost the Government a paltry £5 million to teach all 10-year-olds to swim. Surely that was a small price to pay when counted against hundreds of schoolchildren's lives.

The Government, however, were not convinced. So there began a long campaign by hon. Members of all parties—this is truly an all-party issue, as the debate has shown—and a number of us tabled questions and motions. We introduced ten-minute Bills; we took delegations to see Ministers. Finally, the Government agreed to our minimum demands, but they also stipulated that there was no point in placing a requirement on schools which they could not meet because of financial shortcomings.

The Government appeared to accept the need for more funding when the then sports Minister, the right hon. Member for South Ribble (Mr. Atkins), said:

"We simply cannot impose a duty on schools which they are unable to deliver."

Unfortunately, this is another promise on which the Government have reneged. We are left with the classic Catch-22 paradox: schools are required by law to teach swimming to a certain standard but are prevented from doing so by a lack of central funding.

The most comprehensive research carried out since then is damning in its criticism of the state of swimming in schools. In 1994, the Institute of Swimming Teachers and Coaches published a survey of swimming in 741 primary schools. The survey found that the average time primary school children spent in the water was less than 27 minutes a week. In addition, the report found that, in almost 40 per cent. of schools, parents paid all the costs of swimming—pool hire, entrance fees, instructors' fees and so on—and that only 20 per cent. of instructors possessed a recognised swimming teaching qualification. That is a scandalous state of affairs.

The report reached four conclusions. First, the

"time allocation is gradually being reduced".

Secondly,

"current funding levels are inadequate".

Thirdly,

"a serious lack of suitably qualified personnel are involved in the teaching of swimming".

Finally,

"there is significant over-reliance on parental financing of existing provision".

This is a damning indictment of the Government's record on swimming in schools. Learning to swim is, in effect, being privatised. Whereas once this necessary and social activity was provided free in schools by local education authorities, parents now increasingly pay for their children's swimming education out of school hours.

I obtained my one mile certificate at school at the age of 12 or so as part of my general physical education. It is a great shame that, because of the Government's cuts, youngsters nowadays have less opportunity to complete such achievements at school.

The Government say that they are concerned about the state of sport in schools, but where are the references to the vital role of swimming in the school curriculum in their policy statement "Raising the Game"? I could find no mention of it even though I have scoured the document many times. Labour would like more support given to swimming for children of all ages. At the moment, the statutory requirement is only to teach 11-year-olds to swim 25 m. After that, swimming becomes an optional extra. Increasingly, however, schools are treating this as a maximum requirement, so once youngsters have met the target they are under pressure to give up swimming and to concentrate on other, less costly, activities.

[Mr. Tom Pendry]

I recognise that there is now an opportunity to use lottery funds to build and improve swimming facilities. Like the hon. Member for Stockton, South, however, I am concerned that there is no strategic national planning of such facilities. I also echo the remarks of my hon. Friend the Member for Vauxhall in this regard. This lack has meant that certain parts of the country are well catered for, while others have no pool for miles on end.

I would also urge the Minister to adopt a more flexible approach to lottery funding. The requirement is that a pool must be used for 40 hours a week by the local community outside school hours. I have often advocated the dual use of school facilities for the wider community, but 40 hours is a tough target to meet. Again, I urge the Minister to be more flexible.

It will come as no surprise to hon. Members to learn that entrances to local authority pools have declined a great deal in recent years. Between 1993 and 1994 they fell by 4 per cent., the equivalent of 7 million visits. I am particularly worried that the ratio of junior to adult attendances has decreased markedly. A few years ago, it stood at about 2.5:1; now it is down to 1:1. I hope that the Minister will pay heed to what my hon. Friend the Member for Vauxhall said about that.

The contrast with Europe could not be greater. It attaches greater priority to swimming than we do. In France, there has been an ambitious programme to build hundreds of pools. The French currently have 8,400 pools compared with our 1,200. German children leave school after receiving at least three years' swimming tuition, directly funded by the Government. Holland has a nationally applied qualification for swimming teachers and a standard test to enable teachers to assess the ability of their school children.

The programmes run in each of these more enlightened countries are clearly paying dividends in terms of better standards, because they have adopted an integrated approach to swimming provision and national strategies of the sort for which we are calling.

I join my hon. Friend the Member for Vauxhall and others in congratulating those who did well at Sheffield last week. I also pay tribute to the Amateur Swimming Association for all its work. It is true that there were some good performances at the Olympic trials. What came through most clearly was how far we are falling behind the rest of the world. Take James Hickman, for example. He shattered the British record for 200 m butterfly by more than 1.5 seconds, but that still leaves him ranked about sixth in the world, trailing well behind his other international competitors. In the women's section, increasingly we have to rely on more experienced swimmers to provide the backbone of our possible Olympic team. Just three of the team are under 20. If we are to nurture potential talent, we must invest in better facilities in which our young stars can train.

If the Government were to invest more in swimming in schools, that would pay dividends both now and in the future. Not only would it contribute to saving children's lives—surely that is worth while in itself—but it would improve the health and fitness of a whole generation of our young people. Who knows, it might also go some way towards creating the future Olympic champions that we all desire.

I thank my hon. Friend the Member for Vauxhall for securing us this opportunity to discuss this important issue. I am sure that the Minister will respond positively.

12.10 pm

The Parliamentary Under-Secretary of State for Education and Employment (Mr. James Paice): I congratulate the hon. Member for Vauxhall (Miss Hoey) on securing a one-and-a-half-hour debate on what I hope we all agree is an important subject, particularly in sport.

The hon. Lady referred to my presence on the Front Bench and said that it was difficult to know to which Department she should address the debate. She is right, of course, that, overall, sport is a matter for the Department of National Heritage, but as the debate is about swimming in the national curriculum, responsibility fell to my Department. There was another issue, which she rightly identified from studying my responsibilities, in that responsibility for the national curriculum falls to my noble Friend Lord Henley, who, of course, cannot reply to the debate. Hence my presence, but I shall endeavour to respond to the points that she made. I am grateful to her for her kind words, and I take them in the generous spirit of good will in which they were meant.

The Government attach great importance to the role of sports of all kinds in schools and, indeed, in society in general. That is why—the hon. Member for Stalybridge and Hyde (Mr. Pendry) referred to this—only last summer my right hon. Friend the Prime Minister launched the sports policy statement, "Raising the Game". In his personal foreword to the statement, he made clear his firm view that one of his personal ambitions is

"to put sport back at the heart of weekly life in every school."

Indeed, he expressed his determination to see our great traditional sports, of which swimming is one, put firmly centre stage. I agree that physical education and sport rightly belong centre stage; but the sports policy statement goes wider than that and emphasises the importance of maximising sporting opportunity for young people in and outside formal education and the development of pathways into structured sporting activity.

All hon. Members who have spoken—from both sides of the House—referred to swimming as a crucial sport, not just within schools but outside. I think that it was the hon. Lady who referred to the amount of time devoted to swimming; the hon. Member for Stalybridge and Hyde certainly referred to it. When my right hon. Friend launched the policy document, he stated—as one would expect, I entirely support this—that he hoped that schools would decide to devote at least two hours a week to PE and sport. One can argue that that may not be sufficient, but it is one of the issues to which schools will have to respond in addressing the needs of the national curriculum.

As a number of hon. Members have said, many exciting initiatives are under way, and my colleagues in the Department of National Heritage are acting on many of the proposals in the statement. A number of hon. Members, particularly my hon. Friend the Member for Stockton, South (Mr. Devlin), referred to the lottery. As the House will be aware, I cannot speak from the Dispatch Box on issues relating to the national lottery, but I can assure the House that I shall draw the attention of my right hon. Friend the Secretary of State for National Heritage to the points made by hon. Members on both sides of the House about the national lottery, the issue of matching funding, and other points.

I shall take with me the point about combined education and public usage. I do not have the answer to give the hon. Member for Stalybridge and Hyde directly, but the principle of making maximum use of any facility must be right. It is ludicrous that schools' sports facilities have been restricted to just a few hours use a week and not opened up to the wider community. That is changing dramatically, partly, I believe, as a result of delegating local financial management to schools.

Physical education is crucial to the health and well-being of every child and, of course, adult. That is why the Government took the decision to make PE part of the national curriculum, which comprises 10 subjects that are necessary to provide children with a broad balance. The importance that the Government attach to PE is demonstrated by the fact that it is one of only six subjects that must be taught throughout a child's school career.

As hon. Members have stated—there is no point my repeating it in detail—swimming is included in the physical education section of the national curriculum. The hon. Lady read out what is required by the age of 11—I shall not repeat the details—but then concentrated on 25 m and suggested that, as soon as children could thrash their way through 25 m of water, the matter was all done and dusted.

I must make the point that 25 m is a minimum requirement and that schools can take their pupils further. More important, I must draw the hon. Lady's attention to all the other points that are specified in the national curriculum, which she read out but then seemed to ignore. I suggest that simply being able to thrash one's way through 25 m—I am sure that we all did that at some stage in our school lives—does not mean that one has fulfilled the other criteria of the national curriculum. Developing effective and efficient swimming strokes on the front and the back is clearly different from swimming 25 m.

Miss Hoey: Will the Minister give way?

Mr. Paice: Very briefly.

Miss Hoey: I appreciate the Minister's point. I emphasised 25 m because the reality is that schools consider that to be the point that allows them to get away from their responsibility, not because they want to but because of the pressure of other subjects. They feel that they have done their bit once the child can swim 25 m.

Mr. Paice: I understand what the hon. Lady says. I hope that my comments in a few moments will be a response to her.

In secondary schools, swimming is an optional activity in the physical education section of the national curriculum, but the revised physical education order, which came into effect in August last year, includes discrete programmes of study for swimming for pupils who choose to follow them in their secondary years. The new options provide pupils with opportunities to develop their swimming skills and to learn the principles and skills of rescue and resuscitation in water-based activities. That is a significant advance in the opportunities for swimming available to pupils. In swimming, as with all aspects of physical education, the relevant safety features are important.

As the House will be aware, schools and local education authorities have a clear duty to ensure that sufficient provision is made to enable the swimming requirements of the national curriculum to be implemented. It is for them to decide on the precise form of that provision, as it is for them to decide on how it is timetabled.

When the requirements were first introduced, as a result of much discussion, Ministers recognised that there might be practical and financial implications. That is why their implementation was deferred by two years until 1 August 1994. That was a breathing space to enable schools and local authorities to make the necessary arrangements to provide swimming tuition. It was particularly relevant to schools in rural areas and, perhaps, in inner-city areas, which may have faced problems.

The Government have already earmarked substantial resources for the implementation of the national curriculum. It is up to schools and local authorities to decide how to deploy their total resources in the light of local priorities and needs. The great majority of primary schools, however—more than 80 per cent.—found it possible to teach swimming before it was made compulsory. Schools should be able to find ways to meet the swimming requirement from their existing budgets. Deferring the requirement should have given them time to make the necessary arrangements.

Teachers are expected to assess their pupils in all aspects of the national curriculum, and that includes swimming. It is for heads to ensure that teachers are properly qualified to teach the subjects they teach. Substantial guest funding is made available for the in-service training of teachers.

The hon. Lady asked who was responsible for monitoring. The Office for Standards in Education reports on the success of schools in meeting their statutory duties as part of the inspection process.

Mr. Peter Bottomley: Will my hon. Friend give way?

Mr. Paice: I would rather not. I shall give way in a moment if I have time, but there are a good many points for me to respond to.

The statutory duties to which I referred include schools' obligation to teach swimming, which is a compulsory part of the primary curriculum. When a school is found to be failing in that statutory duty, its failure will be reported and highlighted as a problem to be addressed in the action plan that it will be required to produce. In extreme cases, failure to provide part of the national curriculum could be symptomatic of a wider failure of management or leadership in the school. That is one of the factors that could contribute to its designation as a failing school. The House will be aware of the powers of the Secretary of State in such cases.

In 1993-94—just before swimming became a compulsory requirement—Ofsted stated in its annual report that, at key stage 2, where swimming was taught, standards of achievement were often high. Pupils were confident in the water, and had acquired technical competence in swimming strokes along with a range of survival skills. In 1994-95—the first year after the introduction of the requirement—Ofsted did not identify swimming as an area of concern within national curriculum physical education, but it will continue to monitor the position, as the hon. Lady rightly requested.

[Mr. Paice]

The survey by professionals that a number of hon. Members have mentioned predated the national curriculum issue. I can give the hon. Lady the good news that we are ahead of her request: the Government have already embarked on a substantial survey of physical education and sport in schools. A questionnaire sent to a representative selection of 1,500 schools—twice the number questioned in the earlier survey—devotes a whole page to swimming. It asks whether the school provides tuition and where that tuition takes place; it asks about the type and size of the pool, whether it is shared and who else uses it, and whether it is an indoor or outdoor pool; it also asks about access and transport facilities, and about the qualifications of teaching staff. We have had a 70 per cent. response—a huge response for a survey. The closing date has passed, and we hope to release the results in the near future. The size of the response has delayed our analysis somewhat.

The hon. Lady referred to the withdrawal of local education authority funds for swimming. Since the introduction of local management of schools, some LEAs have withdrawn central funds for swimming, while others have introduced the significant variations in provision that she mentioned. It is a question of priorities. The thrust of Government policy must be to give LEAs and, through them, schools the power and responsibility to make such decisions for themselves. A dichotomy can sometimes be observed. We want schools to make the decisions, but if they or LEAs are not getting it right, the Government should step in. I do not believe that both positions can be maintained.

Whatever happens, there is no reason why swimming should suffer. Local management of schools gives governing bodies greater discretion in the determination of their own targets and priorities, and in the meeting of educational requirements in the way most appropriate to them. LEAs can give extra allocations to schools with swimming pools, or give schools an additional allowance to reflect swimming costs, which might include travel. There is no reason why LMS should damage swimming tuition.

Every hon. Member who has spoken has described the benefits of swimming—not just safety, although that is crucial, but the health benefits and the opportunity that swimming provides to take part in other water sports. I understand that some schools have difficulty gaining access to suitable swimming facilities—both distant rural facilities and those in the inner-city areas to which the hon. Lady and my hon. Friend the Member for Eltham (Mr. Bottomley) referred. As I have said, we delayed implementation of the original order for two years so that schools could identify suitable facilities and make arrangements to enable them to meet the requirements of the national curriculum.

I do not know whether my hon. Friend the Member for Eltham still wants to intervene, but I shall be happy to give way to him now.

Mr. Bottomley: My hon. Friend was, in fact, wise to delay my intervention. The survey to which he referred has been widely welcomed. Will he not just announce the results in a written parliamentary answer, but place as much useful information as possible in the Library and publicise it so that people throughout the country can judge themselves against the general pattern and try to raise standards, increase effort and participation and restore the situation for which we all hoped?

Mr. Paice: I shall discuss my hon. Friend's request with my colleagues, but I see no reason why we cannot comply with it. Let me add that I agreed with what he said in his speech about the need for communities and organisations to consider together how they can develop swimming facilities and co-ordinate the necessary bids, publicity and fund raising. Swimming is there for everyone; it should not be just for schools and local sports clubs.

Mr. Pendry: Will the Minister stress to the Leader of the House that, in view of the House's interest in the subject, it would be a good idea to have a debate on the survey when it is completed?

Mr. Paice: I shall draw that suggestion to my right hon. Friend's attention, but the opportunity for a debate similar to this will arise in any event.

Both the hon. Lady and the hon. Member for Stalybridge and Hyde referred to schools' charging parents for swimming. Schools cannot charge for any activity that is either a part of the national curriculum—as swimming is—or a required part of the syllabus for a prescribed examination such as a GCSE. Schools can, however, ask parents for a voluntary contribution to the cost of swimming lessons, or ask them to undertake general fund raising for the benefit of the school. They must make it clear to parents that the contribution is a response to that request; they cannot require a contribution, nor can they exclude children from aspects of the national curriculum if parents are unwilling or unable to make that contribution.

I have thoroughly enjoyed the debate. As the hon. Lady said, this is not my normal field of activity. I, too, have learnt much from the briefings in the past few days and from listening to her speech and those of other hon. Members. The subject of the debate is important and I hope that I have addressed many of the concerns that have been expressed. I shall certainly take away the request that the results of the survey should be widely publicised. I congratulate the hon. Lady on the way in which she addressed the subject.

Fishermen (Essex)

12.29 pm

Mr. David Amess (Basildon): I am certainly no fisherman. I do not have the stomach for sea fishing, and I certainly do not have the patience for fresh water fishing. But I certainly enjoy eating fish, and I recently enjoyed some wonderful skate at the Peter Boat in Leigh-on-Sea.

I think that it is fair to say that the finest fish products in the world are to be found in Essex, and especially in Leigh-on-Sea. This is an important debate for many Essex constituents, and I am delighted to see in his place my right hon. Friend the Member for Southend, West (Mr. Channon). My hon. Friend the Member for Southend, East (Sir T. Taylor) was here earlier. My hon. Friend the Member for Castle Point (Dr. Spink) wanted to be here, but unfortunately he was called away on urgent business. Many Essex colleagues will want to read the record of the debate.

Fish are fascinating, and over the years I have kept all types. At the moment, my wife is restricting me to keeping and breeding tropical fish, which, I am happy to report to the House, we are doing very successfully.

I should like to concentrate on the catching of sea fish and the plight of the Essex fishermen whose livelihood depends on it. I certainly do not hold my hon. Friend the Minister in any way responsible for the problems. He and I became Members of Parliament at the same time in 1983, and much of what I have to say goes back to well beyond the time when he and I came here. I entirely accept that he is doing his best to try to come to some agreement with our European partners.

The fundamental issue is that small is beautiful. We have only to look at shopping centres to see the way that some of our multiples have destroyed the livelihoods of little shopkeepers. In fishing, many of the larger vessels have destroyed the livelihoods of people who use small boats. All Essex Members have constituents in the industry, but Leigh-on-Sea is the nearest centre for most of us.

As my right hon. Friend the Member for Southend, West will freely acknowledge, old Leigh is a fascinating place, with a great fishing tradition. Its efforts in the war are of particular note. Its fishing tradition was mentioned in the Domesday book, and most of its ships went to Dunkirk. There is a memorial there to the men who were lost at Dunkirk in the Renown. Cutlasses are sharpened on the stone in the magnificent St. Clement's church, whose clock is positioned so that it can be seen by seafarers all along the Thames.

Under present arrangements, British fishermen, and in particular Essex fishermen, are not being allowed to catch enough fish: 250 kg a month of Dover sole is not enough, and does not make fishing economically viable. Dredging for aggregates is a problem off the Essex coast, and I understand that that is the responsibility of the Crown Estates.

The most recent annual report of the Kent and Essex sea fishery committee is an excellent document. I shall concentrate on the section that deals with Leigh-on-Sea and includes Holehaven. The report states:

"Catches of sole were maintained at a low level throughout the Winter period by vessels working the central and outer sections of the estuary. These soles, together with light catches of cod, whiting and roker, supported continued fishing effort. Vessels operating twin beam, single, double and triple otter trawls pursued the sole fishery. Catches were initially good, gradually declining as the Summer period progressed. Some trawlers moved to working from Harwich during June, July and August where reduced quantities of week and slightly improved catches were made when weather actually permitted. Catch rates declined as Autumn progressed. By-catches of roker and plaice were gradually replaced by small quantities of cod and whiting."

Mr. Paul Channon (Southend, West): My hon. Friend rightly stresses the importance of sole and other such fish. I hope that he will refer the Minister to the problems facing the cockling industry, especially the threat from Holland. That is of special concern to some of the fishermen in Leigh-on-Sea to whom my hon. Friend has referred.

Mr. Amess: My right hon. Friend is right to draw my attention to the cockle industry in Leigh-on-Sea, whose products are famous throughout the east end of London. The report from which I am quoting makes it clear that they have also been affected during the past year. The report continues:

"Catches were generally good, although quota restrictions limited landings to a much reduced level."

I shall put the matter into perspective, because some colleagues might ask, "How big is the fishing industry in Essex?" The answer to that is that it is very big and of great importance to all Essex Members. Some 44 vessels are manned by 68 full-time fishermen. My right hon. Friend the Member for Southend, West, who has represented that constituency for nearly four decades, could tell the House how important it is to so many families in the town.

There are also 24 vessels with 30 part-time seasonal fishermen, and they are also pursuing the matters that I have mentioned. The general secretary of the committee that produced the report states:

"This has been a particularly difficult year for the majority of fishermen operating within the district. The Thames estuary has traditionally supported a large fleet of inshore trawlers. These are now being denied their major source of income as a result of a reduced share of sole quota. Diversification to other fisheries has not provided sufficient alternative income. The Winter cod fishery has not proved viable due to reduced stocks. Sprats have not been present in sufficient quantities also to provide an alternative income.

Smaller sections of the local fishing industry have seen a better year. Fishermen have continued to explore new opportunities with particular interest in shellfish."

My right hon. Friend the Member for Southend, West is particularly interested in that.

The report continues:

"Fishermen have increased effort or assessed the viability of fisheries for whelks, oysters, mussels, shrimps and, of course, cockles. The now established Thames Estuary Cockle Fishery Order and ongoing bye-law controls give enhanced protection for the future of the cockle fishery."

We thank the Minister for that.

Here is the rub on fish quotas:

"Quota restrictions have again continued to impose heavily upon the local fishing industry. The traditional sole fishery, supporting the majority of vessels within this district, has suffered severe restrictions."

I know that that is also a very important issue for my hon. Friend the Member for Falmouth and Camborne (Mr. Coe).

[Mr. Amess]

The report continues:

"This has been as a result of loss of quota allocations. Prospects for 1996 look even worse with an overall reduction of 23 per cent. in sole quotas compared with the 1995 quotas.

During 1995, over 10 metre vessels saw their sole quota reduced to an uneconomic level starting at 300 kg per vessel per month for the main period of fishing, increasing to a still low maximum of 500 kg per month during mid Summer, followed by a further decline to 350 kg per month.

Under 10 metre vessels were able to continue fishing throughout, however this was under continued threat of an early closure. Restriction on quotas for 1996 has resulted in a total closure of the sole fishery for under 10 metre vessels until the 31st March."

Sadly:

"In December two West Mersea fishermen were taken to court by the Ministry of Agriculture, Fisheries and Food, for sole quota offences. They were fined and ordered to pay a total of £11,500."

I have been informed that, only last night, action was taken against another six fishermen.

I am indebted to the Leigh and Southend Fishermen's Association. I know that my right hon. Friend the Member for Southend, West has had a long and happy association with the members of that organisation. I am grateful for the help of the chairman, Mr. Knapp, the vice-chairman, Mr. Paul Gilson, and one of the committee members, Mr. Daryl Gobbold.

I should like to refer the House to three documents. The first is the consultation paper on the 1996 fishing vessel decommissioning scheme, paragraph 17 of which is of particular concern to Essex fishermen. It says:

"Since the majority of UK track record is held by POs, they are the principal beneficiaries under the current arrangements when the track record of a vessel is lost through decommissioning. If the change described above were introduced it is likely that POs would still chiefly benefit as only they or their members would be likely to wish to acquire the track records of decommissioned vessels. Under present quota management arrangements, vessels remaining in the non-sector would have no individual interest in securing track record and so the proportion of track record in the non-sector would tend to decline. If the necessary balance between the sector and the non-sector was to be maintained, it would be necessary to protect the non-sector's track record from erosion. To avoid over-complicated arrangements it is proposed that a notional amount of the track record from decommissioned vessels would be attributed to the non-sector, based on the latter's percentage of UK quotas."

Leigh and Southend fishermen truly believe that there is discrimination against the non-sector, as is highlighted in that paragraph. I ask my hon. Friend the Minister, if he cannot reply to that concern at the end of this very short debate, to write to me on the matter. The position has to be clarified, so that non-sector vessels are put on an equal footing on quotas and track records with producer organisation vessels.

Leigh and Southend fishermen also believe that there has been some mismanagement by quota teams between 1990 and 1991. In 1994, my right hon. Friend the Member for Southend, West asked a question of the then Minister that clearly highlights how things went wrong between 1990 and 1991. There was an excessive uptake by the larger vessels, which was detrimental to under-17 m vessels. Those amounts were used to build the track record accords of the over-17 m vessels.

I should like to mention something for which neither the Minister nor myself can be blamed: the European Economic Community's 1970 treaty of accession, and the Command Paper of 20 October 1970. I draw the House's attention in particular to the paragraph that states:

"subject to certain specific conditions concerning the flag or the registration of their ships, Community fishermen must have equal access to and use of fishing grounds in maritime waters coming under the sovereignty or within the jurisdiction of Member States; whereas, however, exception to this rule may be permitted transitionally for certain types of fishing carried on by local populations whose livelihood depends principally on inshore fishing".

This issue and today's debate are of enormous interest and importance, not only to my constituents in Basildon but to people in all the other Essex constituencies, and particularly to the constituents of my right hon. Friend the Member for Southend, West.

I should like to invite my hon. Friend the Minister, if he wants further evidence of how important this matter is for Leigh and its traditions, to consult the wonderful president of the local heritage organisation, Miss Sheila Pitt-Stanley, who can tell him about the town's history. I hope that he will agree to visit Southend, West, and in particular to meet the fishermen of Leigh and Southend in the heritage centre.

I also ask the Minister to reflect on the representations that I have made, supported by my right hon. Friend the Member for Southend, West, about how we believe that we are being discriminated against. I certainly intend to go to Brussels, with some of the fishermen, to make representations there.

At a time when socialists are controlling Europe, I want to know what the Member of the European Parliament for Essex, in particular, is doing about this issue, because it is no good blaming Her Majesty's Government for everything. Essex county council is controlled by the socialists, as is Southend district council and Basildon district council. Europe, in particular, is controlled by the socialists. The people who represent those councils and who represent Europe have been elected, and they should be assisting me in the representations that I have drawn to the Minister's attention in this debate.

12.48 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Tony Baldry): I congratulate my hon. Friend the Member for Basildon (Mr. Amess) on using this debate to draw attention to the concerns of fishermen from Essex, from the Thames estuary and from adjoining areas. As he said, the issues he has raised are a matter of concern to many hon. Members, including not only my right hon. Friend the Member for Southend, West (Mr. Channon) but our many colleagues who represent constituencies around the Thames estuary.

If it is agreeable to my right hon. Friend the Member for Southend, West, I should be delighted to visit Leigh-on-Sea. Since becoming the Minister of State, Ministry of Agriculture, Fisheries and Food in July, I have visited many ports and harbours around the country, and I should be very happy to go to Leigh and to meet the non-sector fishermen there. If I do not cover all the points raised by my hon. Friend in the time available to me, I will write to him to provide greater detail.

When we speak about the fishing industry, there is a tendency to think in terms of the south-west—Cornwall and Devon—Humberside, Hull, Grimsby and the north-east; but there is, and always has been, an active industry in the south-east around the Thames, exploiting the resources available from the Thames estuary. Many

people have been involved in such fishing for several generations, and typify the independent and resolute nature of the British character.

As my hon. Friend has said, much of the fishing activity is recorded as far back as the Domesday Book. Fishing has continued to be important in this century. My hon. Friend also quite rightly referred to the contribution that the fishing industry of the Thames estuary made at Dunkirk and elsewhere during the second world war. Those fishermen and their industry are very much an integral part of our highly complex and diverse fishing industry. To me they are as important as any other part of that industry.

In the latter part of his speech, my hon. Friend spoke about the treaty of Rome's reference to common access to an equal resource. There never has been common access to an equal resource under the common fisheries policy, and I do not envisage that there ever will be.

As the House will be aware, the common fisheries policy imposes a six-mile limit from our shore within which only United Kingdom vessels can fish. That includes most of the inshore fishing industry, and much of the Thames estuary fishing industry. A further limit of between six and 12 miles prohibits access to all boats except United Kingdom ones and those that have historical rights of access. We have historical rights of access into the 12-mile limits of certain other member states.

To be honest, I do not envisage any circumstances in which we would be prepared to surrender our six or 12-mile limits. That is probably the view of other member states, because I cannot envisage any circumstances in which they would wish to give up their respective limits. Those limits are important to the inshore fishing industry.

Reference has understandably been made to the UK's quota management arrangements and to the particular problems which local fishermen have encountered through belonging to what is known as the non-sector—that group of fishermen who do not belong to producer organisations. It may be helpful to explain what our quota management arrangements are and how they affect the non-sector.

As the House knows, the amount of fish which can be taken from the North sea is fixed annually by the Fisheries Council, when 15 Ministers from the member states meet in December. That council takes account of scientific advice and the results of bilateral negotiations with Norway.

Once the total allowable catches have been decided for the principal stocks—cod, whiting, haddock, saithe, plaice, sole, hake, nephrops, mackerel and herring—they are allocated among member states according to fixed percentage shares reflecting the level of fishing activity that took place in the 1970s, prior to the finalisation of the common fisheries policy. It thus follows that different stocks are allocated a different percentage.

In the North sea, for example, we do rather well on plaice, because we have been allocated 56 per cent. of the North sea quota. We do lamentably poorly on sole, however, having been allocated 4 per cent. of the quota. That is one of the reasons why that stock is under such pressure.

From time to time, representatives of the industry consider whether we would be wise to revisit the issue of stability and the way in which the percentages are allocated. It is fair to say that the United Kingdom fishing industry has expressed to me the opinion that it did pretty well out of the relative stability regime and the consequent divisions of quotas. Our quotas were good for Scotland and much of the north coast. Concern has been expressed that, if we were to revisit those quotas, we would not do so well. I recognise that that means, of course, that, in certain areas, we have been allocated lamentably small quotas.

Once the quotas have been fixed, it becomes the responsibility of each member state to manage its own quota allocation and to ensure that they are not overfished.

Within the UK we have sought to devise arrangements that are fair and equitable, and to encourage fishermen, through producer organisations where appropriate, to take on day-to-day responsibility for the management of quota allocations. Each year, we divide the UK's quotas among three groups of fishermen—the producer organisations, the non-sector, representing vessels whose owners are not members of producer organisations—within that group comes many of the fishermen to whom my hon. Friend referred—and the under-10 m fleet. Those quotas are allocated in proportion to the aggregated catch that each group makes over the three previous years.

Where allocations are made to a producer organisation, it is then responsible for sharing quota between its members and to ensure that they do not overfish the producer organisation's collective entitlement. The quotas for the non-sector are managed by the Fisheries Departments in close consultation with the industry. That involves setting monthly catch limits that take account of seasonal variations in fishing activity. Those limits are set at levels that ensure that fisheries remain open throughout the year, so that fishermen have the opportunity to fish them. Monthly catch limits are not set for the under-10 m fleet, and once the quota allocation for any stock is taken, further landings are prohibited.

Those management arrangements are reviewed annually with representatives of all sides of the industry. It is fair to say that, in the past eight years, many fishermen, notably the more active, have opted to join or form producer organisations. Today, those organisations account for more than 90 per cent. of the uptake of UK quota.

At the same time, the quotas available to fishermen remaining in the non-sector have inevitably contracted. That, along with declining stocks and increasing fishing effort, has led to a general tightening of monthly catch limits. I am conscious of that, and I have made it clear to hon. Friends that one of my great concerns is to work out means within the existing parameters of the common fisheries policy to give more help to the non-producer organisation sector.

My hon. Friend spoke about what happens to the track records of boats when they are decommissioned. That is one of the issues that I am considering. I would, however, point out that a number of important steps have already been taken to safeguard the position of fishermen who do not belong to producer organisations.

The quota allocations for fishermen with vessels under 10 m have been underpinned since 1994. That means that those fishermen now receive a guaranteed minimum share of the UK's quota irrespective of whether they have been able to catch their full entitlement because, for example, of bad weather or fish stocks failing to turn up on inshore

[Mr. Tony Baldry]

grounds. That underpinning has been extended to the non-sector allocations for North sea cod and sole, two of the stocks of major interest to fishermen in the Thames estuary. We have also insisted that all producer organisations wishing to manage quota allocations must do so for all stocks.

I am conscious of the importance of the sole fishery and the concerns that monthly catch limits are not sufficient to maintain the viability of fishermen within the Thames estuary. I appreciate those concerns, but they must be put into perspective.

As I have said, the UK share of the TAC sole quota is, and has always been, low. It is doubtful that we shall ever secure sufficient quota to satisfy the aspirations of our fishermen. Secondly, despite the claims that are made, our records show that, in the past, few fisherman caught significantly more sole than they do now. Thirdly, sole account for less than one quarter of the value of the total fish catch landed into Essex ports. For example, in 1994, cod, bass, plaice, sprat, skate and rays also made important contributions to the earnings of Essex fishermen.

I am aware that exceptionally good catches of sole have been reported this year. According to the advice I have received from scientists, that is not indicative of exceptionally large stocks of North sea sole: it is due to the unusually low temperatures throughout February, which drove the sole into warmer deep water pockets, where their concentrated numbers and near-moribund state made them easy to catch.

I also appreciate that fishermen around the Essex coast have other concerns—for example, the effects of aggregate dredging. One must recognise that marine aggregates make a crucial contribution to overall supply, particularly to the south-east, including Essex, where alternative materials are not readily available. They are particularly important for soft sea defences. I share, however, fishermen's concerns about the large number of applications for new dredging areas and I will not give a positive view under the Government's new procedure on any application unless I am satisfied that the marine environment and commercial fishing operations in the area can be adequately safeguarded. I would usually expect organisations to surrender licences for new licences that they take up.

I am conscious that, in the time available to me, I have not been able to cover in detail all the points that my hon. Friend has raised—in relation to the cockle fishery and prosecutions, among others. I shall gladly write to him and to other hon. Friends who have attended the debate to deal with those points in greater detail.

Buckley Hall Prison

12.59 pm

Ms Liz Lynne (Rochdale): Buckley Hall prison was opened in my constituency of Rochdale on 14 December 1994. It is a male category C prison. By the end of January this year, it had 339 inmates. It is privately run by Group 4, on a five-year contract. The original contract to run the prison was worth £33 million.

I and many of my constituents supported a prison coming to Rochdale, mainly because we wanted jobs to come into the region. I would have preferred the Prison Service to run it. When the contract was put out to tender, I would have preferred the in-house bid to win, but it did not and Group 4 won the contract. The reason for this debate, however, is not to talk about whether privately run or publicly run prisons are best—I did not ask for the debate because of that. All I am concerned about is the worrying incidents at the prison that have been reported to me. As Member of Parliament for Rochdale, I have an obligation to investigate.

The more information I gained, the more worried I became. That is why I tabled a number of written questions, from which I found out that 10 prisoners—although the number is now nine—were given authorised leave and were still on the run. They are not petty criminals: they are people convicted of wounding, conspiracy to rob or burglary.

It is extremely worrying that the problem is far worse at Buckley Hall than at other prisons. The average for such incidents at other male category C prisons is 1.6. It causes concern if even one prisoner does not return, but when nearly 10 times that number do not do so, the alarm bells begin to sound. I should like the Minister to tell me today how many prisoners from other category C prisons have been on authorised leave and did not return. Thirty Buckley Hall prisoners overall did not return, of whom 21 have either handed themselves in or been captured.

There have been three unsuccessful escape attempts from Buckley Hall prison. For other male category C prisons, the average is 1.6. It appears from the written answers that I have received that Buckley Hall prison is understaffed. In November, I visited the prison with my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith), the Liberal Democrat spokesman on prisons. He and I and a member of the prison staff went to one of the accommodation blocks. I stood there while prisoners had free access to table tennis tables and free association.

I was extremely worried because I could see no prison officer around. I asked that member of staff where the prison officers were. He said that there was one on the corridors above. I was worried that, if I could not see that officer, obviously, he could not see what was happening below him, so anything could happen if prison staff generally had a blind spot in that area of the accommodation block.

As the Minister is aware, the answers that I have received show that Buckley Hall prison has one officer per 3.7 inmates and other category C prisons have one officer per 2.7 inmates. It was explained that the difference lay in the fact that there were different ways of defining prison officers. I would be happy if the Minister reassured me about that. Even if that is the case, my constituents and I

need assurances that the number of prison officers on each shift, in each block and on each wing is the same at Buckley Hall as at other male category C prisons.

As the Minister knows, I have received all that information from written answers. Another reply concerned assaults on staff in 1995. For the first two months of this year, the position is a little better, but the figure for Buckley Hall was 7.1 per cent. compared with 2.5 per cent. for other category C prisons. My most recent written question involved concerted indiscipline. From 14 December 1994 to 20 March 1996, the number of incidents at Buckley Hall totalled seven compared with 0.6 at other category prisons.

Those statistics are worrying by themselves, but I have received many more disturbing details. A prisoner got out of the prison with visitors and was recaptured in the car park. On Friday, I was told by people at the prison how wonderful it was that he had been recaptured, but he should not have been allowed out in the first place. I want to know how a prisoner could go out with visitors and be recaptured only in the car park. He should not have been allowed to reach the car park.

On 19 February, a 22-year-old serving two and a half years for burglary escaped over the prison fence. An alarm went off, but I was told that prison staff did not know that a prisoner was escaping because of strong winds. That is not good enough.

In the same week, an allegation was made that a prisoner was having an affair with a prison officer outside the prison. The prisoner had been given permission to go into town or further afield to Oldham, to train with Oldham rugby league club to try to get a job after he had served his sentence. The police investigated, the prisoner was transferred and the officer resigned. If that had been just an isolated incident, we might think, "That may happen in other prisons," but it is not.

Buckley Hall has an appalling record on smuggling, especially drug smuggling. I know that it is a problem nationwide and that we must do something about the whole prison system, to stop drugs getting into prisons.

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): Will the hon. Lady give way?

Ms Lynne: No. I do not have much time.

Prisoners and visitors go to great lengths to smuggle in items, especially drugs. Prisoners on authorised leave swallow balloons. That is a well-known practice, not just in Buckley Hall, but in prisons throughout the country, whether they are publicly or privately run. I have heard that prisoners are scared to return to Buckley Hall. I appreciate that drug smuggling is difficult to stop, but most of it is done by throwing packages over the fence.

I welcome the moves being made and the fact that the prisoners will not be allowed access to certain areas near the prison fence and that perimeter fences will be strengthened in particular areas, but why has it taken so long? It has taken 15 months to do that. Why was not additional fencing built into the plans when they were drawn up?

There is a massive problem with drug taking. I have received several letters from prisoners and given copies to the Minister. For obvious reasons, I have taken the names out, but one ex-prisoner at Buckley Hall asks me to consider the following:

"An inmate climbs on the hospital roof to protest at being refused a home leave, after much skilful negotiation it is decided his home leave application will be fully supported by the management if he comes down, he did and went on home leave the following day, duly returned, and absconded while on an escorted day out a few weeks later."

The same prisoner also says:

"In the recent figures I noted from the radio, 10 inmates had failed to return from home leave"—

as I said, the figure is now nine—

"in a two year period. I am therefore sure, having spent 10 months at Buckley Hall, that these figures must contain people who I had come into contact with, like the lad who was in the next cell to me who made the choice not to return to Buckley Hall from home leave. This was he says due to the fact they refused to help him to come off heroin. The figures must also contain at least two inmates with whom I had personal contact. They could not return from home leave unless they could meet their heroin debts within the prison of £250 and £600."

He goes on:

"Buckley Hall is a time-bomb ticking away and releasing back into society people with far greater problems than which they already had. People who have no doubt come to the stark realisation that money conquers all. Buckley Hall must have a full investigation to safeguard all."

Another ex-prisoner says in a letter:

"there was no prison regime at all at Buckley Hall . . . The majority of inmates take heroin there . . . The majority of drugs and booze gets thrown over the fence of a night."

He says that he has witnessed three escape attempts,

"all unsuccessful, but only through sheer bad luck on the prisoners' side."

He also claims that in August the prison hospital unit was broken into and all the drugs taken. I understand that that is correct; I have received confirmation of it. I also understand that no drugs were recovered. Will the Minister tell me whether that is true? I also understand from two different sources that one prisoner overdosed on those drugs and from another source that two prisoners overdosed on those drugs. Will the Minister confirm or deny that today?

It is also claimed that 120 door handles were broken off cell doors. One prison officer was apparently so worried that he contacted my local newspaper, the *Rochdale Observer*, and was quoted as saying that there was a major drugs problem and that 95 per cent. of prisoners on one wing were using smack. He said that, because of mandatory testing, prisoners had gone from cannabis to hard drugs, because cannabis stayed in the body longer. He told the paper that two Buckley Hall prisoners had given themselves up at Strangeways because they feared being returned to Buckley Hall. That is confirmation of what the prisoners have told me. The prisoners who are bullied, the officer said, are shipped out, not the bullies. Indeed, I have been told that the prison relies on the bullies to keep the lid on everything. Will the Minister comment on that?

The prison officer also said that one officer had his jaw broken and that a second had had four stitches because his eye had been slashed. The article continued:

"We don't fear for a major riot, most officers want a major riot to close Buckley Hall down . . . It is a dangerous prison to work in".

I do not know how true any of those allegations are; I have no idea. My duty as a Member of Parliament is to bring such matters to the House's attention. Prisoners have written to me, and I have received information

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from prison officers and other sources. I also heard from one source that prisoners who were detailed to clean up outside the prison on a regular basis slipped off for a drink in the town. Will the Minister confirm or deny that?

The list of events is disturbing. I know from the Minister's response to an oral question that I asked her, that she takes the subject very seriously. I am not attacking Buckley Hall prison because—as the Minister is well aware—it is privately run. It is immaterial whether it is privately or publicly run. I am concerned about the running of it. Regardless of who runs it, my constituents have a right to be reassured about security measures. I am therefore asking today for a full public inquiry into the prison.

Is Buckley Hall properly staffed? Are prison officers trained well enough? Are junior prison officers properly supervised? Why was the prison fence inadequate? Who was responsible for its design? Who makes decisions on authorised leave? What has gone wrong with Buckley Hall prison? I want to know the answer to this specific question. How has the prison performed in official assessment? We need to know the answers to those questions today. Is it true that Buckley Hall has been financially penalised because of bad reports? We need answers as a matter of urgency. As one prisoner said, Buckley Hall is a time-bomb ticking away. There is no time to lose.

1.15 pm

The Minister of State, Home Office (Miss Ann Widdecombe): Although I congratulate the hon. Member for Rochdale (Ms Lynne) on obtaining the debate, I am somewhat disappointed by her tone. I was not present for her introductory remarks, for which I apologised in advance to the hon. Lady and to you, Mr. Deputy Speaker. I was in Standing Committee B and could not be in the Chamber at 1 o'clock. I do not therefore know whether she paid tribute to Buckley Hall prison staff and their efforts. I do know, however, that since becoming a Minister with responsibility for prisons, I have become very conscious of the huge amount of bashing of public sector prisons, private sector prisons and the Prison Service in general, and of the fact that at the same time people totally fail to recognise achievements.

It is quite right that hon. Members should bring to the attention of the House criticisms and serious concerns, to which they demand ministerial responses. I do not have a difficulty with that, but it should be done in the context of wider achievements, and the good should be acknowledged with the bad. I say that for a good reason. Prison officers, whether in the private or public sector, have tremendously hard jobs, which require much dedication, courage and skill. It is totally unfair that they should be consistently demoralised by an endless flow of criticism that does not at the same time recognise their efforts.

I should like therefore to pay tribute to the staff at Buckley Hall, who are trying their best, and I hope that I shall have time to pay tribute to some of their achievements in comparison with other prisons in that group, to show that the situation is not quite as bad as has been suggested.

Mr. Clifton-Brown: Will my hon. Friend confirm that all the prison staff at that privately run prison have been certified by the Home Office? Will she also confirm that, on a broad range of indicators, that private prison compares very favourably with a similar category C prison in the state service, and that it is costing the public purse 25 per cent. less to run than an equivalent state prison?

Miss Widdecombe: I can confirm all that. I suspect that many of the staff have not only been certified by the Home Office, but are constituents of the hon. Member for Rochdale, and I am sure that they will be most interested to hear what she has been saying about them and the way in which they run their prison.

Opening a new prison is very challenging. There are always teething troubles with plant and buildings, but that is nothing compared with a prisoner population that is intent from day one on testing the system. For example, it is quite common for a new prison to have a high assault rate when it first opens, and for the level to fall as the regime settles. That has happened at Doncaster and we have no reason to suppose that the same will not be true of Buckley Hall, which has, after all, been fully operational only since June.

Secondly, we need to recognise that publicity from the media inevitably concentrates more on early failures than on subsequent successes. It is not only Buckley Hall that has attracted negative, distorted and often inaccurate treatment, but the contractually managed prisons generally. Only last week Her Majesty's chief inspector of prisons, who is not known for being backward when it comes to criticism, said that the press had given Doncaster prison

"a very very unfair reputation".

Indeed, he described some of the coverage as "absolute nonsense." Like him, I think that it is time to be positive about the real achievements of the contractually managed prisons as examples of good practice and value for money.

Ms Lynne: What about Buckley Hall?

Miss Widdecombe: Indeed. The rapid construction of Buckley Hall by the Prison Service's own construction organisation was a tremendous achievement. Permanent accommodation for 350 inmates was made available within 10 months of construction starting. Before that, 90 prisoners had been housed in temporary cells located in what are now the workshops. Why? Because the alternative was police cells.

However, in bringing prisoners into what was still partly a building site, we made extra demands on the contractor, and certainly on newly recruited prisoner custody officers. I am grateful for the way in which Group 4 helped us to avoid a return to the prolonged use of police cells in the north-west.

My fourth point is also obvious, but it needs recognition. It is that most of the staff are new to prison work. They are nearly all local people. About 90 per cent. of them have been recruited locally, and the new prison has created 150 jobs. I had hoped that the hon. Member for Rochdale would join me in paying tribute to the dedication and thoughtfulness that the staff have brought to their new work.

My last general point is that the hon. Lady is not alone in taking a close interest in the initial period of operations at Buckley Hall. During the period from November to

January, the Prison Service undertook a contract audit. The purpose of that was to review progress since the opening of the prison in November 1994. In particular, the auditors were charged to assess overall security and control.

The Prison Service planned to identify any steps that would need to be discussed with Group 4 management with a view to consolidating and building on what had already been achieved to date, to monitor audit compliance and to establish whether the contract was being complied with in full. From all that, only two improvement notices, covering workshop places and sentence plans, were issued. Those matters were remedied in what the Prison Service judged to be a satisfactory manner, and it was also content with Group 4's plans for the next phase of the prison's operational life.

That is because, in addition to responding to points that the Prison Service raised, Group 4 had done its own internal management review of Buckley Hall, resulting in an action plan to strengthen local management, increase the supervision of staff and expand and enhance staff training.

The hon. Lady made comparisons between Buckley Hall and the average performance of other category C male training prisons. I want to spend some time on that subject. I pay tribute to the hon. Lady's persistence in tabling a long stream of parliamentary questions, but such comparisons are not valid. Male category C prisons cover a wide range of prisons and prisoner populations, ranging from hutted accommodation converted from former RAF bases and former open prisons—for example, Haverigg and Ashwell—to other prisons with cellular accommodation built specifically to category C standards, with a secure wall—Risley, for instance.

For the purpose of comparison, therefore, we take the group of category C male training prisons to which Buckley Hall most naturally belongs. Those are prisons with good control capability, based on judgments about the ease of supervision, the internal zoning within the prison, the site size, whether buildings are spread out or compact, and special programmes.

The prisons most easily comparable are Risley, Coldingley, Stocken, Lancaster, Camp Hill and Wealstun. I stress that in addition, any assessment of relative performance needs to take account of the newness of the prison and the fact that most staff at Buckley Hall were on a steep learning curve.

Taking the Prison Service key performance indicators, the first comparator is the number of escapes from custody—defined as no recapture within 15 minutes. During 1995-96, of that group, Coldingley, Risley and Stocken have had two escapes to date. Buckley Hall and the closed part of Wealstun had one such escape. Camp Hill and Lancaster Castle had none.

Another comparator is the number of assaults. Any prison is likely to experience an above-average rate of assaults during its initial period. As the hon. Lady knows from a reply that I gave her recently, the rate of assaults against staff in 1995 was 7.11 per cent., and in January 1996 3.5 per cent., compared with overall averages for all category C prisons of 2.7 per cent. and 2.9 per cent. respectively.

I shall now use the proper comparator group. Using the Prison Service's KPIs—key performance indicators—which record the average percentage of average population for all assaults against both prisoners and staff, for Buckley Hall the rate is 8.8 per cent. In the comparable category C group, Risley considerably exceeds that, at 15.6 per cent., and another prison, which has been in operation for many years and is therefore not on a steep learning curve, Camp Hill prison, rates 6.8 per cent.

I am a great believer in attempting to use statistics fairly and sensibly, so I should add that the Risley figure relates to a prison with separate male and female units, the latter operating as a local prison with a high number of disturbed and disruptive prisoners.

As for regime hours at Buckley, as I have already mentioned, the prison was handicapped when it opened because the workshops were used to house temporary cells. Numbers were built up on site, but the workshops were converted back for their intended use, and therefore for constructive activity, only at the end of July. By last Friday, the average regime hours figure at Buckley Hall for the preceding week was 29. In the comparator group, the figure for Camp Hill was 29.4, for Risley 28.7, for Coldingley 27.3 and for Lancaster Castle 26.1.

One of the other issues raised by the hon. Lady was the escape on 19 February of Philip Buckley—a most unfortunate name, in the circumstances—who was serving a sentence of two and a half years for burglary. That incident was investigated by the Prison Service, and we concluded that a number of factors had contributed to the escape.

Group 4 was warned that the Prison Service intended to impose a financial remedy for failure to maintain security standards. In the event, Group 4, having reassessed physical security, is investing in the provision of additional security measures, including fencing and security cameras. I understand that that was explained to the hon. Lady when she visited the prison recently.

I fully share the hon. Lady's concern about the smuggling of illicit drugs—and, although she did not stress that aspect, alcohol—into the prison. Who would not share that concern? We face the same problem throughout the prison estate, and I am satisfied that Buckley Hall's management is tackling it with rigour.

Every person visiting an inmate is searched. A drugs dog is available. In addition, visitors are requested to leave hand luggage in locked compartments in the reception area and, unusually for a category C prison, Group 4 has installed an X-ray portal through which visitors must pass before entering the prison. Cameras have been installed in the visits room for monitoring and, if necessary, for collecting evidence of attempts to pass on drugs or alcohol.

In order to restrict illicit access to drugs, changes have also been made in the prison pharmacy. As the hon. Lady said, a quantity of drugs was stolen following a break-in during the first few days of August, shortly after the main accommodation had been brought into use. The drugs had been properly stored in a regulation steel drugs cabinet, and the lock was appropriate. However, the medical building itself proved to be insufficiently secure. Following that incident, the Prison Service improved physical security and Group 4 introduced new dispensing arrangements, to ensure no medicine capable of misuse was stored near inmate accommodation overnight.

I do not wish to spend too much more time on the details of the debate, because I want to end with some general observations. As I said at the beginning, Prison Service

[Miss Widdecombe]

staff, in both the public and the private sector, have a difficult job to do. The Prison Service has a remarkable record of achievement since it became an agency—in the reduction in the number of escapes, for example, which at the end of last year amounted to 83 per cent.

I do not believe for one moment that if any private sector company had made such an improvement in its performance, people would denigrate it in such a fashion. I believe that we should pay tremendous tribute to the Prison Service—

Ms Lynne: The Minister has not answered my questions in detail.

Miss Widdecombe: From a sedentary position, the hon. Member for Rochdale is complaining that I did not answer all her questions. She asked me about drugs, about security, and about assaults, and I have addressed all those questions. If there is any question that I have not answered to her satisfaction, she has a pen and paper, and she knows very well that I shall always give her the courtesy of a reply.

Dental Care

1.29 pm

Mr. Geoffrey Clifton-Brown (Cirencester and Tewkesbury): I am grateful for the opportunity to raise the subject of dental care. It is a tribute to my hon. Friend the Minister of State that when I discussed with him the possibility of raising the matter on the Adjournment, he readily agreed. I am grateful to him for that, and I welcome him to the Front Bench today.

The debate has three purposes: first, to highlight one highly unsatisfactory constituency case of unnecessary and unsatisfactory dental treatment; secondly, to reveal the shortcomings of the way in which the General Dental Council—the dentists' regulatory body—can deal with such cases; and, thirdly, to demonstrate the shortage of dentists providing NHS treatment in Gloucestershire.

I am well aware of the vast annual growth in state spending on NHS dental services. Since 1979, there has been a 69 per cent. increase in real terms in spending, reaching £1.3 billion in 1992-93. The problem is that, as in other areas of the NHS, technology has moved on at such a rate that ever more complex dental treatments are possible. People's expectations are higher than ever before, and some new treatments are extremely costly for the NHS to provide. Everyone should be entitled to receive reasonable treatment under the NHS, however, and most people should now, with correct dental care, expect to keep their real teeth for most of their lives.

Before I outline the facts relating to the case of my constituent, Mrs. Gee, I should state that I went to great lengths to check the facts, including corresponding with the dentist concerned and the independent consultant who reviewed the work. Mrs. Gee came to see me at the House so that I was able to question her face to face. I am convinced that there are a small minority of rogue dentists who undertake treatment that is unnecessary, or who augment basic treatment merely to earn increased fees. Of course, such cases are difficult to prove.

Mrs. Gee's case began in October 1993 when, after some minor dental treatment involving a filling costing only £55, Mr. Scott-Holeyman of Moreton-in-Marsh, suggested that some additional dental work to replace an existing denture would be ideal. A new bridge would be fitted, and root treatment carried out. It was explained that the work would cost £1,500 and that having the work done privately would ensure top-quality bridgework with well-fitting crowns and pure gold posts. Mrs. Gee took the word of the dentist that the work was necessary and would improve her quality of life. In reality, as she was to find out later, the work was possibly unnecessary and could offer only a marginal advantage over the existing denture.

My constituent was in constant pain from the bridge as soon as it was fitted. She endured 17 visits to the dentist—totalling more than 30 hours—where, on each occasion, minor adjustments were made, such as grinding down the teeth. The bridge, however, remained in place. Eventually she asked for a second opinion from the dentist's partner. It became clear from using a mould that the bite was seriously wrong, with the top and bottom teeth failing to meet.

To this day, the dentist who treated Mrs. Gee cannot accept that his treatment was unsatisfactory. In a letter to me dated 28 February 1996, he stated:

"I am unsure about exactly what it is I am supposed to have done."

But the evidence is clear, because Mrs. Gee immediately sought a report from a consultant in restorative dentistry, which stated that a fixed bridge of the type that was used may not have been appropriate, and that the pre-existing removable denture may well have been better in the circumstances.

Mrs. Gee finally went to have restorative work done at Birmingham dental hospital more than a year after the original treatment, and the bridge was removed. Five teeth were affected by the attempted bridge work, two of which have been lost and the remaining three extensively restored. The major point is that, two years later, remedial dental treatment continues at the taxpayer's expense in the NHS hospital at Birmingham. Mrs. Gee has had to endure 28 separate and very painful visits to the dental hospital to put right work that may not have been necessary in the first place.

On my constituent's behalf, I took up the case with the General Dental Council which in theory has a remit to regulate the profession under the Dentists Act 1984. The GDC investigated Mrs. Gee's complaint, but concluded that there was not a prima facie case of serious professional misconduct by the dentist. The GDC can suspend a dentist only when serious professional misconduct has been proved. Although I am not a lawyer, that would amount in my opinion to something as serious as pulling out all of someone's teeth, or rape or a similar act. My constituent underwent unsatisfactory treatment, but it did not amount to serious professional misconduct and—under its present constitution—the GDC had no power to act.

Court action would be difficult without access to all the documents relating to Mrs. Gee's treatment. There are double standards on the part of the GDC, because it is reluctant to co-operate with her since completing its own investigation. Mrs. Gee supplied a copy of her own report and an assessment of the original treatment before the restorative work commenced for the GDC disciplinary hearing to which I referred. The GDC happily passed that report on to the dentist so that it could be used in his own defence. Mrs. Gee, however, cannot get from the Birmingham dental hospital a document relating to her own treatment that would form a central part of any court action. That is unsatisfactory, and I hope that my hon. Friend the Minister will request a copy of the report from Birmingham dental hospital so that he can satisfy himself as to the seriousness of the case.

The House would be entitled to ask why the dental profession is dragging its feet. A sceptic might say that the dental profession is aware of the three-year time limit within which medical negligence cases must be brought. This period is fast approaching its end. But why must we have this limit at all? The Minister will know for example, that negligence claims against employers can take much longer than three years to come to court, and can take six or more years to do so.

It has been important to highlight the issues surrounding Mrs. Gee's case because they highlight the shortcomings of the GDC's regulatory structure. All treatment under the NHS is subject to a complaints procedure that is not open to private dentists. Therefore, people such as Mrs. Gee have no redress under the NHS. It is high time that the GDC modernised its procedures in line with those adopted for doctors by the General Medical Council. Dentists who fall short of the serious professional misconduct category could then be disciplined for persistent professional misconduct. In particular, there must be powers to suspend dentists temporarily while they undergo re-training and to ensure that all dentists undergo continual professional development throughout their careers. That happens in many other professions, including my own—chartered surveying.

I urge my hon. Friend to initiate an urgent consultation with the dental profession to implement these changes and all the changes recommended in the GDC consultation paper put out in November 1995, with a view to legislation along the lines of the Medical (Professional Performance) Act 1995 which will give the GMC powers to regulate GPs from next year. The people of this country need to be reassured on this matter.

Action is vital because the provision of NHS dentistry in the rural areas of Gloucestershire is unsatisfactory. My constituency has one of the highest proportions of NHS dentists either opting out entirely of providing NHS treatment or merely treating children and those with exemption certificates. The health authority has attempted to alleviate the situation by employing salaried dental staff in local clinics. But the health authority provision lags behind potential local demand by a long way. For example, there is only one NHS salaried dentist in the Tewkesbury area every other Friday from 9 am to 1 pm and from 2 pm to 5 pm—this, Mr. Deputy Speaker, to serve a population of about 14,000.

How can the situation be improved? The health authority is keen to have at least one extra salaried post, but its hands are tied by the national Department of Health rules on salary levels which mean that the health authority is unable to employ the extra salaried dentists that it needs.

Gloucestershire health authority has unfilled posts because it cannot attract dentists. Health authorities should be given more flexibility in, for example, the fringe benefits that they can offer salaried dentists, such as moving expenses and increased housing allowance, to fill unfilled posts. Ultimately, there are no other mechanisms whereby the NHS can provide NHS dentistry, if there are unfilled posts.

I hope that there will be action as a result of this debate. First, I look to the Minister to demand the document from the Birmingham dental hospital which catalogues Mrs. Gee's ordeal and is central to her being able to pursue successful legal action.

Secondly, I look to the Minister for action to ensure that the General Dental Council quickly follows the route taken by the General Medical Council to deal with rogue dentists who exploit private and, indeed, NHS patients. Finally, I hope that the Minister will look again at the regulations governing salaried NHS dental staff to find out what can be done to ensure that the vacant posts are filled by allowing health authorities greater flexibility in the allowances that they can offer to attract and retain dental staff.

I would like to think that, in raising this matter today on behalf of my constituents, the dental situation in Gloucestershire will improve rapidly. I am thankful for the opportunity to raise the matter.

1.40 pm

The Minister for Health (Mr. Gerald Malone): First, I am pleased to be able to respond to the particular and the general issues that my hon. Friend the Member for Cirencester and Tewkesbury (Mr. Clifton–Brown) raised and to congratulate him on using one of the most powerful tools we have to raise the complaints of individual constituents and their concerns in this forum.

Since last November, my hon. Friend has been working hard on Mrs. Gee's behalf to ensure that the problems that she has had following her dental treatment are properly addressed. I know too that the case raises wider issues, which will be of interest to all patients when they make choices about their dental health care.

My hon. Friend will be well aware that Mrs. Gee's case is still subject to the legal process. I am sure that he will understand why, when I discuss it, I want to do so in terms of the general principles that it raises, but I will also respond to one or two of the points he made. I am pleased to be able to say that I will also let the House know about some of the successful things that are going on in dentistry today, including our plans for a new complaints procedure for NHS patients, which has some bearing on Mrs. Gee's case.

It is to standards of service that I shall first turn my attention. The case raises two aspects of that matter, which go to the heart of Government policy for dentistry. Those are to ensure high standards of patient treatment and care and a mechanism whereby there can be an effective response when things go wrong, as they surely do from time to time in any profession.

The General Dental Council shares our aim that the dental profession should promote high standards of treatment and care. I suspect that my hon. Friend—perhaps unconsciously—was a little more vigorous towards the GDC, rather than to me, than he should have been when dealing with this issue. As he pointed out, it has raised issues that have come to my attention on which we need to make progress. I have found the council extremely keen to move down the route that he suggested to ensure that patients get quality of care and high standards are promoted. It is part of its direct remit, flowing from the Dentists Act 1984, to promote high standards of professional education and conduct among all dentists—this is the important point—whether they be NHS or private dentists, which was the case with Mrs. Gee.

To be legally entitled to practise dentistry, all dentists must appear on the GDC register; they must be suitably qualified. To that end, the GDC assesses standards of dental education at the universities and postgraduate bodies, which enables it to ensure that the qualifying examinations meet the appropriate standards. In the NHS, too, we aim to promote high professional standards throughout. It is a requirement of the dentists' terms of service that they keep their clinical skills up to date.

To enable them to comply with that requirement, we provide a postgraduate education allowance, which allows them to claim a fee when they attend a postgraduate course and helps to ensure that their income is maintained and that there is no disincentive to keep up to date with skills. As my hon. Friend rightly pointed out, in dentistry, as in so many other areas of medicine, skills need to be developed to cope with the changing technology to which he referred. That provision is just one aspect of the dentists' NHS terms of service, which place the accent very firmly indeed on providing high standards of patient care.

The second aspect concerns what happens when treatment does not turn out as well as patients and dentists hope. Of course, I acknowledge that patients need to have the security of the knowledge that their concerns will be addressed and remedies provided. I am pleased to be able to tell my hon. Friend that much work is being done in that area following the publication of Professor Wilson's committee's report "Being Heard" and our response "Acting on Complaints". From 1 April, a new complaints procedure, which will be common throughout the NHS, will be put in place.

The aim of the new system, which has been worked out with the profession, is to make the complaints procedure more accessible, speedier and fairer to all. I am sure that the whole House will welcome that, as many hon. Members already have. For all family health service practitioners, the new system will replace the present formal system.

Mr. Clifton–Brown: Will that complaints procedure cover private dentistry in any way?

Mr. Malone: My hon. Friend has probably anticipated the fact that I will come to that point, because I understand Mrs. Gee's case to be in that category. I thought that it would be helpful, as my hon. Friend raised the subject of general standards of quality, if I dealt with his NHS constituents—of whom there are many—as well as with what happens with private dentistry.

The new complaints procedure will be practice-based. It will follow the introduction of a new terms of service provision for dentists. Where it is not possible to resolve complaints at the practice level, which should be the first and most convenient port of call, the local health authority will have an independent review role to play to offer conciliation and take unresolved issues forward.

The patients' rights of redress do not end there. If a patient is unhappy following independent review by the health authority, or has been denied an independent review, he or she will also have the right to take the case to the health service commissioner. From 1 April, subject to the approval of Parliament, the commissioner will be able to consider clinical matters as well as administrative maladministration. That is probably the most important aspect of what happens in cases of this sort, although Mrs. Gee's was not an NHS case. The new system will widen matters to an extent that will help the public greatly.

The new system has two principal aims. One is patient confidentiality and the other is early resolution; both are extremely important. All NHS dentists and the new health authorities have received guidance about the new system. Much work has been done to get it into place and to ensure that everyone understands what procedures need to be followed so that, as at 1 April, it is up and running.

Those are the provisions that will be in place to deal with NHS patient complaints, which may arise in my hon. Friend's constituency, although I hope that there will not be too many of them. I hope that those that do arise will be rapidly resolved. As my hon. Friend rightly pointed out, the provisions do not apply to cases such as that of Mrs. Gee, whose treatment was undertaken on a private basis.

I emphasise to my hon. Friend, who rightly asks what Mrs. Gee should do in those circumstances, that private patients also have their remedies. They can get help from a range of sources. They can get it from the British Dental Association, which provides guidance to its members in dealing with complaints. If Mrs. Gee had been privately insured with a scheme such as Denplan, she would have found that such schemes—which are becoming fairly common—usually provide a conciliation service as part of good business practice.

Of course, the General Dental Council, which deals with matters of professional conduct and upholds professional standards, has a keen interest in all those matters, which are at the centre of my hon. Friend's arguments and of his queries about how we can take the matter forward and develop the council's ability to deal with such problems. At present, where a dentist's fitness to practise is judged by the health committee to be seriously impaired, the GDC may order the dentist's registration to be suspended or to be conditional on complying with conditions imposed for the protection of the public or in the dentist's interests.

I shall now deal with the points raised by my hon. Friend about where we go from here, because, as he asserted, change is needed. The General Dental Council has approached my Department with a view to amending the Dentists Act 1984 so that it can set up a system to deal with patients' complaints about treatment outside the NHS. We shall consider that proposal sympathetically, all the better informed for my hon. Friend's powerful arguments about why that should be done.

As this case has illustrated, it is important that private patients should have access to an acceptable complaints procedure. It is in the interests not only of patients but of the profession as a whole that there should be a procedure whereby complaints can be sorted out before the present right of recourse, which is open to patients, including my hon. Friend's constituents, to pursue complaints through the courts, is used. It is important that we do what we can to widen the scope for patients to resolve matters—and resolve them quickly, because, in cases where pain is involved, people need to resolve them quickly. I hope that my hon. Friend will be reassured to hear that, since we were approached about the issue, we have been active in its pursuit and we will continue to remain active in ensuring that patient complaints, NHS or private, are properly and speedily dealt with.

The General Dental Council has plans to establish a statutory career redevelopment procedure that may be applicable to dentists whose performance, while not amounting to serious professional misconduct, falls below the high standards set by the profession. My hon. Friend made an apt analogy in referring to the legislation for doctors. Such a change would require primary legislation and an amendment to the Dentists Act 1984. In the meantime, any initiative by the General Dental Council to introduce voluntary participation in such procedures would be welcome. I hope that it has heard what he said and noted his concerns. Perhaps it will give that some thought.

My hon. Friend mentioned the availability of dentistry. As he knows, dentists are independent contractors and can choose where to set up in business and which patients they will see. Patients are able to choose whether to have treatment privately, under NHS provision or on a part-NHS, part-private basis. In that situation, our aim is to ensure that there is real choice for all patients at all times. That raises questions about the availability of general dental services, so I shall set out our plans on that important matter. As my hon. Friend alluded to it and it is important that the situation should be widely understood, I will consider the national situation before moving to the difficulties in his constituency.

First, the idea that NHS dentistry is disappearing across the country is far from the truth. It is not, and there is no evidence to support that contention. There are now more dentists providing NHS treatment on family health services authority lists. There were 15,942 on 30 December 1995, which is 516 up on June 1992. I lose no opportunity to put that fact firmly on record because, to hear some people talk about NHS dentistry, one would assume that it was dying. It is not. We are committed to NHS dentistry and to accessible and effective service. To that end, not only am I pleased that there are more dentists providing it, but the Government have supported it with cash. Between 1978-79 and 1994-95, expenditure grew 60 per cent. in real terms.

Although that may reassure my hon. Friend about the nation, he specifically raised constituency matters. Of course, I know that it may sometimes be difficult to obtain treatment in some parts of the country. For example, there is often difficulty in isolated rural communities; it is a problem of locality. My hon. Friend's constituency is an example of such problems. Some adult patients there have to travel further to find NHS dentists to treat them. That is why we have already approved the recruitment of salaried dentists to help meet shortfalls in provision.

Last week, Gloucestershire family health services authority reported that there were five salaried dentists in the county making such provision for patients. I understand the recruitment difficulties to which my hon. Friend alluded. It is sometimes frustrating for everyone trying to deliver the service that there appear to be mechanistic obstacles in the way, but I remind him that, at present, salaries for salaried dentists are recommended by the independent review body. That does not mean that I will not carefully consider his suggestions about flexibility. I am pleased to be able to say that we have approved the appointment of a further two salaried dentists in Gloucestershire. When appointed, they will help to augment existing salaried provision in the county.

Mr. Clifton-Brown: Does my hon. Friend accept that a possible way to ease the situation would be to move from a system of salaries for salaried dentists to one along locally determined pay lines, as nurses, for example, have done?

Mr. Malone: My hon. Friend makes some interesting suggestions. Should those who are in a position to take advantage of them choose to do so, I would not stand in their way. Flexibility is important in these matters. I listened carefully to my hon. Friend. I am anxious to ensure that existing FHSA mechanisms are used fully. Many problems could be resolved with primary legislation, to which we are committed in due course, when we enter into a purchaser-provider system.

My hon. Friend is interested not only in the long term but in the short term for his constituents. I conclude by dealing with the three specific points that he raised.

[Mr. Malone]

First, I will write to him about the report that Mrs. Gee is trying obtain from the Birmingham dental hospital. Secondly, I can reassure him that we will consider sympathetically the GDC's plans to establish a statutory career redevelopment procedure that may be applicable to dentists whose performance, while it does not amount to serious professional misconduct, falls below the high standards set by the profession. Thirdly, we have a clear policy that effective NHS dentistry should be available to all who want to make use of it. We will take all available steps to ensure that it is. My hon. Friend has set out several practical ways that, in the context of his constituency, may be possible. I will consider that carefully as we take the discussion of this important matter forward.

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

SCOTLAND

Taxation

1. **Mrs. Gorman:** To ask the Secretary of State for Scotland what representations he has received about taxes paid per head by people living in Scotland and the public expenditure per head spent there. [21319]

The Secretary of State for Scotland (Mr. Michael Forsyth): I have received lots of representations on the subject.

Mrs. Gorman: I thank my right hon. Friend. Is he aware of the report published by the Institute of Fiscal Studies about taxation as it will affect the regions should we have devolution in Scotland? It predicts that the basic rate of tax in Scotland would rise from 25p to 36p in the pound and that the top rate of tax in Scotland would rise from 40p to 58p in the pound. Does my right hon. Friend agree that the people of Scotland know very well that it would be madness to opt for devolution?

Mr. Forsyth: The Institute of Fiscal Studies issued a report today which examines the effects on income tax on the basis of its assumptions about the implications of devolution and regional assemblies. The figures that my hon. Friend has cited seem to correspond with the predictions of the Institute of Fiscal Studies. I do not have responsibility for the institute and its conclusions—which are not always helpful to the Government. However, on this occasion they reflect the dangers of devolution that we have drawn to the attention of the wider public and the taxation consequences for the Scottish people.

Mr. Connarty: Is the Secretary of State aware that the tax that everyone in Scotland is talking about—the 23rd Tory tax and the second Forsyth tax—is called the council tax? It will go massively through the roof in most local authorities in Scotland, not because of overspending but because of massive underfunding by the Government on reorganisation which the Secretary of State's party forced upon the unwilling people of Scotland.

Mr. Forsyth: The hon. Gentleman is a former leader of Stirling district council and a former parliamentary candidate in Stirling, where he was unsuccessful—twice. I am sure that he will be interested to know that when I visited the Central region and the new unitary authority to receive a briefing as to why council tax in Stirling is projected to increase by 18 per cent. I was told that, if the previous council had not spent the balances, the increase would be 4 per cent. The profligacy of councils in the current year has led to big increases in council tax. They are not Conservative councils, but Labour councils, and the hon. Gentleman should take responsibility for them.

Mr. Devlin: Will my right hon. Friend confirm to the House what he told me in the Scottish Select Committee—that public expenditure in Scotland is 35 per cent. higher per head of population than in England? Does he seriously expect my electors in the north of England to cough up for that level of transfer if the Scottish people are given their own Parliament and their own tax-raising powers?

Mr. Forsyth: My hon. Friend is right: the expenditure on those elements of the Scottish block is about one third per head higher in Scotland than it is in England. My hon. Friend is also right to draw attention to the dangers—should a Scottish Parliament, with tax-raising powers, be established—of assuming that English Members of Parliament would continue to vote more for a Scottish Parliament than for their own constituencies. There is also the possibility of conflict which would lead to the break-up of the United Kingdom; that is no doubt why the hon. Member for Banff and Buchan (Mr. Salmond) is so enthusiastic about the proposals.

Mr. Wallace: What assessment has the Secretary of State made of public expenditure per head in Scotland if the Government were to introduce an immediate intervention buying scheme for beef? I am sure that he recognises the importance of the industry to Scotland, not only in terms of farming but in terms of meat processing and slaughterhouses. Does he accept that the urgent introduction of an intervention system is the minimum action necessary to get the Scottish meat trade moving again?

Mr. Forsyth: I agree with the hon. Gentleman that the crisis facing Scotland's farmers is very serious. I had an opportunity to discuss the position with the Scottish National Farmers Union this morning. It put a number of proposals to me, which I said that I would discuss with my right hon. Friend the Prime Minister and my colleagues later today. I was also able to give the union an assurance that we would underwrite and take part in an initiative to help restore confidence in Scottish prime beef and that we would ensure that there is a co-ordinating committee within the Scottish Office drawing all interests together.

I am extremely grateful to the hon. Gentleman for the responsible view that he and his party have taken on a matter of great concern to people not only in farming but in all the downstream industries that are affected in Scotland.

Productivity

2. **Mr. Anthony Coombs:** To ask the Secretary of State for Scotland if he will make an estimate of productivity growth in Scottish industry since 1979. [21320]

Mr. Michael Forsyth: Between 1979 and 1993 there was a productivity growth in Scotland of 30 per cent.

Mr. Coombs: Will my hon. Friend confirm that productivity growth in Scotland has not only exceeded that of the G7 countries over the past decade, but has substantially exceeded that of the United Kingdom as a whole? Is that not an indication of the huge economic transformation and growth in competitiveness that have taken place in Scotland over the past 15 years? Does it not give the lie to the claims of the Labour party that this period has seen an erosion in the Scottish manufacturing base, which is total nonsense?

Mr. Forsyth: My hon. Friend is right to draw attention to the spectacular success of the Scottish economy in

recent years. The last three years have seen an increase in productivity in Scotland that has exceeded that of the rest of the United Kingdom. The United Kingdom as a whole has been the job generator in Europe and unemployment has fallen as a result. Scotland has led the way, due to the enterprise of the Scottish people and the success of the Government's policies.

Mr. George Robertson: On the subject of productivity in Scottish industries and the dilemma and crisis facing the farming and processing industries in Scotland, does the Secretary of State agree that this crisis needs all of us to work together to restore confidence in Scottish beef and to allay the legitimate health concerns on which the public will have to make up their own minds? Does he accept that the dithering, muddling and indecision on the part of the Government have played a decisive part in contributing to the crisis?

Does he agree that radical and decisive action is now necessary for the future and that it must include some consideration of the National Farmers Union proposal for selective slaughter, a severe tightening of slaughtering laws and operation, and more publicity for the fact that quality-assured herds, both north and south of the border, are in a special case and class of their own? Will the Government consider a tracing scheme for cattle, such as that which already applies successfully in Northern Ireland? *[Interruption.]* Is it not time that much more energy went into accessing European funds to help this critically important and deeply endangered industry? *[Interruption.]*

Madam Speaker: Order. There seems to be some confusion. The hon. Gentleman at the Dispatch Box is perfectly in order. He is talking about Scottish industry and I would have thought that the beef industry in Scotland was a most important industry in that country.

Mr. Robertson: Perhaps above the noise of the gaggle of irresponsible Conservative Members, I could repeat the final part of my question. Before you rightly reminded hon. Members of the relevance and importance of the issue, Madam Speaker, I asked whether it was not time for much more energy to be put into accessing European funds by all of us, including the Government, to help that vital and deeply endangered industry.

Mr. Forsyth: I welcome the hon. Gentleman's assertion that what is needed is for people to approach the problem on a non-partisan basis, and I am therefore disappointed that he should accuse the Government of having dithered. I have been fully involved in all the discussions and the Government have acted on the basis of scientific advice, which has made it perfectly clear that British beef and Scottish beef are safe and that the risk from consuming beef is very small.

The hon. Gentleman asked me a number of specific questions. The Scottish National Farmers Union has not advocated a policy of slaughter, as he suggested. It has advocated that cast cows should not be allowed to enter the food chain. The Spongiform Encephalopathy Advisory Committee recommendations were that those carcasses should be treated in a particular way and deboned. The farmers union proposal is that the cast cows should not enter the food chain at all, but that their carcasses should be disposed of at the end of their useful life. That proposal is worthy of consideration along with the others.

The hon. Gentleman's point about ensuring proper procedures in slaughterhouses was part of the SEAC recommendations, and we are proceeding on that basis. The hon. Gentleman has asked to see me tomorrow, with his colleagues, to discuss the way forward. I am sure that I speak for everyone in farming in Scotland if I say that they long for the House to address the problem in a careful and deliberative manner and to avoid the temptation to score party political points on an issue which affects the livelihoods of thousands of people. Careless talk will cost livelihoods and destroy public confidence.

Sir Hector Monro: I welcome what my right hon. Friend has said—and the comments of some Opposition Members—about the seriousness of the situation in Scotland. Is my right hon. Friend aware that auction marts, abattoirs and processing plants are at a full stop now? Given the advice that he has had from the Scottish National Farmers Union and the Government's discussions, will he be able to put some measures in place by next week so that confidence can be restored to the most important industry in Scotland?

Mr. Forsyth: I agree with my right hon. Friend that the position is very serious. Jobs are already being lost and people are being laid off. As my right hon. Friend is aware, the market is at a standstill. It is important to restore public confidence and those matters are being addressed. Discussions are going on between my officials, officials from the Ministry of Agriculture, Fisheries and Food and people from the European Commission.

I share my right hon. Friend's desire to see effective action taken quickly and I am grateful to him and to other hon. Members who have kept my office informed of the concerns that have arisen in Scotland. I am also grateful for the constructive role that the farmers union and others are playing at a difficult time.

Mr. Salmond: Will the Secretary of State confirm that thousands of Scottish farms are in quality-assured schemes which have traceability? They have long banned any bonemeal or blood products, and that is why they are safe. In Scotland, we have breeds of Aberdeen Angus, Galloway and Highland cattle that are BSE-free. How has the Secretary of State allowed that quality of production, which is probably the safest in Europe, to be swept into the maelstrom surrounding the safety of British beef products? What proposals has the Secretary of State made to eradicate BSE from the Scottish dairy herd? What proposals does he have to exempt quality-assured beef production in Scotland from boycotts and bans? Can he argue that the confusion we have seen from Government Ministers has had any other effect than to cost the livelihoods of thousands of people in Scotland?

Mr. Forsyth: The hon. Gentleman would do well to discuss his proposals with the Scottish National Farmers Union before advocating them. If he did so, he would find that his proposals do not command the union's support. The view of the SNFU is that both it and the NFU in England have a job to do—to restore confidence in British beef. All Scottish beef is safe to eat according to the

experts, and the hon. Gentleman should not use this House or any other forum to say that there is beef that is not safe and beef that is. The expert advice is clear; what the hon. Gentleman has just said is an example of careless talk costing jobs in Scotland.

Mr. Bill Walker: Does my right hon. Friend agree that the United Kingdom has the toughest regime in existence for inspection, slaughter, disposal and sale, and that we should draw the public's and the media's attention to the work done since 1989 to produce that safe regime? Perhaps we should get them to think about the double standards on the continent and the misinformation coming from some sources.

Mr. Forsyth: My hon. Friend makes a fair point. We have been guided by science, and the scientific advice on the safety of British and Scottish beef is clear. The fact is, however, that market confidence has been severely damaged and we need to take specific measures to restore that confidence. Measures will need to be taken rapidly, and that is what is being considered at the moment. Recriminations and reaching conclusions with the benefit of hindsight are not for now: for now, we must try to ensure that British beef and those whose jobs depend on it are safeguarded by a restoration of confidence in the marketplace.

School Buildings

3. **Mr. Canavan:** To ask the Secretary of State for Scotland if he will make additional resources available to local authorities to enable them to improve or replace sub–standard school buildings. [21321]

The Parliamentary Under–Secretary of State for Scotland (Mr. Raymond S. Robertson): My right hon. Friend has made substantial resources available to local authorities for school building work in recent years. In particular, on 4 March he announced the capital allocations for the new authorities for the financial year 1996-97.

Mr. Canavan: Bearing in mind the 47 per cent. cut in capital spending on schools since the Tories came to power, how on earth can the Minister justify giving more than £12 million a year to private, fee-paying schools through the assisted places scheme while pupils in local authority schools such as Graeme high school in my constituency have to put up with sub-standard accommodation? Will the Minister reconsider his refusal to meet representatives of the school's parents? Will he also accept an invitation to visit the school so that he can see the situation for himself and be persuaded either to upgrade or to replace the sub-standard accommodation?

Mr. Robertson: Of course I will visit the school in the hon. Gentleman's constituency. I was also delighted to be able to visit Bo'ness academy on 26 February at the invitation of the hon. Member for Falkirk, East (Mr. Connarty). I know that Graeme high school was badly affected by burst pipes during the cold spell at Christmas, but I understand that the necessary repairs have now been carried out. The broader question of refurbishment is a matter for the new Falkirk council.

Mr. Gallie: Does my right hon. Friend agree that one of the problems in Strathclyde has been the fact that the education authority has kept open far too many school buildings for the number of pupils attending school? As a consequence, it has overstretched its budget. Does he recognise that the change to single-tier authorities will allow the local authority in my area to meet the needs of local people in terms of providing additional nursery places?

Mr. Robertson: My hon. Friend makes a valid point. The Accounts Commission has said that there are more than 300,000 surplus places in Scottish schools. I hope that the new authorities taking over on 1 April will look sensitively and carefully at the problem of over-capacity, at all times taking parents and others with them so as to ensure that the matter is dealt with sensitively.

Ms Roseanna Cunningham: Is the Minister aware that the population growth in my constituency is quite high? Indeed, I understand that, within 10 years, Perth is likely to be the same size as Dundee, if not larger. In those circumstances, far from any overcapacity, schools in my constituency are full almost to bursting point and in need of long-term repairs and in some cases new schools need to be built. In the current circumstances of local authority funding cuts, particularly in capital allocations, does the Minister agree that it is outrageous that my constituency has no opportunity to rationalise and no real money to undertake work that is absolutely necessary for an area with a growing population?

Mr. Robertson: I remind the hon. Lady that in the five years to 1994 we increased capital allocations for educational building by more than one third and we have maintained that record spending level. The hon. Lady should make her strident representations to her local council, because local democracy and local government are about local councils making their own priorities in the light of their spending decisions.

Forestry

4. **Sir Thomas Arnold:** To ask the Secretary of State for Scotland if he will make a statement about the new framework document for forestry policy. [21322]

The Parliamentary Under–Secretary of State for Scotland (Mr. George Kynoch): The framework document for the new Forest Enterprise Agency was published yesterday. There has been no change in forestry policy.

Sir Thomas Arnold: Will my hon. Friend confirm that the removal of tax reliefs and their replacement by a variety of grants has had the beneficial effect of removing the stigma of a tax haven and encouraged the implementation of new planting techniques?

Mr. Kynoch: My hon. Friend is absolutely right. The intention of the package of incentives introduced in 1994 was to raise planting levels across the board, to increase the potential timber quality of broad-leafed woodlands and to help to improve the environmental and recreational value of forests. The total area of woodland planted last year, including restocking, was more than 33,000 hectares, so I believe that we are moving in the right direction.

Sir David Steel: Is the Minister aware that some of us are concerned about the gap that seems to be growing

between the Government's declared policy in relation to the sale of forestry land and practice on the ground? Can he say what proportion of sales are going through without the public access agreements to which the Government are supposed to be committed?

Mr. Kynoch: Every effort is made to secure access agreements, which guarantee access for the public on foot. Following the forestry review, the Forestry Commission has encouraged local authorities to respond positively when offered access agreements; it has allowed them more time to consider the agreements and has offered to meet their reasonable legal costs.

Assisted Places Scheme

5. **Mr. John Marshall:** To ask the Secretary of State for Scotland how many pupils were assisted by the assisted places scheme in the last year for which figures are available; and how many will be assisted in the year 1996–97. [21323]

Mr. Raymond S. Robertson: Provisional figures indicate that around 3,050 pupils are being assisted in the current 1995-96 school session. Approximately 3,500 pupils will be assisted in the 1996-97 school session.

Mr. Marshall: Will my hon. Friend tell the House how many parents of those who have been assisted under the assisted places scheme have an income of less than £9,000 per year? Does he agree that the scheme makes admission to private schools classless rather than the preserve of the privileged few, as it was when the Leader of the Opposition went to Fettes?

Mr. Robertson: I can tell my hon. Friend that 46.41 per cent. of those parents had incomes of less than £9,711. I agree whole-heartedly with the second part of his question.

Mr. Wray: Does the Secretary of State agree that the Plowden report recommend that the pupil-teacher ratio in deprived areas should be as low as 1:10? Why is he spending £10.9 million—possibly doubling to £20 million in the next year—on 3,000 assisted places? Does he think that that is just?

Mr. Robertson: We are also funding, through the urban partnerships scheme, an additional 1,000 teachers in deprived areas throughout Scotland to help to raise standards in the very areas that the hon. Gentleman mentioned.

Mr. Jacques Arnold: Has my hon. Friend noted that Opposition Members would like to stop children from deprived families attending schools such as Fettes although they are quite happy to be led by someone who went to such a school? Is not what is good enough for the Leader of the Opposition good enough for deprived children in Scotland?

Mr. Robertson: My hon. Friend is absolutely right. The scheme has helped 11,000 children from less well-off backgrounds in Scotland to be given the same start in life as many Opposition Members. I do not see much wrong with that; it is a pity that Opposition Members do.

Mrs. Liddell: How does the Minister justify a scheme that is so much at odds with the principles of education in Scotland, where 97 per cent. of school pupils are in the state sector? How can it be acceptable to spend £3,500 of taxpayers' money on pupils in private schools when less than £2,500 is spent on those in state schools? With regard to the £9,700 ceiling, will he enlighten us as to the monitoring mechanisms which exist to ensure that people do not use creative accounting to avail themselves of the scheme?

Mr. Robertson: This is the second occasion on which the hon. Lady has cast aspersions on parents currently using the scheme. When the First Standing Committee on Delegated Legislation considered the Education (Assisted Places) (Scotland) Regulations 1995, I asked her to furnish me with any details of abuse that she might have. That was more than two months ago and I am still waiting. If the hon. Lady cannot put up on this subject, she should shut up. As for the comparative costs that she mentioned—£3,438 and £2,658—when she gives details of the alleged cases of abuse, perhaps she will tell us whether she included the cost of capital building and other central support services in the second figure before making her spurious comparison.

Lady Olga Maitland: Will my hon. Friend confirm that the abolition of the assisted places scheme, from which 3,500 children benefit, would place an additional heavy burden on local education authorities? Is it not a case of Labour Members being dogs in the manger, trying to deprive children of opportunities simply because they cannot all take advantages of those opportunities themselves?

Mr. Robertson: I remind the House, and my hon. Friend, that the money that we spend on the assisted places scheme does not come from what we spend on state education; it comes from a different budget. If there were no assisted places scheme, all my hon. Friends would have a claim to the money.

Highlands and Islands University

6. **Mrs. Ewing:** To ask the Secretary of State for Scotland if he will make a statement on the progress of the establishment of a highlands and islands university. [21324]

Mr. Michael Forsyth: Since I gave my answer to the hon. Lady at the Scottish Grand Committee meeting in Inverness, officials have been engaged in a wide range of meetings with a number of people. They are now considering the steps that need to be taken to establish a university of the Highlands.

Mrs. Ewing: We welcome the progress that has been made since that statement, but will the Minister tell us what hurdles have been overcome in terms of meeting the criterion for the millennium fund? I understand that some £38 million may well be allocated to a highlands and islands university project through that fund. I also

understand that the Minister is meeting officials next week to discuss the matter. Will he tell us what issues need to be investigated and studied? We are all very keen to have the university, which could create about 700 direct and 400 indirect jobs and inject £70 million per annum into the highlands and islands economy.

Mr. Forsyth: I appear to be in the embarrassing position of finding that the hon. Lady knows more about my diary for next week than I do. If she tells me that I am to attend such a meeting, I can only assume that that is correct. The hon. Lady is right: at least one application has been made to the Millennium Commission, and a second application is now before the commission. Such decisions are taken independently of me, but I assure the hon. Lady that we are considering all the options and that I am applying all my energy and enthusiasm to make the project a reality—just as I did in the case of the splendid hospital which was established in her constituency when I was last in the Scottish Office. If we can create a partnership, I am sure that it will benefit the highlands and Scotland as a whole.

Mr. Matthew Banks: Does my right hon. Friend agree that the number of students entering higher education in Scotland has more than doubled since 1980-81, and that since then those students have made a major contribution to Scottish industry, particularly Scottish high-tech industry?

Mr. Forsyth: Higher education is an example of that success and Scotland has taken the lead in the use of technology as a means of teaching and of encouraging learning. That is the opportunity that the university of the highlands project represents. It is a way of creating a new style of university that draws on the technology of the next century. It will create opportunities to study for people in areas with widely spread communities and low populations in a way that has been pioneered by the gaelic college in Skye. There are great opportunities for Scotland to lead the way in this field, as in so many others.

Dr. Bray: In the context of the extension of higher education facilities in Scotland, the Secretary of State is aware of the proposal by St. Andrews university and Lanarkshire development corporation for the establishment of a university college in Lanarkshire on the Ravenscraig site. Will he confirm that he would encourage a proposal on those lines from Scottish Enterprise or Lanarkshire development corporation?

Mr. Forsyth: The hon. Gentleman raises an issue that I do not think is directly related to the university of the highlands. However, I am aware of his constituency interest in this matter and I shall certainly write to him about the matter.

Mrs. Ray Michie: The Secretary of State will be aware that Dunstaffnage marine laboratory in Argyll hopes to be part of this exciting new highlands and islands university. He will also be aware that we hope to attract students from all over the place, including Northern Ireland. How will he help such students to get to Argyll? When will the Campbelltown-Ballycastle ferry link be established?

Mr. Forsyth: As the hon. Lady knows, this is a complex and difficult issue and I am still awaiting advice from officials. If I can show the ingenuity that the hon. Lady has shown asking a question about a ferry service on a question about the highlands and islands university, I am sure that we will be able to overcome some of the difficulties that have been identified.

As the hon. Lady knows, I should like such a service to be established. There are difficulties with viability, but these matters are being addressed by officials. As soon as I have received the advice, which I understand is imminent, I shall certainly look at it with a view to being helpful to the hon. Lady. [HON. MEMBERS: "Oh."] This is a serious matter and I shall try to be helpful to the hon. Lady and to many others who have expressed an interest in it, not least many of the hon. Members who sit behind the hon. Lady.

Mr. Macdonald: Will the Secretary of State confirm that £6 million has been cut from the training budget of Highlands and Islands Enterprise and that further education colleges in the highlands and islands face a severe funding crisis because of Government cuts? Is there not a contradiction between his rhetoric supporting a university and the reality of cuts on the ground?

Mr. Forsyth: There was a contradiction in what hon. Members said only a matter of weeks ago, when they argued for more of the money that is provided under the local government formula, which could only be at the expense of the Scottish Office block, and then complained about reductions in that block because money had been used to fund Labour-controlled councils throughout Scotland. Scottish Enterprise has given undertakings that it will meet its training output on a reduced budget, and I see no reason why Highlands and Island Enterprise should not be able to do the same.

Electronic Goods Exports

7. **Mr. Congdon:** To ask the Secretary of State for Scotland what assessment he has made of the trend in Scottish exports of electronic goods over the last five years; and if he will make a statement. [21325]

Mr. Kynoch: Over the past five years, Scotland's exports of electrical and electronic engineering have nearly trebled to reach a value of £2.122 billion in 1994.

Mr. Congdon: Can my hon. Friend confirm that that is reflected in employment in the Scottish electronics industry, which has increased by 5 per cent. since 1984, and that employment in electronics manufacturing in Scotland accounts for 13 per cent. of all manufacturing jobs in Scotland? Does not that demonstrate the success of the Government's policies in stimulating an enterprise culture and competitiveness in the Scottish economy?

Mr. Kynoch: Yes, I agree with my hon. Friend. In fact, not only do they do that, but they have contributed significantly to the change in the economy of Scotland, where traditional industries that have gone through difficult times have been replaced by a significant electronic sector. That sector is growing and is aided by inward investment, which is attracted by the highly competitive nature of the environment in which we work and live under the Government in Scotland.

Dr. Reid: Given that, a few moments ago, the Secretary of State asked us all to pull together and not to undermine

industry in Scotland, will he take the same ordinance to heart? In future, will he stop undermining the possibility of future inward investment in Scotland with his puerile scares about a Scottish Assembly? Would he not do better to take the advice of Neil Hood, former director of Locate in Scotland, and now head of the Strathclyde international business unit, who said that there is no prima facie case that devolution in Scotland will affect inward investment? Least of all, will the right hon. Gentleman stop attempting to use petty party political points, which undermine future investment in Scotland, when he and his colleagues are at the same time demanding that everyone else should follow that stricture when it comes to beef?

Mr. Kynoch: I am disappointed in the hon. Gentleman, who I considered to be a fairly responsible Member, given the co-operation he gave me when discussing the unfortunate incident at Cummins. I shall, however, continue to ensure that everyone in Scotland is well aware of the implications of the tax proposals put forward by the Opposition parties—

Dr. Reid: There he goes, deterring investment again.

Mr. Kynoch: The hon. Gentleman does not like hearing it because he believes that a drop in competitiveness will not affect industry in Scotland.

I believe, however, that it is clear that, if Scotland became the highest taxed part of the United Kingdom, and if the tartan tax were applied by the Opposition parties, Scottish industry would become less competitive and therefore not succeed. That would be bad for employment in Scotland and, as the hon. Gentleman knows, make it much more difficult for Scotland, in competition with other parts of the United Kingdom, let alone other parts of Europe, to attract inward investment to Scotland and Lanarkshire, which is near to his heart.

Mr. Stewart: Would my hon. Friend pay tribute to the management and work force of those Scottish companies that have achieved enormous success in the production and export of personal computers, automatic banking machines and workstations? Does he also agree that there is additional and considerable potential to improve Scotland's exports of software?

Mr. Kynoch: Yes. My hon. Friend is right to refer to the significant contribution made by the many employees in the electronics industry. Their productivity gains and commitment to their companies have contributed significantly to the success of those companies. My hon. Friend is right to talk about improving the export of software. Certain initiatives have already been taken and there has been a good exchange between Virginia and Scotland and Scotland and Virginia, with inward missions going both ways, and good co-operation on successful joint ventures in the interests of the industry. I hope that that will be encouraged. I also hope that future initiatives will be taken under the Scottish export strategy, known as international challenge, which I launched last year, to ensure even greater success in that important sector of business.

Further Education Colleges

8. **Mr. Worthington:** To ask the Secretary of State for Scotland if he will make a statement about the financial position of further education colleges in Scotland. [21326]

Mr. Raymond S. Robertson: The financial position of the Scottish further education colleges is satisfactory, with total net assets of £390 million.

Mr. Worthington: It is utter nonsense to say that the financial capacity of FE colleges is satisfactory when 15 colleges, including that at Clydebank, face cuts of more than 4 per cent. this year, which will lead to job cuts. Given that all parties agree that skills shortages and the lack of skills in the work force are key factors that inhibit the success of the country, why are the Government cutting funding to FE colleges in Scotland?

Mr. Robertson: The hon. Gentleman does the college in his constituency and the further education sector in Scotland a disservice. He should take time out to see the sterling work that is being done by FE colleges throughout Scotland since incorporation. The number of students and courses is at a record level. There are more qualifications. More money is going into the sector and outputs are second to none. In many ways, FE colleges in Scotland are leading not just the United Kingdom, but the world. The hon. Gentleman should go to his local college in Clydebank and see at first hand what is happening.

Mr. Ian Bruce: Surely my hon. Friend agrees that, since the Government came to power, the number of people going into further education colleges in Scotland has more than doubled and that the excellent work in those colleges is reflected in the success of Scottish industries. Will he assure the House that he will keep a close eye on the number of people wanting to go to college as first-time entrants and ensure that excellent retraining courses are available to people further on in their careers?

Mr. Robertson: I take on board all my hon. Friend's points. More money, more students, more courses—that is what is happening in further education throughout Scotland. It does little credit to Opposition Members that it takes an English Member to praise Scottish further education.

Mr. Michael J. Martin: May I praise North Glasgow college, which is in my constituency and has campuses in Springburn and in Barmulloch? It draws students from all over the Glasgow region and from Lanarkshire. If that college were not there, many young boys and girls would be unemployed and on the dole. At least gaining the college's qualifications gives them an opportunity to have a more secure future. I urge the Minister to increase expenditure on all such colleges because they are excellent places of learning.

Mr. Robertson: I welcome the hon. Gentleman's warm words for what is happening at the college in his constituency. The same thing is happening throughout Scotland. We are putting more money than ever before into further education, and that has been shown by the results.

Mr. Maclennan: I do not take issue with the Minister's general points, but will he consider with particular care the financial predicament of the colleges in Thurso and Inverness? Due to a new formula, central Government assistance for those colleges has been slashed. My hon.

Friend the Member for Ross, Cromarty and Skye (Mr. Kennedy) and I have received strong representations from the principals about that.

Mr. Robertson: Formula funding is the fairest way in which to fund further education colleges. Last summer, when I visited many colleges throughout Scotland, I was struck by the number of principals who supported the formula funding policy. We have adopted a measured, phased approach of 100 per cent. formula funding, with a safety net to ensure that no college receives a grant of 5 per cent. less than the previous year. I am more than happy to discuss the matter with the hon. Gentleman and those principals if he wishes to bring them here.

Tree Diseases

9. **Mr. Pawsey:** To ask the Secretary of State for Scotland what is the amount currently spent by his Department on research into tree diseases; and what was the figure in 1990. [21327]

Mr. Kynoch: Last year, the Forestry Commission spent £785,000 on research into tree diseases. Its expenditure in 1990 was £715,000.

Mr. Pawsey: I thank my hon. Friend for that answer. What areas of tree disease attract the most funding? On what basis are those priorities made? What trees are most susceptible to disease?

Mr. Kynoch: My hon. Friend has a healthy interest in tree diseases. I know that he has been invited to visit the research station at Alice Holt in Farnham. When he sets a date for his visit, which I understand he has not yet done, he will be able to have a root and branch examination into all the diseases and, possibly, at the next Scottish questions, he can branch out into another area.

Health Board Boundaries

10. **Mr. Norman Hogg:** To ask the Secretary of State for Scotland what plans he has to review the boundaries of health board areas; and if he will make a statement. [21328]

The Minister of State, Scottish Office (Lord James Douglas–Hamilton): We have no plans to change Scottish health board boundaries in the immediate future.

Mr. Hogg: Does the Minister accept that, due to the reorganisation of local government, a fundamental change in local administration in Scotland has taken place and that, in those circumstances, reviewing health board boundaries would be appropriate? Does he accept that there have been other changes in the health service's structure and organisation, some of which have not been healthy? They include the dreadful experiment being conducted—against the public's wishes—at Stonehaven hospital.

Lord James Douglas–Hamilton: Doctors and the local community have, of course, been consulted about Stonehaven. A purpose-built hospital is to be built very much faster than would have been possible through any other means, and it will be of enormous benefit to communities in the north-east of Scotland. We concluded that changing the boundaries would outweigh any advantages. Indeed, the hon. Member for Clydebank and Milngavie (Mr. Worthington) made strong representations at a previous Scottish Question Time against boundary changes in his area.

Mr. Stewart: My constituency, where GP fundholding practices have been an enormous success—

Mr. Donohoe: Rubbish.

Mr. Stewart: That did not sound as if it came from a constituent of mine. My constituency is currently divided between Greater Glasgow and Argyll and Clyde. I would be inclined to take the traditional Conservative approach and do absolutely nothing about it, but if my hon. Friend is inclined to make any change, would he agree to meet me before making any decision?

Lord James Douglas–Hamilton: The answer is most certainly yes. We shall keep the matter under review, but we have no immediate proposals to change any of the boundaries.

Mr. Charles Kennedy: Is the Minister aware that one of his predecessors, Lord Fraser of Carmyllie, advised me last year that, when the local government reform was complete, it would be time to re-examine the boundaries of local health councils in the Highlands health board area—which were decided several years ago by the present Secretary of State for Scotland in consultation with local hon. Members? Would it be appropriate, therefore, to arrange the meeting that the former Minister with responsibility for health in Scotland suggested and, given the parliamentary boundary changes in the highlands, to reconsider whether it would also be appropriate to establish an equivalent or, indeed, different local health council structure that would better suit the system of administration?

Lord James Douglas–Hamilton: I shall indeed be happy to meet the hon. Gentleman and his constituents if he so wishes.

Mr. McAllion: Does the Minister accept that there are more than just geographical limits to the jurisdiction of Scottish health boards, and that Grampian health board has, uniquely, crossed a boundary line in commissioning private consortia to provide NHS services at a privately owned and privately run hospital in Stonehaven? Is it the Government's intention to repeat anywhere else in the national health service what his fellow Minister described as "the experiment" at Stonehaven? It is a simple question and requires a straight answer from the Minister—yes or no.

Lord James Douglas–Hamilton: If other areas in Scotland want purpose-built hospitals very much more quickly than would otherwise be possible, of course I would support private finance initiatives. Indeed, many are now under consideration in Scotland. If the hon. Gentleman is saying that the people of the north-east should be deprived of the opportunity to have a brand new hospital within a very short period of time, that would be contrary to their interests.

Gas-fired Generating Unit (Gartcosh)

11. **Mr. Eric Clarke:** To ask the Secretary of State for Scotland when he last met PowerGen to discuss its proposed gas-fired generating unit at Gartcosh in Lanarkshire. [21330]

Mr. Kynoch: No such meeting has taken place.

Mr. Clarke: Is the Minister aware that there is over-capacity of generating units in Scotland? Is he aware that a 700 MW gas-fired station would displace 2.1 million tonnes of coal—half the production capacity of the coal industry in Scotland? The knock-on effect would be the closure of Cockenzie power station, resulting in a loss of 240 jobs and £7 million-worth of salaries from the economy. There are many more such facts. I hope that the Minister will take cognisance of them all before he agrees to any such development. It is not needed, because there is already over-capacity.

Mr. Kynoch: I am sure that the hon. Gentleman is aware that, for such an application to progress, consent under section 36 of the Electricity Act 1989 is required. PowerGen's application has only just been received and is still under consideration. It would obviously not be appropriate for me to comment on those plans. I would have much more faith and be more positive in my resolve about, for example, Scottish Power and Scottish Hydro-Electric. They are very successfully competing not only north of the Borders, but exporting power south and competing in England. I see nothing to fear from competition to those companies. I believe that they can compete well and succeed, and that there is a great future for them in the low-sulphur coal that is produced in Scotland.

Mr. McFall: Is it not true that there is no rationale for that corporate sabre rattling by PowerGen? There is no economic logic in a market that is already chronically oversupplied, nor is there any employment logic in an application that will provide 35 jobs in PowerGen while possibly losing up to 4,000 jobs in the rejuvenated coal industry. Is PowerGen not simply using the application to beat the Government into submission over the way in which the interconnector between Scotland and England is presently arranged? Does not the buck stop at the Secretary of State's door, as the Electricity Act 1989 requires him to make the final decision? Can the Minister give some support to Scottish industry and society today?

Mr. Kynoch: The hon. Gentleman obviously prepared his question before he heard my original answer. Of course I know perfectly well about section 36 of the Electricity Act 1989, and have already referred to it. I should have hoped that, rather than knocking the idea of competition, the hon. Gentleman would have recognised the significant success of Scottish companies and how they have competed south of the border, by exporting electricity.

I have visited the successful Longannet colliery and seen it supplying coal to the next-door power station. It produces low sulphur coal, which is more environmentally friendly than some other coal used in power generation. I should have hoped that the hon. Gentleman would have adopted a rather more constructive attitude towards Scottish business, and perhaps followed the lead that I gave in my answer to the main question.

Higher Education Students

12. **Sir Irvine Patnick:** To ask the Secretary of State for Scotland what is the number of students in further and higher education in Scotland; and what is the current ratio of school leavers to the number entering higher education. [21331]

Mr. Raymond S. Robertson: Forty-three per cent. of Scottish school leavers enter higher education and the total number of students in higher and further education is 413,000.

Sir Irvine Patnick: Does my hon. Friend agree that those figures exceed not only the forecast in the 1987 White Paper, but also that in the 1991 White Paper, by an astonishing amount?

Mr. Robertson: My hon. Friend is right to refer to the record expansion in the further and higher education sectors. It is important to remember that that has been achieved without any compromise on the quality of teaching, which is a tribute to the professionalism of the staff in both sectors.

Mr. Maxton: Is there to be a separate Scottish committee to undertake a review of higher education such as will be undertaken by the Dearing committee in England and Wales? If not, what will the Scottish membership of the Dearing committee be?

Mr. Robertson: My right hon. Friend the Secretary of State and I are keeping in close touch with the Dearing committee. There will be a separate Scottish input to it, and we are consulting widely with our colleagues in the Department for Education and Employment on the broad terms of reference and the membership. Scottish input will be sought.

Mr. George Robertson: It was understood that the Dearing committee on higher education would be conducted on a bipartisan basis. I hope that that will apply in Scotland as well as to the English Department for Education and Employment.

The House is entitled to know a little more than the Minister has said so far about what the membership of the Dearing committee will be, and how a specific Scottish dimension will be recognised. After all, we have a completely different primary and secondary school system and a different degree structure north of the border. Can the hon. Gentleman be precise about the timetable? When will the Dearing committee's terms of reference and membership be announced? When shall we know who will represent Scottish interests on it?

Mr. Raymond S. Robertson: I welcome the hon. Gentleman's support for the broad ideas behind the Dearing committee. We expect it to start work after Easter and to report by the summer of 1997. The responses received to last year's consultations on the purpose, size and shape of higher education, especially the Scottish

responses, will be made available to the committee. We are now consulting widely on membership, and the committee will embrace both consumers and producers of higher education.

We are seeking comments from Scottish interests on the composition and draft terms of reference of the committee, and on behalf of the Secretary of State I extend to the hon. Gentleman, and to the hon. Member for Monklands, East (Mrs. Liddell) an invitation to discuss their ideas on those subjects, so that the peculiar and specific needs of the higher education sector—

Mr. Wallace: Does the invitation extend to all parties?

Mr. Robertson: Yes. They can all have their say before we finally agree on the terms of reference and the membership.

Taxation (Inward Investment)

13. **Mr. John Greenway:** To ask the Secretary of State for Scotland what discussions he has had with potential inward investors about taxation rates; and if he will make a statement. [21332]

Mr. Michael Forsyth: Taxation rates regularly feature in our discussions with potential investors.

Mr. Greenway: Does my right hon. Friend agree that Scottish life assurance companies are world leaders in their markets and are responsible for substantial life assurance business throughout the United Kingdom and, increasingly, Europe? Has he discussed with the boards and chief executives of those successful companies the implications for business of a different rate of income tax in Scotland?

Mrs. Ewing: Boring.

Mr. Forsyth: The hon. Member for Perth and Kinross (Ms Cunningham), I think, suggested from a sedentary position that this was boring.

Mrs. Ewing: No, it was me.

Mr. Forsyth: On this occasion, I must disagree with the hon. Member for Moray (Mrs. Ewing). Nothing could be more central to Scotland's interests than the impact of different rates of income tax north and south of the border, as proposed by the Opposition parties which support a tax-raising parliament.

Mr. Donohoe: He is clutching at straws.

Mr. Forsyth: The hon. Gentleman suggests that we are clutching at straws, but my hon. Friend the Member for Ryedale (Mr. Greenway) asked a serious question. If the marginal rate of tax on savings is 23p north of the border and 20p south of the border, Scottish financial institutions will be put at an enormous disadvantage in their efforts to attract savings. Scotland's pensioners would also be put at an enormous disadvantage, as the return on their savings would be less. It is high time that Opposition Members faced up to the consequences of their disastrous policy proposals for Scotland, and their effect on jobs in Scotland.

Mr. Graham: Is the Secretary of State aware that Scotland is losing too many factories and too much potential business to other countries—especially Ireland—because the Government have not provided sufficient capital to attract investment? My constituency recently lost a company to Ireland. If the Government had got off their mark, that company could have provided 400 or 500 new jobs. Should not the Secretary of State be trying to get jobs into Scotland?

Mr. Forsyth: If the hon. Gentleman is worried about losing business in his constituency, he had better come across to this side of the House. He is a member of a party that is committed to policies that would add to the costs of business in Scotland through the minimum wage, the social chapter and the tartan tax. If those policies were introduced, the hon. Gentleman would find not only that jobs were not coming to Scotland, but that existing jobs would be going south of the border. That would be the consequence of Labour's policies. The sooner he gets his party leaders to wake up to that, the better for everyone concerned.

Mr. Gallie: Will my right hon. Friend welcome the investment into Ailsa Perth in my constituency by Cathelco, which has taken Ailsa Perth out of receivership? The company has good order books but has been short of cash recently, and the investment augurs well for my constituents, for jobs in my constituency and for the local authority.

Mr. Forsyth: I warmly welcome my hon. Friend's news, which I am sure the House will welcome also. The people of Ayr are extremely lucky to have him as their Member of Parliament. He is a doughty fighter on behalf of their interests, and I am sure that everyone in Ayrshire is well aware of that.

Sir James Molyneaux: Will the Secretary of State consider discussing with his Treasury colleagues the possibility of making the enterprise investment scheme much more effective, perhaps by doubling the taxation relief?

Mr. Forsyth: I shall certainly give the right hon. Gentleman's suggestion careful thought. I always consider very carefully having any conversations with my Treasury colleagues because one does not always end up with what one expected at the beginning, but I shall consider the right hon. Gentleman's proposal and I would be grateful if he would fill me in on some of the details of what lies behind it after Question Time.

Private Finance Initiative (Health Service)

14. **Mr. Ingram:** To ask the Secretary of State for Scotland how many private finance initiative schemes are currently being considered for the NHS in Scotland. [21333]

Lord James Douglas-Hamilton: Fifteen.

Mr. Ingram: In reply to my hon. Friend the Member for Dundee, East (Mr. McAllion), the Minister avoided answering the question about the Stonehaven experiment. Will the Secretary of State give an absolute guarantee here and now that no direct clinical services will be undertaken by the private sector under the Hairmyers PFI scheme? A simple, straightforward, yes or no answer will do.

Lord James Douglas-Hamilton: The answer is no. Any board or NHS trust can put forward proposals if they are carefully worked out in the best interests of the community concerned. I would endorse the words of no less a person than the hon. Member for Hamilton (Mr. Robertson), who issued a press release on 10 January 1995 saying:

"We are not opposed to public/private partnerships—they bring in much needed money for the NHS".

He was right when he said so, and it is that policy that we are implementing today.

Qualifications (16 to 19)

3.30 pm

The Secretary of State for Education and Employment (Mrs. Gillian Shephard): With permission, Madam Speaker, I should like to make a statement about education and training for 16 to 19-year-olds.

Last year, I invited Sir Ron Dearing to review the framework of qualifications for 16 to 19-year-olds and to advise on ways to strengthen it. Sir Ron has completed that review and has now reported to me and my right hon. Friend the Secretary of State for Wales. His report is published today, and copies are available in the Vote Office. I am very grateful to Sir Ron and his team for their work.

We can be in no doubt about the importance of this report. To compete internationally, Britain needs a highly motivated, well-educated, well-trained and adaptable work force. We have set very demanding targets for the improvement of education and training and the achievement of qualifications by young people and adults. They are targets that we must meet or exceed to keep pace with our competitors.

Not long ago, most young people left education or training as soon as they could. Now, nearly nine out of 10 16-year-olds stay on, and they do better than ever before. More young people are getting good GCE A-levels. The new general national vocational qualifications are fast becoming recognised as a worthy alternative route. National vocational qualifications are well established and valued by employers, and their take-up is growing. There remains much to do, however. That is why I asked Sir Ron to take a long look at the qualifications framework, and to make proposals to improve it.

The recent report of the Select Committee on Education made it clear that the period between 16 and 19 is a crucial phase of education and training. It is a time when many young people build on earlier success in school to pass through gateways to employment or higher education. For others, it is a second chance to develop the skills and knowledge they need to make a good start in life.

The needs and aptitudes of young people and adult learners are diverse. Our system of education and training and the qualifications must therefore be responsive, flexible and innovative. Qualifications must also be rigorous and of the highest quality and standards. That is the task that we asked Sir Ron to undertake, and I am delighted to be able to welcome his report as a major step forward.

Sir Ron has conducted a thorough and far-reaching review, and consulted widely. He has given many pointers for further progress. Some proposals can be carried forward immediately; others need further work by qualifications bodies and other bodies before they can be given full effect.

To that end, I am writing today to the chairmen of the School Curriculum and Assessment Authority and the National Council for Vocational Qualifications setting out the Government's views on the proposals. My right hon. Friend the Secretary of State for Wales and my right hon. and learned Friend the Secretary of State for Northern Ireland will take appropriate action for the relevant bodies in Wales and Northern Ireland.

I should like to highlight the most important measures that the Government propose in response to Sir Ron's review. We support the proposals to strengthen the existing framework of qualifications and to make it clearer and more accessible, by building on the high-quality qualifications that already exist and by introducing common national certificates. I also welcome the proposal to introduce a demanding new national diploma to encourage greater breadth of achievement.

SCAA and the NCVQ have already established a joint committee to take those proposals forward. The aim is to have the new framework in place, and to begin awarding new certificates, in September 1997. Like Sir Ron, as changes are made, I recognise the need to take fully into account the needs of employers and of adults who also use the qualifications.

We welcome the proposals further to strengthen the rigour and standards of A-level examinations and create a new-style AS-level. No one should be in any doubt about the Government's determination to ensure that our qualifications remain of the highest quality. I am asking the regulatory bodies to carry forward Sir Ron's recommendations, and to put detailed proposals to me later this year.

We welcome the proposals for the reform and strengthening of training for young people in England and Wales by the creation of a new system of national traineeships, following the successful introduction of modern apprenticeships. There will also be development of training arrangements for those young people who reach the age of 16 not yet ready for, or clear about, their next steps in learning throughout life.

My Department will shortly consult employers, the education sector and other interested parties on the detail of the new arrangements, which we intend to implement on a phased basis from September 1997. My right hon. Friend the Secretary of State for Wales will consult as appropriate for Wales.

If young people are to make the most of the opportunities that Sir Ron's proposed framework envisages from age 16, there are implications for the learning that takes place before that age. He has therefore recommended the introduction of the national record of achievement to young people before the age of 14, and consideration of new initiatives to provide new opportunities for 14 to 16-year-olds.

I welcome those approaches and will publish a consultation document next month that will invite views on those and other ways of making more effective use of work-related learning to help raise attainment among young people.

A vital part of Sir Ron's report concerns the key skills that are necessary for work and lifetime learning, particularly literacy, numeracy and information technology. Those skills are needed at increasingly high levels for the work force of tomorrow. The proposals will create opportunities to develop them, and incentives to do so, for all 16 to 19-year-olds pursuing education and training. We are asking the qualifications bodies to make detailed proposals to adjust existing qualifications and develop new ones. We shall consider, in partnership with employer organisations and the qualifications bodies, how best to take forward Sir Ron's wider proposals.

[Mrs. Gillian Shephard]

The report highlights the central importance of careers education and impartial guidance about the full range of education, training and employment opportunities. Our reforms of the careers service are designed to provide more effective guidance.

Sir Ron has taken into account, and built upon, two important reviews of vocational qualifications that overlapped with his review. He has endorsed the proposals of the review led by Dr. John Capey to make GNVQ assessment and grading more rigorous and manageable. Those qualifications are highly motivating for students, but there must be clear, consistent, national standards through a simplified assessment regime that focuses on the quality of students' work.

Sir Ron has also endorsed the findings of the review of NVQs by Gordon Beaumont. That made recommendations to make NVQs more rigorous, to reduce the jargon that has grown up in them, and to increase the range of assessment methods used. I am today writing to the chairman of the National Council for Vocational Qualifications asking him to take forward action to improve GNVQs and NVQs in line with the recommendations of both reviews.

Finally, Sir Ron proposes that we should follow the successful merger of the Education and Employment Departments by bringing together the work on academic and vocational qualifications of SCAA and the NCVQ. I think that there is a strong case for a single body having responsibility for qualifications and also curriculum matters, but I want to be sure that the worlds of employment and education support it as the best way forward. I will consult widely on that part of the proposals in the next few months, before taking a final decision. My right hon. Friends will be conducting separate consultations on matters relevant to Wales and to Northern Ireland.

While we have made great strides in recent years in improving education and training for young people, we must continue to improve. To do that, we need a range of rigorous and high-quality qualifications. Only in that way can we build a well-educated and highly skilled adult population for the 21st century. Our international competitiveness and the future prosperity of today's young people depend crucially on our success in educating and training them to the highest level they can reach. Sir Ron Dearing's proposals for a reformed framework of qualifications set a powerful agenda for change. I thank him, and I accept the challenge of that agenda.

Mr. David Blunkett (Sheffield, Brightside): I endorse the Secretary of State's remarks, and offer our thanks and appreciation to Sir Ron Dearing for the work that he has done in producing the report. We welcome the broad thrust of the report and the Secretary of State's statement this afternoon, which echo the principles and the programme that we laid out in our document only a week ago. *[Interruption.]*

However, was Sir Ron not precluded from examining the key issues of structure and funding within which his proposals must be viewed? Will the Secretary of State confirm whether he was working within a framework of market competition that sets school against school and sixth form against college? Instead of receiving advice about their best route, young people are encouraged to stay on a particular route based on the existing framework.

The destructive market approach—which sets institution against institution and college against college, and which sees the Further Eduction Funding Council, local education authorities and training and enterprise councils at odds with each other—is an unsatisfactory and an unacceptable way forward.

Is it not deeply complacent for the Secretary of State to parade the notion this afternoon that the staying-on rates at age 16 are satisfactory, when last year the number of students in full-time education fell? *[Interruption.]* Only 59 per cent. of 17-year-olds are in full-time education in the United Kingdom, compared with an average of more than 80 per cent. in other Organisation for Economic Co-operation and Development countries. *[Interruption.]* At age 18, the figure falls to 38 per cent. The number of students receiving advanced qualifications in this country is half that in Germany and Japan.

Is it not time to set aside the deep complacency—which manifests itself in the heckling of Conservative Members—and come together to introduce a programme of change that will transform this country's future knowledge and skills base?

How can the Secretary of State commend her changes to the careers service when they have led to fragmentation and to privatisation? Some 30 per cent. of students taking A-levels drop out, and the drop-out rate in the vocational field is also extremely high. Sir Ron's proposals for traineeships point clearly to the total failure of the Government's youth training scheme, which for years we said was unsatisfactory.

This afternoon, the Secretary of State had the cheek to compare it with the modern apprenticeship scheme, which is obviously completely different, with differing aspirations and a different level of achievement. The low status and the narrow base of the YTS is rightly condemned in Sir Ron's report.

We commend the emphasis by Sir Ron Dearing's report and by the Secretary of State's statement on rigour and quality. However, does the Secretary of State agree with me that it is time to ensure—through a programme of information, education and advice—that employers and those in the education service are clear that the vocational route can offer the same rigour and the same quality as the academic route?

Does she agree that underpinning those routes by the core skills, and by extending and developing the A-level route, is a key way forward in terms of breaking down the artificial barriers, the demarcation lines, that have bedevilled this country, and have led to only 27 per cent. of our adults having a vocational qualification, compared with two thirds of the population in Germany, for example?

Does the Secretary of State agree with me that it is time to plan so that we can avoid the conflict between vocational and academic skills, and draw them together into a common route that will allow this nation to go forward using the real talents and skills of all our people? Would that not set aside the prejudice that has existed for far too long against those who dare to soil their hands by being engaged in industry and commerce? *[Interruption.]* It is no good Government Members heckling me, because if it was not true, we would not be in the position that we

are in today, and the Deputy Prime Minister would not have undertaken a skills audit and admitted that the nation is in the plight it is in.

Finally, does the Secretary of State agree with me that it is unfortunate that there is any delay in tackling the issue of how to overcome disaffection and alienation in the 14-to-16 age group? We commend the way in which she is dealing with the proposals on the national record of achievement, but it is time to have common cause between the parties in overcoming the alienation and the difficulty that so many young people have in relating to the current curriculum. Is it not time to give young people hope—hope of a job, hope of learning, hope of being trained, and hope of having a future where they can earn and deliver for their families what we took for granted in generations gone by?

Mrs. Shephard: If the hon. Gentleman wanted a common cause, he has not gone the right way about it, in the extraordinary way that he has sought to present the successes of the education policy over the past 16 years or so. Nevertheless, I thank him for his guarded welcome in so far as he has given it. As far as funding is concerned, clearly he will be aware that we are now spending a record amount on education. He will also be aware that there is reference in the report to extra sums for developing GNVQs and the careers service.

I was interested to hear the hon. Gentleman confirm the Labour party's position: that it is against healthy competition—which we believe drives up standards between institutions. It is for that reason, of course, that we have introduced an independent and excellent education and guidance service. It will give independent advice to young people, so that they can choose the appropriate route for themselves.

In relation to staying-on rates, the hon. Gentleman ignored the fact that the Government have been congratulated by the OECD on the improvement in staying-on rates: 90 per cent. of 16-year-olds, 80 per cent. of 17-year-olds and 60 per cent. of 18-year-olds are in full-time education or training. However, we accept that more needs to be done—and that is why we are having the report. Indeed, approximately 83 per cent. of people in our work force have qualifications.

It is unfortunate that the hon. Gentleman seeks to denigrate youth training, when there are excellent outcomes for young people who complete the course. Where we need to take care—this is an issue that is addressed by the report—is on the question of those who drop out of youth training, just as those who drop out of A-levels and out of GNVQs will have their interests addressed by the detail of the report.

I am glad that the hon. Gentleman mentioned the importance of core skills—or key skills, as Sir Ron calls them. This concern has routinely been expressed by employers and by universities. The proposals in the report, which we shall accept, tackle those questions by introducing literacy, numeracy, IT and other skills at every level in the qualifications network. I wish that the hon. Gentleman had given the Government some credit for developing GNVQs and NVQs. GNVQs are very motivating and they are rigorous and demanding, but more needs to be done. That is why I have said specifically that we intend to accept the proposals from Dr. Capey, backed by £30 million to ensure that those reforms of GNVQs are in place.

The vocational route is, of course, extremely important, but what matters in both academic and vocational routes is the question of standards and rigour. That is what this report underlines.

Several hon. Members *rose—*

Madam Speaker: Order. May we now have brisk exchanges—questions and responses?

Sir Malcolm Thornton (Crosby): May I say how much I welcome Sir Ron's report today? It echoes many of the recommendations and considerations that the former Education Select Committee gave to the issue, as my right hon. Friend said in her statement. When she writes to the School Curriculum and Assessment Authority and to the NCVQ to attempt to broker this marriage, will she stress again, as she has just done, the question of rigour and the absolute need for acceptance by all concerned—the teachers, employers, parents and pupils themselves—of the equivalence between the vocational route and the academic route? Without that acceptance, nothing that is proposed will work.

Mrs. Shephard: I thank my hon. Friend for his welcome, which is especially valuable given the distinguished position that he holds as Chairman of the Select Committee on Education. I certainly intend to write to the chairmen to emphasise the importance of rigour. When my hon. Friend has had time to absorb the report, I am sure that he will be glad to discover that the equivalences between the different routes will be given clearly on the backs of the proposed certificates. That will help young people, their parents and teachers, and, above all, employers and admissions tutors.

Mr. Don Foster (Bath): I too welcome Sir Ron Dearing's proposals and the Secretary of State's ready acceptance of many of them. I especially welcome proposals that will break down the barriers between academic and vocational courses and qualifications, because they reflect proposals made by Liberal Democrats as long ago as 1992.

In response to the Secretary of State's answer to the hon. Member for Sheffield, Brightside (Mr. Blunkett), does she agree that—notwithstanding existing levels of expenditure—there will be a need for increased expenditure if the proposals are to be successful in raising levels of achievement? Does she also accept that more needs to be done about YTS than merely re-badging and relaunching a scheme in which currently only about 50 per cent. of those on the scheme get any qualification?

Mrs. Shephard: I note that many have claimed authorship of these ideas. It is a pity that those people did not take the opportunity to support the Government in divisions and debates during the past 16 years.

On the question of extra resources, I might have expected that request from the hon. Gentleman. I have already explained that there will be some extra resources to ensure that GNVQs become fully rigorous. Otherwise, I see no need for vast extra resources. We need to re-target and make the current framework more coherent and the qualifications more rigorous. I know that the hon. Gentleman will not have had time yet to consider the

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proposals for national traineeships, but he will find that his anxieties are fully met in the proposals we have set down.

Mr. James Pawsey (Rugby and Kenilworth): May I remind my right hon. Friend of the saying that success has many fathers? We have seen some of the fathers in the Chamber this afternoon.

I hope that my right hon. Friend will disregard the entirely predictable and carping criticism that we have heard from Opposition Members. The overwhelming majority of the nation's parents, students and teachers will warmly welcome this review. It will do much good. I especially liked the reference to A-levels and NVQs. The golden thread that runs through the review is the intention to improve quality in standards and to increase rigour. That all augurs well for further education.

Mrs. Shephard: My hon. Friend is quite correct. The motif running through the entire report is an increased requirement that the system deliver rigorous standards.

Mr. Gerry Steinberg (City of Durham): I too welcome most of Ron Dearing's proposals, and congratulate him on them. I particularly endorse the suggested new national award. The Select Committee, of which I am a member, suggested that some months ago, and I am glad that Sir Ron has taken it up.

There has always been a considerable divide in status between vocational and academic qualifications. Is the right hon. Lady satisfied with the Dearing suggestion that equal status for the two can be achieved?

Mrs. Shephard: The pathways and their destinations are equal but different. The best way to achieve parity of esteem has to be an insistence on the rigour of the vocational route, as the report proposes.

Mr. Nicholas Winterton (Macclesfield): I congratulate my right hon. Friend on her statement, especially on her emphasis on quality, standards, rigour and discipline. All four are very important. Is it her view that the proposals in Sir Ron Dearing's review will provide, for traditional and high-tech manufacturing industry and the wealth-creating industries of the United Kingdom, the qualified, motivated young people who are so desperately neccessary for future economic progress?

Mrs. Shephard: My hon. Friend's interest in manufacturing industry is well known. I believe that he will take great comfort from the sections of the report devoted to improvements in standards and rigour in A-levels, and to stretching the most able students. The proposals for mathematics and science may also please him; there are proposed special papers and additional mathematics, and a whole range of measures which I know will be welcomed by my hon. Friend and by the manufacturing industries that he represents so frequently and so ably in this Chamber.

Mr. Dennis Skinner (Bolsover): Is there not a danger of this country becoming besotted with the idea of examinations for all different groups of people? In many walks of life, the people who put out fires, those who save lives, and many others who do essential jobs do not get A-levels. Someone can become a Member of Parliament—for what it is worth—without passing any of these high-falutin' exams. Some can even become Prime Minister without a barrel-load of A-levels. People can win Hollywood Oscars without all these exams. Or they can finish up like the nobs opposite—the elitists who send their kids to Eton to be addressed by Vinny Jones. So much for examinations!

Mrs. Shephard: I am not sure what qualifications the hon. Gentleman has. I suppose he would like to say that he was well formed in the university of life—although I think that he has some qualifications hidden away. I thank him for his graceful compliment to my right hon. Friend the Prime Minister; I shall convey it to him.

Mr. Andrew Rowe (Mid–Kent): I congratulate my right hon. Friend, and endorse the importance of rigour in exporting British education. May I, however, draw to her attention yet again the minority of young people with special learning difficulties who find it difficult to compete in the present structure? There are already signs that the amount of money paid out by TECs for these contracts in 1996-97 is being reduced, even though the money going to the TECs is being maintained. I know how hard Ministers in the Department have worked on this, but it is still a matter of enormous concern.

Mrs. Shephard: I know that my hon. Friend has a special interest in these areas. I refer him to the relevant section of the report, which includes excellent and practical proposals on helping those with special educational needs; and on those who have under-achieved and who need leaning on so that they can get on the qualifications ladder. I feel that my hon. Friend, who has a special concern for this subject, will be encouraged by that part of the report.

Mr. Max Madden (Bradford, West): How many youngsters currently in the 16-to-19 age group do not have the job, education or training that they have been promised by the Government for years, coupled with the youngsters between the ages of 14 and 16 who are now dropping out of school?

Does the Secretary of State agree that tens of thousands of young people throughout the country are becoming a growing army of alienated and disaffected youngsters, many of whom are drifting into crime, prostitution and drug dealing, and are wasting their lives? What is being done to give those youngsters some hope, some purpose, some idea why it is worth bothering to pursue the plans that she outlined this afternoon? What are all the agencies that are involved in this sphere doing proactively to try to encourage young people to come forward to benefit from some of the schemes to which she referred?

Mrs. Shephard: The hon. Gentleman will be aware of the youth training guarantee, which seeks to deal with and offer, through training, help to young people who are not in education or a job. I also announced that we shall consult next month on proposals for 14 to 16-year-olds, and bring the workplace nearer to the classroom. The hon. Gentleman is right—indeed, this matter is covered in the report—that there is a wastage of under-achievers, of young people who are demotivated.

The key must be good teaching and the national curriculum. There is no question about that. The proposals for 14 to 16-year-olds, plus the entry arrangements that are described in the report, which will bring together some of the agencies that the hon. Gentleman mentioned, should do a great deal to reduce that regrettable wastage.

Mr. Peter Griffiths (Portsmouth, North): Will my right hon. Friend accept—from someone who spent 30 years in teaching—my congratulations on her repeated use of the words "rigour" and "rigorous"? Will she assure us this afternoon that those words, in addition to applying to vocational training and academic skills for examination, will also apply immediately and effectively to the key skills of mathematics and English, on which everything else depends?

Mrs. Shephard: I can reassure my hon. Friend. I have already described what is proposed in terms of core skills. If my hon. Friend looks at the proposals for mathematics, he will be greatly encouraged, and I hope enthused.

Mrs. Bridget Prentice (Lewisham, East): I particularly welcome the part of Sir Ron Dearing's report that refers to careers guidance, but was rather puzzled by the Secretary of State's reference to careers guidance and her use of the word "rigour". Can she assure us, despite the dogmatic way in which she has tried to privatise the careers service around the country, tumbling it into turmoil across England and Wales, that there will be consistency in the careers service, and that the rigour and quality that our young people deserve will be assured?

Mrs. Shephard: There will be greater consistency as a result of the new arrangements than there has ever been before, with free-standing careers services across the country free to develop services in the way in which they wish. There will be higher uniform specifications. I truly believe that the standard of service will improve.

Sir Wyn Roberts (Conwy): I compliment my right hon. Friend on commissioning, as well as Sir Ron Dearing on producing, this excellent report, in particular the emphasis that is given to core skills as well as standards, because it is only thereby that qualifications will achieve parity of esteem. In particular, I welcome the extension of the national record of achievement. Does she agree that that is one means whereby young people can be encouraged to have pride in their achievement?

Mrs. Shephard: The national record of achievement has indeed been fairly well used by schools, but we want to extend its use so that it will encourage lifetime learning, and therefore it needs a proper relaunch. It needs to be made more specific. That is what is proposed in the report.

Mr. Alan Howarth (Stratford–on–Avon): Does the Secretary of State agree that, for many young people who were given to understand that this was what they must do, because A-level was the gold standard, it has been an educationally unrewarding experience to pursue perhaps one or two A-levels to a mediocre standard? For far too many young people, the narrowing of their intellectual horizons at the age of 16 that A-levels have meant has been false gold.

Mrs. Shephard: Certainly the number of dropouts from A-level courses is highly regrettable. It is very wasteful in terms of the young person concerned, the school and resources overall. The hon. Gentleman will be encouraged by the requirements of the new national diploma, which are two A-levels or a GNVQ as well as the study of four subject areas and the obtaining of core skills. That surely represents a practical broadening of education, retaining the rigour and standards of A-level and GNVQ, without destabilising the whole system.

Sir Patrick Cormack (South Staffordshire): Everyone who is concerned about standards will have cause to be grateful to Sir Ron Dearing and my right hon. Friend. Does my right hon. Friend agree, however, that one of the crucial tests of the success of the reforms will be whether undergraduates are able to master the written and spoken English language? There is great concern about that.

Mrs. Shephard: As always, my hon. Friend makes a telling point. As he will know, we have proposed a return to the separate recording of spoken English in GCSEs. Specific proposals for mathematics make clear our intention to introduce separate recording of skills in calculation, estimation and statistics. That, I think, will be a great help. The report contains a good deal about the improvement of standards in those basic skills at every level; it is a very important component, about which I am enormously enthusiastic.

Mr. Mike Hall (Warrington, South): I welcome the Dearing report. May I draw the Secretary of State's attention to Sir Ron's criticism of the youth training scheme? Does she accept that criticism? If she does, is she prepared to replace the scheme with a scheme that gives our young people high-quality training and access to modern apprenticeships that will enable them to find secure full-time employment?

Mrs. Shephard: I have already spoken about youth training. It should not be forgotten that 71 per cent. of those who complete their courses achieve qualifications or jobs. That is not to be sneered at. The report, however, proposes a system of national traineeships, entry to which will require some form of qualification. A number of other reforms are proposed, which I would expect to find favour with the hon. Gentleman if he is really concerned about this age group.

Mr. Harry Greenway (Ealing, North): I warmly welcome the step forward that the report represents. Does my right hon. Friend agree that diversity in NVQs, GNVQs and A-levels strengthens the system and increases opportunities for 16 to 19-year-olds? May I invite her to disagree with the hon. Member for Sheffield, Brightside (Mr. Blunkett), who said that competition between institutions was damaging for that age group? Does she not agree that the assisted places scheme, sixth form colleges and tertiary colleges, for instance, offer diversity of provision and are very strong in themselves?

Mrs. Shephard: We certainly think that diversity helps to drive standards up, by, among other things, encouraging competition between institutions. One of the aims of the report, however, is to introduce coherence to the framework of qualifications. Notwithstanding

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diversity, such coherence is needed—not least for the sake of employers, but also for the sake of young people, their parents and those who teach them.

Lady Olga Maitland (Sutton and Cheam): I welcome the commitment to strengthen careers education and guidance. Will my right hon. Friend carefully monitor progress and check whether opportunities in the armed services are put to young people? Yesterday, I visited Bassingbourn barracks of the Army Training Regiment, where young people make their first entry to the service. When I spoke to some of the young people, I discovered that they had not heard about opportunities in the armed services during their years in school.

Mrs. Shephard: My hon. Friend will be aware that, until very recently, the armed services had their own systems of recruitment, which, in a sense, were rather separate from careers arrangements that are made centrally. Perhaps my hon. Friend will be reassured to know that I recently took part in a joint launch with my hon. Friend the Minister of State, Ministry of Defence on a project about careers in the armed services. Further work is to be launched shortly after the Easter recess. I think that I can reassure my hon. Friend on all points.

Mr. Nigel Forman (Carshalton and Wallington): From everything that my right hon. Friend has said, it seems that this is a sensible package, as one would expect, since it is the brainchild of Sir Ron Dearing. Does she agree that, if we are serious about parity of esteem, there seems to be a good case for merging at an early date the National Council for Vocational Qualifications and the School Curriculum and Assessment Authority? Will she take note of a very important point that has not yet been made—that Sir Ron Dearing deserves a peerage?

Mrs. Shephard: My hon. Friend will know from the document that the merging of SCAA and NCVQ is proposed. I want to consult on that. There are two proposals—one for a merger and one for a division of the functions—and we wish to consult on the alternatives. Such a proposal makes much sense, but it would create a very big organisation. We need to be certain that industry and academic interests would be happy with that. In terms of my hon. Friend's second suggestion, I am sure that the *Hansard* record can be brought to the attention of absolutely anybody who would like to see it.

Mr. Bryan Davies (Oldham, Central and Royton): Will the Secretary of State recognise that the Opposition have every right to draw a distinction between our whole-hearted support for the main proposals in the Dearing report, on which we congratulate Sir Ron, and our anxiety about her response to what now needs to be done? Is it not obvious that, if we are to offer young people a full range of opportunities across the academic and vocational spectrums, we will need greater co-operation between providers at local level than her view—which is that these institutions can carry on in the damaging and somewhat dysfunctional competition in which they engage at present—would suggest?

Secondly, will the right hon. Lady also recognise the battering that this sector received from the Chancellor and from her last year in the November Budget? It so grievously affected sixth form colleges and FE colleges that some of them are in severe financial difficulties. For the right hon. Lady to give effect to Sir Ron Dearing's proposals, it will be necessary for her to ensure that there is no repeat of that onslaught in the forthcoming November Budget—if there should be one from this Government.

Mrs. Shephard: That was a rather sour, disappointing little response by the hon. Gentleman, I must say. What a pity, at the end of what was otherwise a rather decent session.

The further education sector was protected in the last public expenditure survey round. TEC resources went up by 5 per cent., and we are spending a record amount on education. I also remind the hon. Gentleman, because he does need reminding, as do all his hon. Friends, that there is not necessarily a connection between rigour and standards and what is spent. That has been the consistent position of the Government and of Conservative Members.

I suggest to the hon. Gentleman that he might spend an improving hour reading the document and examining the Government's proposals in this very important sphere. He could then perhaps come back with a slightly more encouraging response.

BILL PRESENTED

Sexual Offences Against Children (Registers of Offenders)

Ms Janet Anderson presented a Bill to make provision for the maintenance of registers of persons who are convicted of certain sexual offences against children; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday, 29 March 1996 and to be printed. [Bill 91.]

Part-Time Employees (Equal Remuneration)

4.14 pm

Mr. Don Foster (Bath): I beg to move,

That leave be given to bring in a Bill to ensure that part-time employees have entitlement to remuneration on a pro rata basis with full-time employees.

This Bill would ensure that part-time employees are paid no less—on a pro rata basis—than full-time employees for jobs that are the same and carry similar responsibilities. It would further ensure that benefits such as sick pay, pensions, holiday pay and maternity or paternity provision are awarded on the same pro rata basis.

The world of work is changing. The nine-to-five, Monday till Friday generation is slowing passing, and will soon be confined to the annals of history. The future of the world of work is the flexible labour force and the part-time worker.

In the past few decades, we have seen a massive increase in the number of part-time workers. In 1971, there were just over 3 million people in part-time work, which was 15.5 per cent. of the work force. The understanding of the day was that those people were predominantly female workers who were supplementing family income by carrying out relatively low-skilled jobs for low wages, or students and teenagers who were earning a little extra pocket money. Many employers thought that giving those people jobs was doing them a favour, and that it was therefore reasonable to offer part-time workers no protection and low wages.

The number of part-time workers has doubled in the past 25 years. There are now more than 6 million part-time workers, which is nearly a third of the work force, and the number is increasing. It is predicted that, by 2001, nearly 7.5 million workers will be employed in part-time work.

Part-time workers are fast becoming the linchpin of our economy. In fact, the reduction in unemployment in the past two years has been based on creation of part-time jobs. Since 1993, 500,000 part-time jobs but only 400,000 part-time jobs have been created. In my constituency, almost three in 10, or 28 per cent., of workers work part-time. Among the female work force, nearly half the workers now work part-time. Most other constituencies have similar statistics for part-time working.

It would be absurd, with so many part-time workers, to perpetuate the claim that part-time workers are teenage waiters and mums who have kids at school and want to earn pin money. Part-time workers today are employed in every sector of industry and commerce, as well as in more traditional service sector occupations and on the factory floor. They are professionals, specialists and managers. They care about their careers. They want to fulfil their potential in the work force, and, obviously, they care about the wages and benefits they receive.

It would be extremely foolhardy to ignore the skills, spending power and social significance of this sector of the work force, yet millions of part-time workers still receive inadequate employment protection and second-rate wages. Six out of 10 part-timers receive a lower hourly wage than their full-time colleagues, and—on average, on a pro rata basis—they receive less than half the fringe benefits that full-timers receive.

Part-timers account for about three quarters of Britain's low-paid workers. A recent Trades Union Congress study showed that 77 per cent. of female part-time workers—3.7 million women—and 72 per cent. of male part-time earners, which is 800,000 men, earn below the Council of Europe's decency threshold of £5.88 per hour, with many workers earning significantly less.

In recent weeks, my local newspaper, *The Bath Chronicle*, has advertised many part-time jobs, including evening and weekend catering assistants' jobs at £3 an hour; part-time work as a catering/kiosk assistant, also at £3 an hour; and a cleaner/general assistant at £2.90 an hour. Today, at the Bath jobcentre, the unemployed can consider the merits of part-time evening work as an elderly person's carer at £3.30 an hour; shoe retailing at £3.28 an hour; pub cleaning at £3.01 an hour; or waitressing at £3 an hour. Those are not figures of which we can be proud, and they are not indicative of a nation at ease with itself. Good employment practice does not mean short-changing employees. A thriving economy does not have millions of workers living below the breadline.

Wage discrimination is currently practised in many forms. An employer may simply pay his part-timers less than the going rate, or may decide not to pay a part-timer the going rate for overtime, commission or bonus pay. He may fail to give part-timers the same incremental rates or pay increases as full-time employees.

Despite some welcome amendments to United Kingdom legislation designed to bring our laws into line with law on sex discrimination and European Union law, none of the practices I have outlined is illegal. I believe that such discrimination cannot be allowed to continue.

The cost of paying such a large number of workers lower wages is profound. There is a cost to the state, which is forced to subsidise low wages with income support. There is a cost to the nation's skill base, because many employers decide that it is not worth investing money in training low-paid, part-time workers. There is also a cost to human life as many young people are dissuaded from entering the low-paid, part-time sector, and some turn to crime, drug dealing and the thriving black market.

The Bill would make it illegal for an employer to pay part-time workers lower wages, pro rata, than full-time workers if they are engaged in the same work. It would also make it illegal for employers not to pay part-time workers the same fringe benefits as those received by full-time employees, again pro rata, simply because they are part-timers.

Some will no doubt argue that that would place a burden on employers and lead to unemployment. The reality is that granting equal rates of remuneration to part-time workers would have merely a marginal effect on the total pay bill. A report by the Policy Studies Institute entitled "Value for Money" recently claimed that giving Britain's 6 million part-time workers equal rights with full-time workers would cost just half of 1 per cent. of the total annual pay bill. That is significantly less than the £1.8 billion of perks and expenses pocketed by the United Kingdom's top company directors—at least according to the Inland Revenue's figures.

The costs involved would be more than offset by the increase in productivity brought about by job security, better training and increased motivation—all provided by

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equal pay legislation. Such a step would save the state money and ensure that our work force are motivated, skilled and secure. It would prevent us from entering the next millennium with an impoverished work force.

The Bill has received the broad support of the TUC, the National Association of Citizens Advice Bureaux, and the Equal Opportunities Commission. More importantly, it is supported by more than 6 million part-time workers in this country and by the majority of full-time workers.

I hope that the House will support the Bill, and send a clear message to Britain's part-time workers that their efforts are valued and respected. Part-time should not mean second best. I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Don Foster, Mr. Denis MacShane, Mr. Nick Harvey, Mr. Chris Davies, Mr. Malcolm Bruce, Mr. David Rendel, Mr. David Chidgey, Mr. Roger Berry, Mrs. Diana Maddock, and Mr. Archy Kirkwood.

PART-TIME EMPLOYEES (EQUAL REMUNERATION)

Mr. Don Foster accordingly presented a Bill to ensure that part-time employees have entitlement to remuneration on a pro rata basis with full-time employees: And the same was read the First time; and ordered to be read a Second time upon Friday 10 May and to be printed. [Bill 92.]

WAYS AND MEANS

Finance Bill

HYDROCARBON OIL
(USE OF KEROSENE AND MIXING OF REBATED OIL)

Resolved,

That provision may be made in the Finance Bill with respect to—

(a) cases where kerosene is used as fuel or taken into a fuel supply; and

(b) cases where a substance is mixed with rebated hydrocarbon oil.—*[Mr. Brandreth.]*

PERSONAL PENSION SCHEMES

Resolved,

That provision may be made in the Finance Bill amending sections 633(1)(e) and 637A of the Income and Corporation Taxes Act 1988.—*[Mr. Brandreth.]*

Orders of the Day

Finance Bill

As amended (in the Committee and in the Standing Committee), considered.

Ordered,

That the Bill, as amended, be considered in the following order, namely: New Clauses, amendments relating to Clauses 1 to 29, Schedule 3, Clauses 30 to 65, Schedule 4, Clauses 66 to 195, New Schedules, amendments relating to Schedules 1 and 2 and Schedules 5 to 38.—*[Mr. Brandreth.]*

New clause 12

MISUSE OF REBATED KEROSENE

'.—(1) The Hydrocarbon Oil Duties Act 1979 shall be amended as mentioned in subsections (2) to (5) below.

(2) In section 11(1) (rebate on heavy oil) for "and 13" there shall be substituted "13, 13AA and 13AB".

(3) In section 12(2) (restriction on use of rebated heavy oil for road vehicles), after "allowed" there shall be inserted "(whether under section 11(1) above or 13AA(1) below)".

(4) After section 13 there shall be inserted the following sections—

"Restrictions on use of rebated kerosene

13AA.—(1) If, on the delivery of kerosene for home use, it is intended to use the kerosene as fuel for—

(a) an engine provided for propelling an excepted vehicle, or

(b) an engine which is used neither for propelling a vehicle nor for heating,

a declaration shall be made to that effect and thereupon rebate shall be allowed at the rate for rebated gas oil which is then in force instead of at the rate then in force under section 11(1)(c) above.

(2) Subject to subsection (3) below, no kerosene on whose delivery for home use a rebate at the rate given by section 11(1)(c) above has been allowed shall—

(a) be used as fuel for an engine provided for propelling an excepted vehicle;

(b) be used as fuel for an engine which is used neither for propelling a vehicle nor for heating; or

(c) be taken into the fuel supply of an engine falling within paragraph (a) or (b) above.

(3) Subsection (2) above does not apply to any quantity of kerosene in respect of which there has been paid to the Commissioners an amount equal to duty on the same quantity of gas oil at the rate for rebated gas oil which is in force at the time of the payment.

(4) A payment under subsection (3) above shall be made in accordance with regulations made under section 24(1) below for the purposes of this section.

(5) For the purposes of this section and section 13AB below—

'excepted vehicle' means a vehicle which is an excepted vehicle under any provision of Schedule 1 to this Act; and

'kerosene' means heavy oil of which more than 50 per cent. by volume distils at a temperature of 240° C or less.

(6) For the purposes of this section and section 13AB below the rate for rebated gas oil which is in force at any time is the rate of duty which at that time is in force under section 6(1) above in the case of heavy oil as reduced by the rate of rebate allowable at that time under section 11(1)(b) above.

Penalties for misuse of kerosene

13AB.—(1) If a person uses kerosene in contravention of section 13AA(2) above—

(a) the Commissioners may recover from him, in respect of the quantity of kerosene used, an amount equal to duty on the same quantity of gas oil at the rate for rebated gas oil which is in force at the time of the contravention;

(b) his use of the kerosene shall attract a penalty under section 9 of the Finance Act 1994 (civil penalties); and

(c) if he uses the kerosene with the relevant intent, he shall be guilty of an offence.

(2) If a person is liable for kerosene being taken into a fuel supply of an engine in contravention of section 13AA(2) above—

(a) the Commissioners may recover from him, in respect of the quantity of kerosene taken into the fuel supply, an amount equal to duty on the same quantity of gas oil at the rate for rebated gas oil which is in force at the time of the contravention;

(b) his becoming so liable shall attract a penalty under section 9 of the Finance Act 1994 (civil penalties); and

(c) if he has the relevant intent in relation to the kerosene being taken into the fuel supply, he shall be guilty of an offence.

(3) For the purposes of subsection (2) above, a person is liable for kerosene being taken into a fuel supply of an engine if at the time—

(a) he has the charge of the engine; or

(b) subject to subsection (4) below, he is the owner of the engine.

(4) If a person other than the owner is for the time being entitled to possession of the engine, that other person and not the owner is liable.

(5) If—

(a) a person supplies kerosene having reason to believe that it will be put to a particular use, and

(b) that use is one which, if a payment is not made under subsection (3) of section 13AA above, will contravene subsection (2) of that section,

his supplying the kerosene shall attract a penalty under section 9 of the Finance Act 1994 (civil penalties) and, if he makes the supply with the relevant intent, he shall be guilty of an offence.

(6) In this section 'the relevant intent' means the intent that the restrictions imposed by section 13AA(2) shall be contravened.

(7) A person guilty of an offence under this section shall be liable—

(a) on summary conviction, to a penalty of the statutory maximum, or to imprisonment for a term not exceeding 6 months, or to both;

(b) on conviction on indictment, to a penalty of any amount, or to a term of imprisonment not exceeding 7 years, or to both.

(8) Any kerosene falling within subsection (9) or (10) below is liable to forfeiture.

(9) Kerosene falls within this subsection if it is taken into a fuel supply in contravention of section 13AA(2) above.

(10) Kerosene falls within this subsection if—

(a) it has been supplied in circumstances in which there is reason to believe that it will be put to a particular use; and

(b) that use is one which, if payment is not made under subsection (3) of section 13AA above, will contravene subsection (2) of that section."

(5) In section 24 (control of use of duty-free and rebated oil)—

(a) in subsection (1), after "section 13A" there shall be inserted "section 13AA"; and

(b) in subsection (2), after "section 12" there shall be inserted "or section 13AA".

(6) This section shall have effect in relation to cases where kerosene is—

(a) used as fuel, or

(b) taken into a fuel supply,

on or after such day as the Commissioners of Customs and Excise may by order made by statutory instrument appoint.'—*[Mr. Heathcoat-Amory.]*

Brought up, and read the First time.

Motion made, and Question proposed, That the clause be read a Second time.—*[Mr. Heathcoat-Amory.]*

Madam Speaker: With this, it will be convenient to discuss the following: Government new clause 11—*Mixing of rebated oil.*

Government amendment No. 50.

4.25 pm

Ms Dawn Primarolo (Bristol, South): I hoped that the Paymaster General would give a little more explanation of new clauses 11 and 12. They are anti-avoidance measures with regard to the mixing of fuels, in particular diesel.

I would be grateful if the Paymaster General explained when the avoidance was discovered, how much revenue was at risk, what the review procedure is to ensure that the measures work, and how the Treasury will monitor the practice of the mixing of fuels, to ensure that the illegal practice that is identified by the two new clauses is firmly dealt with. In the final paragraph of a letter to me on 20 March, the right hon. Gentleman explained that provisions would be enacted if the illegal practice continued and the penalties were not sufficient. I should therefore be grateful if he could answer those questions.

The Paymaster General (Mr. David Heathcoat-Amory): I am happy to oblige the hon. Member for Bristol, South (Ms Primarolo).

I shall describe new clause 11 first. Its purpose is to allow Customs and Excise to charge duty under the Hydrocarbon Oil Duties Act 1979, when oils of different descriptions are mixed after the normal duty point and the duty liability of the resultant mixture exceeds that originally paid. The action has been made necessary by an increase in deliberate and accidental mixing of a variety of fuels, especially kerosene with diesel road fuel and kerosene with rebated gas oil, sometimes called red diesel.

That has highlighted the fact that, except in limited circumstances, there is no current provision to recover duty if mixing takes place after the normal duty point. Although that practice is not widespread and therefore—to answer the hon. Lady's question—major avoidance is not taking place, it is wise to anticipate a possible extension of the practice or similar schemes because, if unchecked, they could have a substantial effect on the revenue yield.

The purpose of new clause 12 is to impose a positive rate of duty on kerosene when it is used, not as heating oil—when it will continue to have, in effect, a zero rate of tax—but as motor fuel in off-road vehicles or in certain other excepted vehicles, such as those used for road construction. The new clause is intended to counter the

[Mr. David Heathcoat-Amory]

increasing use of such kerosene as an extender or alternative to gas oil in those vehicles. Some oil distributors, especially in Northern Ireland, have been taking advantage of the fully rebated rate of duty on kerosene and have been adding it at a ratio of about 30 per cent. to gas oil. If that mixture is in such a proportion as to make the resulting liquid, effectively, kerosene, there is currently no charge to duty and recovery is not possible.

There is also another type of avoidance, whereby neat kerosene is mixed with small quantities of lubricating oil. Such practice is also not widespread and we estimate that the revenue loss is minimal, but unchecked it could become a major drain on the Revenue.

The reason why I did not volunteer those explanations is that, as the hon. Member for Bristol, South said, I wrote to her. The House will find the new clauses uncontentious and sensible measures to take in anticipation of a misuse, either of mixing fuels after the normal duty point or of kerosene in off-road vehicles and the like.

4.30 pm

Sir James Molyneaux (Lagan Valley): Although I have no wish to detain the House, the Minister's mention of Northern Ireland ought to be amplified a little further. The fact that Northern Ireland is singled out for some of those irregular and sometimes rather dubious practices arises mainly not from the basic dishonesty of the Northern Ireland population generally, but from all sorts of devices and practices that have been going on for years, in what we call the smuggling country on both sides of the land frontier of the UK. The fact that Northern Ireland has the only UK land frontier within its territory causes such malpractice. The Minister will be aware of the smuggling of oil and other commodities that takes place in that band of what is sometimes called, even by natives, bandit country. I know that he and his hon. Friends have in the past been very quick to identify such exploitation and cheating of the Revenue out of its rightful moneys.

There should not be any reluctance on the part of the sovereign Government on the other side of the kingdom's land frontier to do their best to tighten up their measures and assist the Minister's Customs and Excise officers in that region, because only this week the Irish Agriculture Minister was issuing strong threats to seal the frontier on account of mad cow disease. What can be done for one purpose can surely be done for all others. With that timely observation, I shall conclude.

Mr. Heathcoat-Amory: Although such practices occur not only in Northern Ireland, they are especially prevalent there, as the right hon. Member for Lagan Valley (Sir J. Molyneaux) acknowledged. I am afraid that it is true that, when we shut down one type of smuggling or excise abuse, the same people can exploit other loopholes. The Northern Ireland customs and excise service has generally productive discussions and interchanges with the parallel service in the Republic, where there is a common interest in preventing racketeering or excise abuse. I take it from the right hon. Gentleman's remarks that he nevertheless approves of our attempt to close a potential loophole, which might be exploited by paramilitary organisations or the criminal fraternity in general.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 11

MIXING OF REBATED OIL

'.—(1) The Hydrocarbon Oil Duties Act 1979 shall be amended as mentioned in subsections (2) to (4) below.

(2) In section 20 (contaminated or accidentally mixed oil), after subsection (3) there shall be inserted the following subsection—

"(4) The power to make a payment to a person under subsection (2) above in relation to oils that have become accidentally mixed does not apply in relation to a mixture in respect of which he is liable to pay duty under section 20AAA below."

(3) After section 20A there shall be inserted the following sections—

"Mixing of rebated oil

20AAA.—(1) Where—

(a) a mixture which is leaded or unleaded petrol is produced in contravention of Part I of Schedule 2A to this Act, and

(b) the mixture is not produced as a result of approved mixing,

a duty of excise shall be charged on the mixture.

(2) Where—

(a) a mixture of heavy oils is produced in contravention of Part II of Schedule 2A to this Act,

(b) the mixture is not produced as a result of approved mixing, and

(c) the mixture is supplied for use as fuel for a road vehicle or an excepted vehicle,

a duty of excise shall be charged on the mixture.

(3) The person liable to pay the duty charged under subsection (1) above is the person producing the mixture.

(4) The person liable to pay the duty charged under subsection (2) above is the person supplying the mixture.

(5) The Commissioners may exempt a person from liability to pay duty charged under this section in respect of the production or supply of a mixture if they are satisfied—

(a) that the mixture has been produced or (as the case may be) supplied accidentally; and

(b) that, having regard to all the circumstances, the person should be exempted from liability to pay the duty.

(6) Part III of Schedule 2A to this Act makes provision with respect to rates and amounts of duty charged under this section.

(7) In this section—

'approved mixing' has the meaning given by section 20A(5) above; and

'excepted vehicle' means a vehicle which is an excepted vehicle under any provision of Schedule 1 to this Act.

Mixing of rebated oil: supplementary

20AAB.—(1) A person who—

(a) produces a mixture on which duty is charged under section 20AAA(1) above, or

(b) supplies a mixture on which duty is charged under section 20AAA(2) above,

must notify the Commissioners that he has done so within the period of seven days beginning with the date on which he produced or (as the case may be) supplied the mixture.

(2) A person is not required to give a notification under subsection (1) above if, before he produced or (as the case may be) supplied the mixture, he notified the Commissioners that he proposed to do so.

(3) Notification under subsection (1) or (2) above must be given in such form and in such manner, and must contain such particulars, as the Commissioners may direct.

(4) Subject to subsection (7) below, where it appears to the Commissioners—

(a) that a person has produced or supplied a mixture on which duty is charged under section 20AAA above, and

(b) that he is the person liable to pay the duty,

they may assess the amount of duty due from him to the best of their judgement and notify that amount to him or his representative.

(5) An assessment under subsection (4) above shall be treated as if it were an assessment under section 12(1) of the Finance Act 1994.

(6) The Commissioners may give a direction that a person who is, or expects to be, liable to pay duty charged under section 20AAA above—

(a) shall account for duty charged under that section by reference to such periods ('accounting periods') as may be determined by or under the direction;

(b) shall make, in relation to accounting periods, returns in such form and at such times and containing such particulars as may be so determined;

(c) shall pay duty charged under that section at such times and in such manner as may be so determined.

(7) The power to make an assessment under subsection (4) above does not apply in relation to a person who is for the time being subject to a direction under subsection (6) above.

(8) Where any person—

(a) fails to give a notification which he is required to give under subsection (1) above, or

(b) fails to comply with a direction under subsection (6) above,

his failure shall attract a penalty under section 9 of the Finance Act 1994 (civil penalties)."

(4) After Schedule 2 there shall be inserted the Schedule set out in Schedule (*Mixing of rebated oil*) to this Act.

(5) This section and Schedule (*Mixing of rebated oil*) to this Act shall have effect in relation to—

(a) the production on or after the appointed day of a mixture which is leaded or unleaded petrol; and

(b) the supply on or after the appointed day of a mixture of heavy oils;

and "the appointed day" here means such day as the Commissioners of Customs and Excise may by order made by statutory instrument appoint.'—*[Mr. Heathcoat-Amory.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 5

MATERIAL REMOVED FROM WATER

'Exemptions

.—(1) A disposal is not a taxable disposal for the purposes of this Part if it is shown to the satisfaction of the Commissioners that the disposal is of material all of which—

(a) has been removed (by dredging or otherwise) from water falling within subsection (2) below, and

(b) formed part of or projected from the bed of the water concerned before its removal.

(2) Water falls within this subsection if it is—

(a) a river, canal or watercourse (whether natural or artificial), or

(b) a dock or harbour (whether natural or artificial).

(3) A disposal is not a taxable disposal for the purposes of this Part if it is shown to the satisfaction of the Commissioners that the disposal is of material all of which—

(a) has been removed (by dredging or otherwise) from water falling within the approaches to a harbour (whether natural or artificial),

(b) has been removed in the interests of navigation, and

(c) formed part of or projected from the bed of the water concerned before its removal.

(4) A disposal is not a taxable disposal for the purposes of this Part if it is shown to the satisfaction of the Commissioners that the disposal is of material all of which—

(a) consists of naturally occurring mineral material, and

(b) has been removed (by dredging or otherwise) from the sea in the course of commercial operations carried out to obtain substances such as sand or gravel from the seabed.'.—*[Mr. Heathcoat-Amory.]*

Brought up, and read the First time.

Mr. Heathcoat-Amory: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Dame Janet Fookes): With this, it will be convenient to discuss the following: Government new clause 6—*Mining and quarrying.*

Government new clause 7—*Pet cemeteries.*

Government new clause 8—*Exemptions: power to vary.*

Government amendment No. 12.

Amendment No. 70, in clause 59, page 40, line 34, at end insert—

'(9) Subsection (1)(b) above shall not apply where the material is deposited in an underground cavity created by the controlled solution mining of salt and the material arises from the processing of naturally occurring minerals to remove their naturally occurring impurities and the deposit of the material in such underground cavity will not give rise to environmental pollution and, due to the natural source of such material, there is no scope to reduce the quantity of such material and there is no more environmentally benign way of dealing with the material.'.

Government amendment No. 13.

Mr. Heathcoat-Amory: The House will recall from debates at earlier stages of the Bill that we are introducing a landfill tax, which will come into effect on 1 October. It aims to reduce our reliance on landfill, and will promote more sustainable waste disposal practices, especially by encouraging the reuse and recycling of material—and, indeed, waste reduction. It will also ensure that waste disposal costs reflect the full environmental impact of landfill.

The revenue from the new tax will be used to make a further cut in employers' national insurance contributions, which have already fallen from 13.5 per cent. in 1979 to 10.2 per cent. now. A further cut costing about £0.5 billion will be made in April next year, also funded by revenue from the landfill tax.

It is worth recalling that the total reduction in national insurance contributions since 1979 is now worth about £7.85 billion a year. That represents a direct relief on employment costs, and it partly explains why our employment record is better than those of most of our European competitors.

New clause 5 and its associated amendments and other new clauses arise from discussions that we had in Standing Committee, and with the trade, with other

[Mr. Heathcoat-Amory]

interested potential taxpayers and other groups. Their effect is to exempt dredgings and waste from mining and quarrying operations, and to introduce a power to vary the scope of the exemptions by Treasury order. We specifically intend to use that power to exempt historically contaminated land from the tax.

I mentioned dredgings, and shall say a little more about that subject, because it interested the House and the Committee in earlier debates. New clause 5 provides that a disposal is not taxable if the material being disposed of consists entirely of material dredged from

"a river, canal or watercourse",

a harbour or suchlike. Most dredgings would not fall to be taxed in any case, because the material is often disposed of at sea or on land, rather than in a landfill site. But some material is disposed of in licensed landfill sites, and so would otherwise fall to be taxed.

We are exempting such material because the waste is naturally occurring, and exists to be dredged only because of the operation of natural forces. Moreover, dredging has a beneficial effect on navigation and in preventing flooding. It produces a relatively easily definable category of waste, and I am therefore happy to confirm the exemption by introducing the new clause to give it practical effect.

New clause 6 exempts waste from mines and quarries. It was never our intention to tax such waste unless it was disposed of in licensed landfill sites, but it became apparent following discussions with the industry that quite a tonnage of such waste is disposed of in licensed sites and would therefore be taxed. The exemption will apply to all naturally occurring waste arising from mining and quarrying operations. The exemption will not apply where waste arises from a process separate from mining or quarrying operations, or if it arises from a process that permanently alters the waste's chemical characteristics.

The next major category that I want to mention is contaminated land. Customs and Excise has consulted widely on the matter with the agencies involved in clearing up contaminated land. A consultation exercise took place on a draft clause that tried to define a category of contaminated land, linking it to the necessary planning approval, to provide an objective criterion for the eligibility for exemption. But it became clear that too many clearance projects do not require planning permission, and we have decided instead upon a different approach. The exemption will apply to waste from the clearance of contaminated land where the clearance of all or part of the contamination is necessary to allow the land to be used for the intended purpose when the development is complete. The exemption will apply to waste arising from the reclamation of the land, but current polluters will not be able to benefit from it.

That will be done by a system of certification by customs, and we want to consult further on the details. That means that the details of the exemption cannot be brought forward by primary legislation. New clause 8 enables the Treasury to make orders to add to, delete or vary the definition of waste exempt from the tax. We intend to use the order-making power because it may be necessary from time to time to alter the exemptions—particularly at the margins—in the light of technical or other developments, or to iron out difficulties that may arise during the operation of the tax. But it will be used specifically to bring in an exemption for historically contaminated land, and a draft of the order to do that will be ready early next month. Subject to the views expressed, we hope to be able to lay the order in June—well before 1 October, the date on which the tax comes into effect.

Ms Primarolo: I should like the Paymaster General to clarify a number of issues with regard to the new clauses. I am grateful to him for his explanation of the new clauses, which arise from our debates in Committee.

I should like the right hon. Gentleman to explain the use and meaning of the word "watercourse" in new clause 5(2)(a). Chambers dictionary defines a watercourse as

"a channel through which water flows or has flowed".

That would seem to exclude lakes, ponds and reservoirs, for instance. Is that the Government's intention? If so, what is their justification for doing so?

New clause 6 deals with mining and quarrying, but it appears that the problems with salt mining that were raised in Committee by the hon. Member for Beaconsfield (Mr. Smith) are not covered by the new clause. If I am reading the new clause incorrectly, perhaps the Paymaster General can explain how they would be covered.

4.45 pm

With regard to the exemption powers in new clause 8 and the development of historically contaminated land, we discussed in Committee contaminated land in inner cities, which might be developed for housing projects—a burden would be placed on the developers prior to the development. I understand the difficulties in refining a definition to deal with that issue, but there are a number of related problems. I shall put them before the House, bearing in mind the fact that the Paymaster General said that there would be further consultation on the details of the way in which the exemptions would work. The powers seem very wide at the moment, but if I heard the right hon. Gentleman correctly, he said that the exemptions could vary at the margins according to the development of technologies. If I misheard him, I apologise.

The Environmental Industries Commission, in its representations on the new clause—I presume that it has made the same representations to the Paymaster General—made a series of important points that we need to consider. One was that, if we move the contamination from the historically contaminated land into landfill, we shall not be dealing with the contamination, but simply moving it. The EIC points out that companies are emerging in the United Kingdom which offer on-site remediation technologies and that, as was said in the introduction to the new clauses, the point of the landfill tax is to encourage waste reduction and recycling. The tax is supposed to shape the behaviour of others.

Contaminated land is a substantial problem in Britain, as well as throughout Europe, particularly as most of it is in inner cities and, while it is not dealt with, pressure will continue to be put on green-field sites and sites elsewhere. It is estimated that there are about 50,000 to 100,000 contaminated sites in the United Kingdom alone. I am keen to ensure, as I am convinced that the Paymaster General will be, that we do not undermine the development of the industries that deal with the remediation of contaminated land in what is a very volatile market in the United

Kingdom, by giving developers a route to avoid dealing with the contamination on site and simply allowing free tipping on landfill sites.

Clearly, to encourage those environmental technologies to develop is crucial. Indeed, the Government recognise that, because the Department of the Environment has been encouraging the use of advanced remediation techniques in place of landfill, and Government initiatives, such as the Biotechnology Means Business programme, have been trying to do exactly that. If the House gives too wide a power on exempting historically contaminated land, it will be in danger of running counter to those objectives, and I am sure that that is not the intention.

The royal commission on environmental pollution and the Office of Science and Technology have recognised that greater emphasis should be placed on the commercial application of environmentally friendly technologies that can deal with contaminated sites. We are discussing historically contaminated sites only. The royal commission's call for urgent action to decontaminate urban sites could be undermined by proposals that are too widely drawn.

The Government are in danger of sending out conflicting messages. While their policy wishes to assist the development of the environmental technologies, it is in danger of taking away the home market that would help develop them. I ask the Paymaster General during consultation—before the drafting of the orders that will come before the House—to consider the role of the Department of the Environment and the use of advanced land remediation techniques instead of landfill of contaminated land. He should consider the Department of the Environment's sustainable management strategy, which has set targets for reducing the amount going into landfill sites and could be undermined by the inclusion of contaminated land. He should also consider the DTI's Biotechnology Means Business initiative and the LINK programme on the biological treatment of soil and water to deal with contamination, which covers many Government Departments.

There are numerous environmental arguments for a landfill tax, which we have supported in principle, although we have disagreed with some of the details. On contaminated land, it is important that any short-term arrangements that are made to help out with particular problems of developers do not become medium or long-term solutions that undermine the very industries for whose development the landfill tax was supposed to create the opportunity.

Mr. Tim Smith (Beaconsfield): I congratulate my right hon. Friend the Paymaster General on the way in which he has handled the landfill tax. I fully support the principle of a landfill tax, but it is important that, at the margin, we should get its scope right.

Concern was expressed in Committee on behalf of several industries that felt that they would be placed at a competitive disadvantage or had other genuine reasons for exemption, and my right hon. Friend tabled the new clauses, especially new clause 8. It is always difficult to decide whether it is right to give the Government more order-making powers, but in this case it is sensible, because we may want to vary the scope of the tax, and contaminated land probably will not be the last example of where that would be necessary.

The CBI minerals committee welcomed new clause 6, on mining and quarrying, but asked for some reassurance on two matters. The first is straightforward. It seeks confirmation that the exemption provided by new clause 6 embraces the naturally occurring materials that result from the processing of a mineral as part of the normal mining or quarrying operation. I thought that that was clear. Secondly, it seeks reassurance that new clause 6 covers processes which are an essential part of the operation, but which take place at a different location. It would be helpful if my right hon. Friend could deal with those two points in his reply.

The hon. Member for Bristol, South (Ms Primarolo) mentioned salt. My hon. Friend the Member for Congleton (Mrs. Winterton) has tabled amendment No. 70. As she is not here, I should mention it because I am not sure that the new clauses cover it. It would be helpful if my right hon. Friend could respond on that. The underground cavities in the Cheshire plain where the material is disposed of after processing are in my hon. Friend's constituency—which explains why she has tabled the amendment—and it would be helpful if my right hon. Friend could address that issue. I believe that his handling of the matter has been exemplary.

Mrs. Helen Jackson (Sheffield, Hillsborough): I am pleased that, following our discussions in Committee, several new clauses have been introduced on Report. Although the Opposition's preferred option was to spend more time considering the various issues raised by different industries and local authorities, I accept that the new clauses go a long way towards addressing some of their queries.

I should like to ask the Paymaster General to respond to a few points that I have raised with him in the interim. The first involves the continuing discussion about the problems that certain industries will have defining and accepting the various classifications of waste. The Secondary Metals Association—which is the trade association for the scrap metal industry and is obviously important to steel producers in South Yorkshire—remains concerned about how to address the classification issue. How will scrap metal merchants know whether the materials they receive qualify for the £2 levy or the £7 levy?

The second point was raised by the Environmental Services Association, and I do not think that the Paymaster General has responded to it. How will waste be weighed at landfill sites so that landfill tax may be levied accurately to ensure that all operators are competing on a level playing field. In its briefing—with which we all agree—the Environmental Services Association says:

"the aim of the tax is to encourage the movement of waste up the hierarchy by increasing landfill charges".

It does not aim to subsidise some businesses, which might be able to get around the landfill tax, at the expense of others. The association is concerned—as am I—that, if waste is not weighed on weighbridges in every case, there could be discrepancies and unfairness.

Thirdly, I have some concerns about new clause 6 regarding mining and quarrying. There will be concern, particularly in former mining areas, that potential developers of opencast sites will see the landfill tax as a means of increasing their opencast operations.

5 pm

Many of the arguments about mining and quarrying were reasonable and well founded. I listened carefully to

[Mrs. Helen Jackson]

what the Minister said: that waste in mining and quarrying operations would not be exempt—if I understood him correctly—if the operation was separate from the mining operation or if the composition of the waste was altered. I should like some assurances that opencast operators will not have significant gains out of new clause 6. There are huge areas in Yorkshire and the north-east that would be particularly concerned if it was seen as a ghetto for opencast operators.

My fourth point relates to new clause 8—an open-ended clause that could mean everything, nothing, half, quarter, three quarters and could be said to accommodate most of the concerns that were raised in Committee. It leaves loopholes. We want further clarification about when the loopholes will be closed if new clause 8 is seen to offer too much flexibility to Ministers, to operators or to waste disposal people.

The Minister will be aware that I raised a number of concerns of the British Iron and Steel Producers Association in Committee because it wanted dispensation to clear and develop its contaminated land for clean uses such as housing. We were supportive of the association's representations. I am happy because its representations have been addressed by new clause 8, but it seems to me that the dispensation could go much wider and that, perhaps, we do not want it to go too much wider.

It is extremely important—as my hon. Friend the Member for Bristol, South (Ms Primarolo) said—that the widening of the exemption to include all contaminated land is not jumped on by waste operators as a way of avoiding the pressures that the landfill tax is supposed to put on them to look for ways of recycling waste, cleaning up waste or using waste for new productive purposes through the environmental technologies that have been mentioned by the Environmental Industries Commission.

I urge the Minister to take seriously the commission's recommendations that, in every case, Ministers and Members of Parliament ought to be assured that the best environmental option that achieves a sustainable waste management strategy is being pursued and that we do not simply respond to pressure from this or that waste disposal operator who is using the term "contaminated land" to avoid landfill tax payments.

Mr. Barry Sheerman (Huddersfield): I welcome the landfill tax and regard this as an exciting new era in terms of how we deal with much of the waste that we produce. I intend to refer not to animal cemeteries—unfortunate as that may be—but to mining and quarrying and the exemptions that have been suggested under new clauses 5 and 6. The exemptions are important—we all know that mining and quarrying produce more waste than any other source.

We have a highly reputable, efficient and competitive waste disposal industry that does a good job on well-administered sites, but there is the other world of cowboy operators—sometimes the small operators—that regulations do not seem to reach. My only concern is that there are certain elements in the exemptions that seem to cater to the fly-by-night cowboy operators. One worries that there will be tax evasion and more inefficient and rather dodgy sites. We do not want a proliferation of fly tipping across the countryside. It is already a real problem and some attention has to be directed to it.

I welcome the fact that there is an exemption. All hon. Members have been lobbied by an efficient and welcome lobby—not all lobbies are welcome. A number of waterway and canal societies, including the Huddersfield narrow canal society, have lobbied me. I am glad that the Government have been able to respond with an exemption.

Some would say that we do not want exemptions for one part of an industry when similar exemptions are not available for another part of it. I refer to the chemical industry and the production of salt. There is concern about competitiveness. That sector of the industry believes that it is being hard done by and that further consideration should be given to its special case. I do not know the pros and cons of the case, only what my postbag looks like and the arguments that have passed across my desk. The issue needs further attention.

The Government need flexibility to deal with poisoned land. The issue must be dealt with sensitively. Technology is changing quickly in this area—indeed, the tax is producing new technologies. The energy from waste movement is producing new technologies. We already know that operators in the waste world are looking at totally different technologies because they know that the landfill tax is coming in on 1 October. That is all very good, but we must have a system that is sensitive enough to react quickly if my hon. Friend the Member for Bristol, South (Ms Primarolo) is right and we experience evasion of the tax and movement towards a less good disposal of polluted land.

Sir James Molyneaux: I join those who have welcomed the exemptions, because they are a move in the right direction. We pay tribute to the Treasury Ministers and all who served on the Committee for starting to move in the right direction. The exemptions will be of great benefit to small local authorities and we have—with only one exception—small local authorities in Northern Ireland.

We also welcome the flexibility conferred by new clause 8 and the powers to vary by order. The hon. Member for Beaconsfield (Mr. Smith) and others asked whether there would be a general welcome for the powers for central Government to take certain action by order. In Northern Ireland, we can hardly object to the phrase "made by order", because the Secretary of State for Northern Ireland has no other option. He must govern Northern Ireland "by order" in nearly all respects, so we do not quibble with that one.

I want to ask the Paymaster General for an assurance that the commissioners will consult district councils meaningfully, because they have two interests in this area. First, they are bound to be affected directly because they will run some of the sites. Secondly, councils are regarded—I think that this is the case throughout the United Kingdom—as the link, even the go-between, between central Government and the average citizen. For that reason, it would be useful if district councils, as the recognised authorities, had effective lines of communication and consultation with the commissioners.

We must be merciful to councillors, because they are usually blamed—I am sure that the problem is the same on both sides of the water—for the actions and inaction of Governments of whatever complexion. I say that to preserve my neutrality. Some Departments sometimes

seem to welcome the fact that the fire is directed at local councillors rather than the Ministers who are answerable to Parliament. I want to pay tribute to councillors in the presence of my hon. Friend the Member for East Antrim (Mr. Beggs), who has served for a long time on a local authority. He endures all the heat and burden of the day and very often gets little sympathy from those who elect him—and still less sympathy from Governments, again of whatever complexion.

Mr. John Home Robertson (East Lothian): I warmly endorse the closing words of the right hon. Member for Lagan Valley (Sir J. Molyneaux), not least because my wife has recently been elected to a Scottish local authority.

Sadly, I am about to develop a substantial constituency interest in the landfill industry since Blue Circle Industries plc has obtained planning permission to use what used to be an enormous quarry close to Dunbar as a large landfill site, which will be available to users in south-east Scotland and north-east England. I fear that the site will provide lots of revenue to the private company, Haul Waste, that has bought it from Blue Circle.

It is interesting to note that Haul Waste is a subsidiary of the privatised South West Water, so there will be a number of snouts in that trough. All those involved will want to get their cut from the business and, under the landfill tax, the Chancellor of the Exchequer will get £7 a tonne out of the same hole.

My main anxiety is that, after the privatised water industry gets its profit out of that hole in the ground and the Chancellor of the Exchequer has had his take, very little might be left to protect the environment of the neighbourhood. We all know that landfill sites can be very messy locations. The best impression of the east coast of Scotland will not be created if people travelling up the A1 or the east coast main line go past a colossal hole full of visible, smelly, messy rubbish. It is therefore important that people who operate such sites should be given incentives to do so in an environmentally friendly and responsible manner.

Mr. Roy Beggs (East Antrim): The hon. Member will share my concern that Haul Waste is seeking planning permission for a huge—probably the biggest—quarry site in Northern Ireland on the edge of Larne lough. Does he agree that landfill sites must be strictly supervised to ensure that leachate does not flow into rivers and loughs to cause permanent and, in many cases, irreparable damage?

Mr. Home Robertson: We are in danger of having a general debate about the merits and demerits of landfill sites, but I agree entirely with the hon. Gentleman.

I am personally very sad about the development in my constituency because, in my 18 years as Member of Parliament for East Lothian, I have never received a single complaint about the council-operated tip in my local authority. All the rubbish is baled and most of my constituents do not even know where it goes. Under the new set-up, the rubbish will be tipped loose. The wind will blow it around, the gulls will fly and the rodents will run around. I fear that the site will be revolting and I am concerned that—after everybody has had a profit—the environment of the area should be protected.

My specific point about the new clauses and amendments in this group arises from something that the Paymaster General said in his introductory speech. He said that the purpose of the landfill tax is to encourage the reuse and recycling of waste material. It does not quite do that.

Encouragement can involve carrots or sticks, and the tax is a stick that will penalise landfill, but there is nothing in the package to encourage recycling and investment in plant for recycling. That point was clearly made to me by a waste operator in my constituency, East Coast Skips Ltd., which told me that it is enthusiastic about co-operating with Government policy and wants to invest in equipment to recycle timber, paper, glass and anything else.

Unfortunately, under these provisions, the company's cash flow will suffer because it will have to start paying the £7-a-tonne levy and it will receive no incentive to invest in the equipment for recycling. It would not be unreasonable for at least part of the revenue from this tax to be made available to encourage people in the industry, local authorities and others to invest in the equipment that they require to do what we all want them to do. I hope that the Paymaster General will address that constructive suggestion.

5.15 pm

Mr. Tim Devlin (Stockton, South): I welcome the opportunity to say a few words about landfill tax, because it is of great concern in my constituency, which is Britain's largest chemical-producing area. When I recall the Second Reading of the Finance Bill, I am pleased to see in new clauses 5 and 6 that the Government have taken notice of some of the criticisms that were made about the tipping of material dredged from harbours and rivers and about inert material washed from potatoes and resulting from the movement of soil.

I still have three concerns, which have already been communicated to the Department of the Environment by Teesside development corporation, by contractors in my constituency and by me on behalf of Harcross, the largest producer of chrome in this country and in Europe. Its main competitors are in America, the far east and South Africa, so any burden placed on that company puts it in an unfortunate uncompetitive position against the major competitors that it faces in other parts of the world. I shall be interested to hear what the Paymaster General has to say about my three points.

The first point is about Harcross. I have read new clause 6 on mining and quarrying and I am uncertain whether a company that takes mined material from another country, separates it into a useful metal and an inert waste and then landfills the waste in a pit on its own land will be liable to pay the full £7 a tonne rate of tax. If it is liable, that will significantly affect its competitive position. I am interested to know whether the steps that the company has taken to reduce the waste that it produces—they have cost a considerable sum—will be offset against the amount of tax that it may have to pay if it is indeed liable to the tax.

My second concern relates to the activities of the urban development corporations. This point has been pursued with the Department of the Environment by Teesside development corporation. It has to do with contaminated land being excavated to regenerate an area, and whether

[Mr. Tim Devlin]

the scrapings taken up from the surface of the earth and then sent away to landfill will be liable to the £7 a tonne tax. If they are, that will, in effect, be a tax on regeneration. I had understood from the DOE that that would not happen, and that the removals would be classed as inert material and thus be exempt from the tax. The development corporation and I would both be grateful for confirmation of that.

My third concern is material used for landscaping. I have to admit that I am rather confused by a letter that I have received from a junior Minister at the Department of the Environment, with whom I have corresponded on this matter. Incidentally, he offered to meet me to discuss the problem but has not yet found himself able to do so. The letter, dated 14 March, says:

"You question whether the landfill tax should also apply to inactive or inert wastes. Inactive or inert waste is waste which does not decompose when it is landfilled to produce methane gas, or have the potential to pollute groundwater. We recognise that the risk of environmental pollution is much smaller for this type of waste, and the lower tax rate of £2 per tonne will apply to inactive wastes to take account of this."

On the next page, the letter continues:

"The landfill tax will provide an incentive to use these materials productively rather than disposing of them in landfill sites".

Further on, the letter continues:

"The purpose of the tax is to face producers of waste with their actions . . . Research published by my Department into the recycling of demolition and construction waste does suggest that there is scope for increasing both the total quantity of waste recycled and the proportion which is recycled as quality secondary aggregate."

The point here is whether construction industry waste—bricks, tiles and pipes—which is then sold by companies to other companies for use as hard core on building sites to fill in soft patches in the ground, and as underlay for carparking areas and farmyards, will be classed as waste. Will it be classified as destined for landfill or as recycled material that is wholly exempt from the tax? That is an important aspect to the chemical industry and to agriculture generally. Hard-core material is often sold to companies such as ICI to build bunds around their plants, so that if there is a chemical leak it can be contained within a specified area. It is then landscaped with topsoil, effectively creating what looks to the eye of the passer-by like a long, low hill. That improves the visual aspect of many a factory and plant, at the same time as adding to safety.

Many companies sell their hard core for the construction of new roads, farm roads, farmyards, turning areas and parking areas. Is that classified as landfill? If so, will the material be charged at £2 a tonne, or will it be classed as recycled material? That point has been raised by hauliers in my constituency who are anxious for the answers. I look forward to some guidance on how this part of the construction industry will be affected by the proposed landfill tax.

I must warn the Minister that if people have to pay landfill tax to take their waste to an approved tipping site, we face the prospect of a considerable increase in fly tipping. That concerns me greatly. Will the Minister therefore ensure that local authorities provide at least one place where local residents can take their unwanted bedsteads and domestic refuse and dump it for free? At the main incinerator and waste disposal unit in Teesside we currently have to pay £25 a load. Providing a free dump would be a massive incentive for people on low incomes to dispose of their rubbish properly.

Mr. Paddy Tipping (Sherwood): I welcomed the landfill tax when it was announced in the Budget and I followed its progress in Standing Committee. I still welcome it, although the more I examine it the more difficult the subject becomes. I am particularly pleased by new clause 6 as it affects the deep coal industry. I had never thought that that industry would be affected by the landfill tax, but I am pleased that the new clause clarifies the matter.

I should like to pursue the Minister a little further on the consequences of the tax for the coal industry. Will materials brought in for engineering work be exempt from the landfill tax? I offer the Minister two examples. During construction of a colliery slag heap, the base is lined with clay to prevent water from permeating it. That clearly involves bringing waste on to the site, but it is designed to stop other waste from polluting the water.

Secondly, capping a colliery tipping site with soil needs to be done to enable tree planting to take place. I am keen that that, too, should be exempt from the landfill tax.

It also seems clear to me that if coal is brought out of the mine and then washed, that is part of the coal mining process, so the resulting waste should not be liable to the landfill tax. Sometimes coal is transported away from the colliery to another site for washing; does it matter whether the process takes place on the same site?

I may be pushing my luck a little, but it would be helpful to the coal industry to have these answers. It would also help the industry if fly-ash were exempt from the tax. I assume that subsection (5)—

"a process forming part of those operations and permanently altering the material's chemical composition"—

excludes fly-ash, but I use it as a device to ask the Minister about what category fly-ash will come under—the higher rate, or the lower rate for inactive and inert waste. The coal industry faces many challenges at the moment, and I know that the Revenue is consulting on this. I, for one, am very anxious that the industry should survive.

Mr. Heathcoat-Amory: I am grateful to the House for the general welcome for the tax. I think that it is seen as an advance in environmental terms, and that it will raise a useful sum that will be applied to relieve the burden of employment taxation.

On the specific questions, the hon. Member for Bristol, South (Ms Primarolo) asked about dredging and whether material reclaimed or taken out of ponds and lakes will be exempt. The answer is no. The dredging exemption is designed for the removal of material that has entered harbours and waterways through natural forces. It is also designed to keep those harbours and waterways clear for navigation purposes and to prevent flooding. That is not the case for material removed from stagnant ponds and lakes. I remind her that, if such material is disposed of other than to a licensed landfill site, it will not be taxed anyway.

Ms Primarolo: What about material removed from reservoirs that do not have a throughput of moving water?

5.30 pm

Mr. Heathcoat-Amory: Unless a reservoir is a waterway used for traffic, and therefore might qualify as a type of canal, I do not envisage that it will be exempt.

That question illustrates the validity of the new clause, which introduces an order-making power, because it is precisely these marginal issues that may fall to be altered in due course.

Mr. Home Robertson: I do not think that the Minister quite understands what a reservoir is. A body of water is not a reservoir unless water flows through it. The whole purpose of a reservoir is for water to go in at one end and to be taken out at the other, and if in the process silt gets into the bottom of the reservoir, presumably it is reasonable to allow the operator to remove it without being taxed.

Mr. Heathcoat-Amory: Nor do many canals have water flowing through them. They are not rivers; some canals are virtually stagnant, yet they take traffic and therefore have to be kept clear for navigation purposes. I can envisage, if I stretch the definition to its extreme, a type of reservoir that might also be used to take commercial traffic and might therefore form a type of canal. That might fall to be exempted from the tax. In general terms, I feel that reservoirs will not fall within the exemption and therefore material removed from them will fall to be taxed.

Mrs. Helen Jackson: Surely, as we in Yorkshire know, the whole point about reservoirs is that if they are allowed to silt up, the supply and resources can be threatened. That issue has been raised not once but many times by the people of Yorkshire in the past six months, because silting up may have contributed to the problems last year. I should be grateful if the Minister would agree to examine the implications of that.

Mr. Heathcoat-Amory: I do not want to get into the problems of Yorkshire Water during the debate. The problem there is too little water rather than too much silt. I would rather re-emphasise the point that the order-making power is partly designed to deal with possible future definitional problems, where the House may decide to move the borderline between exempt and non-exempt material, which neatly makes the point for the new clause, which introduces such a provision.

The hon. Member for Bristol, South wants to ensure that the contaminated waste provision is not abused and that it should not be used in cases where there is a perfectly good alternative. The point is that clearing up historically contaminated land is currently extremely expensive, and it would act as a deterrent if such material were to bear tax at £7 a tonne. It would give every incentive to the development of green-field sites rather than the contaminated brown-field sites, where we wish to see development taking place in some cases.

Of course, there are other ways to deal with contamination. Soil can be washed. I have even heard that microbes can be employed to chew up the offending contamination, but all this technology is in its infancy and at present is a good deal more expensive than existing methods. If the balance were to shift, we would need to consider whether it would be appropriate to continue to exempt contaminated sites.

I am grateful for the remarks of my hon. Friend the Member for Beaconsfield (Mr. Smith) about the way in which we have tried to introduce this tax through listening to representations that have been made. Indeed, we have gone a long way towards meeting some of the objections where they are well founded. He mentioned the salt mining industry. I can confirm that material put back into salt cavities will not be exempt, because it has been altered chemically. In other words, what is taken out of the salt cavities is different from what is being put back in. We have, however, met some of the industry's concerns by bringing within the definition of the lower rate these deposited materials, which will be taxed at £2 a tonne rather than the original £7 a tonne. In addition, we shall make an allowance for the water contained in the brine material that is pumped back into the excavated cavities.

The hon. Member for Sheffield, Hillsborough (Mrs. Jackson) asked me about the different classifications of waste between the upper and the lower rate. In answer to a written question, I announced the categories that fall within the lower rate, but before that is taken forward into secondary legislation we are open to further representations.

The hon. Member for Hillsborough asked about weighbridges. It is not our intention to insist that all landfill sites be equipped with a weighbridge. Many of them are, but where there is no such facility for weighing material, for environmental control purposes the quantity of waste has to be assessed. When that is done to the satisfaction of Customs and Excise without a weighbridge, we shall use that as a basis for taxation. It is important when we introduce a new tax that we do not unnecessarily burden small operators with capital expenditure that they might not be in a position to meet. It is not a requirement that there should be a weighbridge at smaller sites.

The hon. Member for Hillsborough also asked about opencast mining. No special privileges will apply. The planning process must take care of the question whether opencast mining can take place, and spoil and waste from that operation will be exempted in exactly the same way as they are from deep mining. She also made a point about being restrictive about the definition of historically contaminated waste. I have dealt with that point.

My hon. Friend the Member for Beaconsfield also asked me two questions about mining waste. I can answer both of them positively. Material that is normally processed or separated from quarried or mined material will not be taxed. Similarly, it does not matter whether that process takes place at the quarry or whether it is geographically separate.

The right hon. Member for Lagan Valley (Sir J. Molyneaux) asked about the need for consultation, particularly with district councils. Talking to representatives and officers from local authorities is very much part of our consultation exercise, and we shall continue to engage in such consultation.

The hon. Member for East Lothian (Mr. Home Robertson) mentioned the burden imposed on local authorities that might have to provide for, or encourage, the recycling to which the tax relates. Between 1990 and 1994, the Government provided some £10 million in grant to assist the development of alternative environmental technology, including recycling technology. More specifically, local authorities were permitted to borrow more than £50 million for capital investment in recycling facilities. All that will be boosted by the introduction of the

[Mr. Heathcoat–Amory]

tax. The hon. Gentleman may call it a stick rather than a carrot; nevertheless, it is a direct incentive for all waste producers, and all who handle waste, to find alternatives to land filling. Recovery of waste, incineration with heat recovery and recycling in all its forms will be given a direct impetus.

Mr. Home Robertson: I was referring not only to local authorities but to established contractors, large and small. The Government say that such contractors want to begin recycling rather than landfilling. The Government are clearly imposing a substantial extra burden on their cash flow by introducing the £7 a tonne tax, but at the same time the Government want them to invest in recycling equipment. Surely it is reasonable for those contractors to gain an incentive—perhaps a grant scheme—from the tax revenue, so that they can install such equipment.

Mr. Heathcoat–Amory: As I have explained, through the normal credit approval procedures the Government have directly encouraged local authorities to install such facilities. Even without the tax, however, many self-sustaining recycling systems exist. For instance, all aluminium cans are taken by Alcan and other companies and turned into new aluminium ingots. A further direct financial incentive will be given; it will be in everyone's interest to remove aluminium from the waste stream in order to recycle it, and to reduce the volume that would otherwise have to be taxed when it went to landfill.

Mr. Sheerman: I am rather worried about the fact that the Minister has not mentioned trusts. I am thinking of carrots rather than sticks. I would have thought that, under the new clause 5 criteria, the trusts that we expected to benefit from the landfill tax would be able to supply some of the "carrots" that we all eagerly awaited from 1 April. Will those trusts disappear, or will they remain with us? Will they be affected?

5.45 pm

Mr. Heathcoat–Amory: The trusts are very much part of the legislation. I have not mentioned them only because they are not part of the new clauses, and I do not wish to be ruled out of order. We hope that environmental trusts will spring up to develop other ways of dealing with the waste stream, including research into alternatives. They may also clear up some of the so-called orphan sites that would otherwise remain derelict.

My hon. Friend the Member for Stockton, South (Mr. Devlin) referred to material brought into the country and then separated out as part of an industrial process. He asked whether the resulting material would be taxed. It would, but, without access to further details, I do not know whether it would be taxed at the "inactive" rate of £2 a tonne or at the higher rate of £7. My hon. Friend gave the more specific example of what he described as "scrapings" from contaminated land. That would be exempted under the provisions relating to contaminated land.

My hon. Friend gave other examples from a letter that he had received from the Department of the Environment, and questioned me about material from the construction industry. In particular, he wanted to know whether material that was sold would be taxed in any way. The answer is no. If material has a use and is sold to an end user, it will not be taxed; it will be taxed only if it goes to a licensed landfill site. Ordinary inert waste would be taxed at £2 a tonne. My hon. Friend also mentioned fly tipping. We already have provisions in environmental law to deal with that, and we want them to be rigorously enforced to prevent incentives being given to those who engage in fly tipping rather than responsible disposal.

Mr. Devlin: I am grateful for my right hon. Friend's helpful comments. It seems from what he has said that, if the incinerator that currently stands at the centre of Teesside is removed and the development corporation demolishes and clears the site, that will be treated as an exempt disposal.

Mr. Heathcoat–Amory: If the site were shown to be historically contaminated, we would envisage exempting it, but it is dangerous for Ministers to give definitive interpretations of tax liability from the Dispatch Box. If my hon. Friend would like a more authoritative reply, he had better write to me.

The hon. Member for Sherwood (Mr. Tipping) asked me about material brought on to a site. If it is bought by those who are lining, or indeed capping, a site, that would not be a disposal for landfill purposes and would not be taxed. As for coal, the hon. Gentleman gave an example in which water was added. I know that water is often added to pulverised ash from power stations to help transport it. We do not want to tax water that is added in that way; customs will apply a conversion factor so that the actual material is taxed.

The hon. Gentleman also asked about processing that is geographically remote from the original site. That itself would not mean that the material was taxed, provided that it was part of the same basic operation and that the material was not chemically altered—provided, in other words, that it was still part of the original quarry or mining operation. It would not matter where the operation took place.

Having given those few elaborations, illustrations and reassurances, I commend the new clauses to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 6

MINING AND QUARRYING

'.—(1) A disposal is not a taxable disposal for the purposes of this Part if it is shown to the satisfaction of the Commissioners that the disposal is of material all of which fulfils each of the conditions set out in subsections (2) to (4) below.

(2) The material must result from commercial mining operations (whether the mining is deep or open–cast) or from commercial quarrying operations.

(3) The material must be naturally occurring material extracted from the earth in the course of the operations.

(4) The material must not have been subjected to, or result from, a non–qualifying process carried out at any stage between the extraction and the disposal.

(5) A non–qualifying process is—

(a) a process separate from the mining or quarrying operations, or

(b) a process forming part of those operations and permanently altering the material's chemical composition.'.—*[Mr. Heathcoat-Amory.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 7

PET CEMETERIES

' .—(1) A disposal is not a taxable disposal for the purposes of this Part if—

(a) the disposal is of material consisting entirely of the remains of dead domestic pets, and

(b) the landfill site at which the disposal is made fulfils the test set out in subsection (2) below.

(2) The test is that during the relevant period—

(a) no landfill disposal was made at the site, or

(b) the only landfill disposals made at the site were of material consisting entirely of the remains of dead domestic pets.

(3) For the purposes of subsection (2) above the relevant period—

(a) begins with 1st October 1996 or (if later) with the coming into force in relation to the site of the licence or resolution mentioned in section 60 below, and

(b) ends immediately before the disposal mentioned in subsection (1) above.'.—*[Mr. Heathcoat-Amory.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 8

EXEMPTIONS: POWER TO VARY

'.—(1) Provision may be made by order to produce the result that—

(a) a disposal which would otherwise be a taxable disposal (by virtue of this Part as it applies for the time being) is not a taxable disposal;

(b) a disposal which would otherwise not be a taxable disposal (by virtue of this Part as it applies for the time being) is a taxable disposal.

(2) Without prejudice to the generality of subsection (1) above, an order under this section may—

(a) confer exemption by reference to certificates issued by the Commissioners and to conditions set out in certificates;

(b) allow the Commissioners to direct requirements to be met before certificates can be issued;

(c) provide for the review of decisions about certificates and for appeals relating to decisions on review.

(3) Provision may be made under this section in such way as the Treasury think fit (whether by amending this Part or otherwise).'.—*[Mr. Heathcoat-Amory.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 15

INCIDENTAL BENEFITS FOR THE SPEAKER, FOR HOLDERS OF MINISTERIAL OFFICE AND FOR OPPOSITION LEADERS AND WHIPS

'.—(1) After section 200 of the Taxes Act 1988 (expenses of Members of Parliament) there shall be inserted the following section—

"Incidental benefits for holders of certain offices etc

200AA.—(1) A person holding any of the offices mentioned in subsection (2) below shall not be charged to tax under Schedule E in respect of—

(a) any transport or subsistence provided or made available by or on behalf of the Crown to the office-holder or any member of his family or household; or

(b) the payment or re-imbursement by or on behalf of the Crown of any expenses incurred in connection with the provision of transport or subsistence to the office-holder or any member of his family or household.

(2) Those offices are—

(a) any office in Her Majesty's Government in the United Kingdom, and

(b) any other office which is one of the offices and positions in respect of which salaries are payable under section 1 of the Ministerial and other Salaries Act 1975 (whether or not the person holding it is a person to whom a salary is paid or payable under the Act).

(3) Nothing in this section shall prevent a person from being chargeable to tax under Schedule E in respect of the benefit of a mobile telephone (within the meaning of section 159A).

(4) References in this section to a member of the family or household of an office-holder shall be construed in accordance with section 168(4).

(5) References in this section to the provision of transport to any person include references to the following—

(a) the provision or making available to that person of any car (whether with or without a driver);

(b) the provision of any fuel for a car provided or made available to that person;

(c) the provision of any other benefit in connection with a car provided or made available to that person.

(6) In this section—

'car' means any mechanically propelled road vehicle; and

'subsistence' includes food and drink and temporary living accommodation."

(2) This section has effect for the year 1996-97 and subsequent years of assessment.'.—*[Mr. Jack.]*

Brought up, and read the First time.

The Financial Secretary to the Treasury (Mr. Michael Jack): I beg to move, That the clause be read a Second time.

I apologise to the House for the relatively late tabling of this new clause. I thank the hon. Member for Oxford, East (Mr. Smith) for the way in which he has responded to that. I hope that the information that I was able to supply to him has helped him to gain a clear understanding of the clause.

Put simply, our proposal is to maintain the way that travel and subsistence for the Speaker, Ministers and Opposition officeholders have been dealt with for the past 20 years. Some 20 years ago, the then Government included in their Finance Bill new legislation to tax company cars and other benefits in kind. That Finance Bill included an exemption for pool cars. Broadly, those are cars that are used for business, are shared, are not usually taken home overnight by employees and have no more than merely incidental private use.

At that time, it was expected that Ministers' cars would be pool cars. The then Financial Secretary to the Treasury, the right hon. Member for Ashton-under-Lyne (Mr. Sheldon) said:

"As I understand it, normally, from what goes on in industry, pool cars are used on a Monday to Friday basis and that is the position with regard to Government pool cars, that there are restrictions on private use, such as the provision that the employee does not normally have a pool car for use on holidays or weekends—and the same position applies to Ministers. From my examination, there is

[Mr. Michael Jack]

very little to choose between the way in which the Government run their car service and the ordinary pool car arrangements that we see in operation. Because of this, there is no reason to suggest that Ministers receive any benefit more than any other who have a pool car system as a traditional means of providing motor cars."—[*Official Report, Standing Committee E*, 22 June 1976; c. 1188.]

That was also the view in subsequent years when official cars were treated under successive Governments as pool cars.

As we moved into the 1990s, Ministers and the Inland Revenue had questions probing the precise application of tax law to official cars from tax practitioners, individual employers and employees, and from some hon. Members. Against that background, the Inland Revenue was asked to review the whole matter. Although nothing has changed since 1976, the Inland Revenue took, as it would in any such review, a fresh look at the interaction of tax law with the way in which official cars are used.

After taking legal advice, the Inland Revenue concluded that it could no longer guarantee that all official cars are pool cars for tax purposes. That was because it no longer took the view that, in strict tax terms, private use was merely incidental to the business use. Having looked at that again, it concluded from the strict tax standpoint that working on classified papers in a car did not mean that travel between home and work was necessarily merely incidental to the other use of the car. Failing that one test means that the tax exemption is lost even when the car is pooled and is not normally kept at home overnight.

The Inland Revenue also found in its review that legislation in 1989 had made it clear that security cars were not necessarily exempt from tax. For security reasons, some cars are used in a way that means that they cannot be treated as pool cars. Faced with a similar position, other employees might ask their employer to pay the tax for them so that they are no worse off. That option is not open to us. It was clear at that time that legislation would be needed to maintain the intention of Parliament in 1976 that there should be no tax on official cars which can now, as then, be used only for official travel and for a limited range of what, in strict tax terms, is not business travel.

The additional travel allows Ministers to make more efficient use of their time for work in the office or at official engagements. It also gives them time to work in their cars and protects them and official papers. Successive Governments have recognised that that is a cost-effective measure and makes good sense. It became apparent that we also needed to look at other things that are provided in connection with official duties, including in some circumstances meals, travel or overnight accommodation for spouses. That raised complex questions that took a long time to resolve.

We were determined from the outset to resolve the tax treatment fully and openly and wished to make sure that all the issues had been identified. It took some time to check all the possible circumstances in which Departments may incur costs in connection with the official duties of the Speaker, Ministers and Opposition officeholders. The Inland Revenue wished to take legal advice on some of them. In the light of the Inland Revenue advice, we had to consider that meals, travel or overnight accommodation for spouses could be taxable, and all the options open to us were fully and carefully considered. They included the option of presenting to the House legislation to allow Departments to meet any tax on travel as other employers do for their employees. We had to revisit our options in the light of developments along the way, which included the report of the Top Salaries Review Body.

We are satisfied that the new clause reflects the 1976 intention and that it meets our objective of removing doubt about the tax treatment now and in future. It invites the House to confirm that meals, travel or overnight accommodation that are provided by Departments for the Speaker, Ministers and Opposition office holders should not be taxed in future just as they have not been taxed in the past. That is all that it does.

The Speaker, Ministers and Opposition officeholders will pay no more and no less tax than they pay now. They will have meals, travel or overnight accommodation only in connection with their official duties. Occasionally, and quite justifiably, that includes meals, travel and overnight accommodation for spouses who are invited to accompany them and assist in their duties.

I make it clear that checks are in place to ensure that public money is spent only for those purposes and as set out in "Questions of Procedure for Ministers", which states:

"The expense of a Minister's spouse when accompanying the Minister on the latter's official duties may occasionally be paid from public funds, provided that it is clear in the public interest that he or she should accompany the Minister. In the case of official visits overseas the Prime Minister's prior assent should be obtained on each occasion. For official visits within the United Kingdom, this is at the discretion of the Minister in charge of the Department concerned who, if in any doubt, should consult the Permanent Secretary."

In summary, the new clause does no more than confirm what everyone expected the position to be when the Administration in 1976 introduced tax legislation on benefits in kind. That position has been subsequently maintained in the way that meals, travel and temporary accommodation for the Speaker, Ministers and Opposition officeholders have been treated in practice by successive Governments since 1976.

Mr. Mike O'Brien (North Warwickshire): I thank the Minister for attempting to answer the 17 questions that we put to him today through my hon. Friend the Member for Oxford, East (Mr. Smith) who is the shadow Chief Secretary. Unfortunately, that cannot compensate for inadequate time for proper parliamentary consideration of the clause. We regret that, at the last minute, Ministers are trying to insert into the Bill a clause from which they might be perceived personally to benefit. I say, more in sorrow than in anger, that that does nothing for public confidence in the reputation of the House.

The shadow Leader of the House and the shadow Chief Secretary were told of the clause on the day that it was tabled, and it was tabled on the last possible day on which it would have been in order. The House should not be doing business in that manner if it can be avoided, particularly when some members of the public are already suspicious of hon. Members' motives and might construe a wrong conclusion from the procedure adopted by Ministers.

We must not only do the right thing to protect the honour and reputation of the House but we must be seen to do the right thing. We must be above the suspicion

that hon. Members might seek unfairly to profit personally from their legislative powers. That is why any proposal that benefits hon. Members should have been openly and publicly debated and referred to the Nolan committee or to the office of Sir Gordon Downey before it ever reached the Floor of the House. That is just basic good sense and good practice in the light of the public criticism of the House in the past year. Quietly placing a clause such as this into the Finance Bill at the last possible moment is politically crass. It invites criticism and does nothing to enhance the House's reputation.

6 pm

I do not accuse Ministers—or, for that matter, the four Opposition postholders who will be affected—of obtaining new benefits from this clause, but there is an obligation to ensure that the public know that that is the case. Openness and transparency are so important because the issue is perception and reputation, as well as our doubts about the clause's detail.

Let us refer this clause to Sir Gordon Downey or to the Nolan committee. Let it be seen that the clause will merely replicate the circumstances in which employers pay for transport for employees, as the Government claim in their press release. We should continue the current treatment and refer the question of enshrining this clause in legislation to the independent authority. If the clause is accepted in an independent assessment, after public debate, the Chancellor can propose it in the Budget in the normal way. The Revenue would be aware of the Government's intention to legislate on this matter to cover 1996-97, and it could take that into consideration when making any tax claims.

Last-minute amendments raise unnecessary suspicions. Unfortunately, last-minute amendments have become a feature of the Government, with their rushed, ill-prepared legislation. We saw that demonstrated in loan relationships, self-assessment, and recently with the National Health Service (Residual Liabilities) Bill. I am perhaps less suspicious of last-minute amendments than other people. I am more used to ministerial incompetence and tend to suspect the cock-up rather than the conspiracy theory of late amendments, but I can see tomorrow's press.

At the weekend, there were stories of the Secretary of State for Social Security having trips to and from his holiday home in France paid for by the taxpayer. *The Sunday Telegraph* said that he claimed £2,980 for a round-trip flight by private plane. I do not propose to delve further into that matter today—but, on Monday, the new clause was placed before the House. I repeat: it is just crass timing.

What has changed since the 1976 provisions were introduced? They seemed adequate at that time. What are Ministers doing now that they were not doing then? If any part of the new clause related to security issues—perhaps for protection costs for Ministers—we would be anxious to assist with it. Certainly, no Minister or other parliamentary officeholder should be exposed to tax for carrying out essential duties.

On the security issue, some senior corporate employees may have legitimate security concerns. To what extent can we justify giving tax exemptions to Ministers and senior parliamentarians that do not extend to other people who may be at some risk when travelling to and from work? Those issues may require consideration before we move to legislation.

The Financial Secretary rightly quoted something that my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon) said in 1976. My right hon. Friend also said:

"As I have said before, the position of a Minister is on all fours with the position of a director or higher-paid employee. That I stand by. I should not wish to be present speaking from this position if I were introducing legislation other than that."—[*Official Report, Standing Committee E*, 22 June 1976; c. 1029.]

We now seem to be going beyond that statement.

The new clause is not just about cars. Clauses such as this should reflect the widest possible consensus between the parties in the House. It may be that we could agree on a clause that is similar to this, but we have not had the time yet to consider fully its implications. We wish to be cautious.

Mr. Tim Smith: Will the hon. Gentleman give way?

Mr. O'Brien: I am pressed for time, but I shall give way.

Mr. Smith: Given the clear assurance that my hon. Friend the Financial Secretary gave on this matter, I am slightly surprised at the hon. Gentleman's response. Will the hon. Gentleman now say that, if the clause finds its way into the Finance Act, a future Labour Government would immediately refer it to Nolan or to Sir Gordon Downey?

Mr. O'Brien: If the hon. Gentleman had been listening, he would know that we want this matter to be referred now, before we legislate. Why is the wording of the clause so wide ranging? Can he answer that question? According to subsection 1(a) of the proposed new section 200AA of the Taxes Act 1988, tax relief is included not only for the officeholder but for

"any member of his family or household".

"Family" I can understand, but does "household" include servants, valets, butlers or Great-uncle Charlie, who happens to live with the Minister?

A relative who assists at an official function should be covered, but we need to consider with more care how far we extend the exemption. The broad nature of the clause suggests hasty drafting. Some people—not I—might say that it was a hasty response to the stories on Sunday about the Secretary of State for Social Security. Perhaps the terms of rules on taxation of Ministers and others should be better circumscribed. Perhaps we should better protect ourselves in the House in terms of the legislation that we pass.

Today, we asked a number of questions of the Financial Secretary in writing. I shall ask a few of them now. Why have the Government not allowed a reasonable time for consultation on their proposals? Why did the press release of 25 March say that the new clause covers only expenses incurred in connection with official duties, when there is no such limitation in the text of the new clause? Why was the matter not referred to the Nolan committee? Is there a difference between the rules for Ministers and parliamentary officers and those for employees? If so, precisely what are those differences, and what are the reasons for them? The Government press release is vague on that point.

[Mr. O'Brien]

Perhaps we need to protect our reputation with more detailed rules. This is not the right way to go about enacting such provisions. I ask the Minister to withdraw the clause and to refer it for independent assessment by Nolan or by Sir Gordon. The debate over the Nolan report was about transparency and the need for Members of Parliament to be open about what they do. Let the House show in its procedures that it has learnt the lesson.

Let us reject the new clause and the way in which it has been put forward—at least for today. Let us say that we expect more transparency in such matters, and send a message to the public that the House has cleaned up its act and will be as open as possible in its future dealings. Our constituents have a right to such openness, and they will put up with nothing less. Labour will oppose this clause, with some regret.

Mr. Devlin: I had not planned to speak to this clause, but the speech of the hon. Member for North Warwickshire (Mr. O'Brien) was most disgraceful. He is trying to make a most boring little clause about non-taxation of ministerial cars into an Opposition attack on sleaze in government; it is absolutely absurd. He should be ashamed of himself for coming along and—rather feebly—trying to make a rather stupid mountain out of a very small molehill.

Mr. Malcolm Bruce (Gordon): I wholly understand the basic reasoning behind this amendment—the Minister has had the courtesy to explain its purpose—and, like the hon. Member for North Warwickshire (Mr. O'Brien), I do not find anything fundamentally objectionable with it. I am, however, a little puzzled about why it had to be tabled at this very late stage.

The Minister said that apparently there has been, up until now, some type of agreement with the Inland Revenue, but that the agreement has since come to a crunch, and that the Inland Revenue is basically saying that unless the matter is put into law, it will apply taxation—presumably retrospectively—to Ministers. Some Ministers could potentially be faced with very large tax bills, which I appreciate is a real difficulty. I should be grateful, however, if the Financial Secretary could explain the situation a little more.

The timing puzzles me because, having been alerted to the clause, I asked my office to research its origin. As a result of the research, I was given a cutting from *The Guardian* of 12 May 1993, which said that this issue was very much under discussion at that time. In fact, my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) asked specific questions of the then Financial Secretary, currently the Secretary of State for Health. The then Financial Secretary said that, if he were taxed on his travel-to-work requirements, he would walk to work. I do not know whether he still intends to do that. I am not unsympathetic to the fact that Ministers go home late at night and travel in with boxes. If the argument is that Ministers need to be treated differently, that needs to be made a little clearer.

What worries me slightly is that there seems to be a contradiction in the argument. It is argued that, in relation to travel to work, Ministers are treated on the same terms as anyone else. It is also argued that Ministers have a special requirement—perhaps involving security—and work requirements that can be carried out in the car taking them to and from their engagements. It should be either one thing or the other. If the Government's argument is that Ministers require cars to and from work for work-efficiency purposes, that they are in a special category and that they should not be taxed for that, I and, I am sure, my party do not have a particular problem. However, the Inland Revenue and the Financial Secretary will have a problem with all the knock-on implications: other people might make similar claims.

My worry is similar to that of the hon. Member for North Warwickshire, the Labour Front-Bench spokesman. As the matter has been tackled so late, we are left with a few questions that we do not have to time to answer. If it is possible to refer the matter outside without putting Ministers in prejudice, it should be done. After the Inland Revenue has held off this long, I find it difficult to believe that, if such a statement were made today, Ministers would find themselves landed with big tax bills at short notice. I should be grateful if the Financial Secretary would deal with those points.

Mr. Stuart Randall (Kingston upon Hull, West): The Financial Secretary's explanation of the new clause was clear and I thank him for that. His argument, however, hinged on the Inland Revenue's investigation of the matter and on the fact that it was unable to guarantee that Ministers' cars could be regarded as pool cars because of incidental use—personal use—as opposed to official use. I would be grateful if the Financial Secretary would clarify that just a little and tell us what evidence before the Inland Revenue showed that perhaps it was difficult to regard those cars as something other than pool cars.

I have been abroad and seen Ministers travelling around the world. It is good that spouses should attend engagements with Ministers. That is important, not only because it enables Ministers who look after policy abroad to be with their spouses as often as possible, but because their spouses can perform a useful function for this country, so I welcome that provision. However, I should like to add to the comments of my hon. Friend the Member for North Warwickshire (Mr. O'Brien), the Front-Bench spokesman, on the part of the new clause that refers to

"any member of his family".

It would not be unreasonable to limit that provision to spouses. I should be grateful if the Financial Secretary would comment on that.

The definitional part of the new clause refers entirely to motor cars. Now that the European Union is becoming more and more integrated, why does the definition not include general aviation? It is no more expensive and it would be consistent with the current arrangements on the use of general aviation that all Members of Parliament have with the Fees Office: they may do so, provided that it is not more expensive than normal air travel.

Mr. Jack: I am disappointed that the Opposition have taken the line that they have. They have explained their reasons and have suggested that there is a hidden agenda. The hon. Member for North Warwickshire (Mr. O'Brien) said clearly that we should be transparent in all this, but, as my hon. Friend the Member for Stockton, South (Mr. Devlin) said, there was a nudging-in of matters connected with a sleaze element. That is far from what the

new clause is about. It is a technical tax issue and in no way would provide a privilege for people who are the temporary officeholders of the day. Ministers, Leaders of the Opposition, Speakers of the House come and go.

In 1976, the provision of cars was deemed sensible, as it was in 1951 when Mr. Churchill, as he was then, first introduced such provision for Ministers, to provide that means of transport. In 1976, when its tax treatment was confirmed, people thought that the matter could be straightforwardly dealt with by making the cars pool cars and that there would therefore not be a liability to tax. As I have illustrated in my remarks, the Inland Revenue has been challenged effectively to the point of having to review the matter again.

6.15 pm

The party of the hon. Member for Gordon (Mr. Bruce) was among others in probing that matter. The provision had not been reviewed for about 17 years, so, rightly, the Revenue thought it timely to reconsider it. It came to the view that, of the three-part test that defined the cars that Ministers, office holders and others use as pool cars, the test that dealt with so-called merely incidental travel—home-to-work travel—was unsustainable. We failed therefore on that test and, after careful analysis, the Revenue deemed that a liability of tax could arise for users of a pool car.

On the point raised by the hon. Member for Kingston upon Hull, West (Mr. Randall), when the law was originally passed, it was felt that, for example, the act of working on papers in the car was sufficient to make it merely incidental. A further re-examination of the law by the Revenue's legal advisers—particularly bearing in mind the legislation on benefits in kind and the tightening of the law—ultimately made the Revenue say to Ministers, "Look. You have got to do something about this to put beyond doubt the tax treatment of the provision of these cars."

No one has seriously challenged the provision of the cars. That is open and above board. Ministers of the day, officeholders and the Speaker have access to those vehicles because it makes good common sense for that to be so. The problem is that that common-sense procedure falls foul of a ruling by the Revenue.

The hon. Member for North Warwickshire asked whether we could postpone the measure. We have considered the matter for some time and examined whether there are other ways of dealing with it, which picks up on his point about the way in which someone in the private sector might be dealt with. The problem is that, in relation to such cases in the private sector, one of two things could happen.

An individual benefiting in this way from a benefit in kind might make a deal with his company to pay the tax if it provides the benefit or, as is more often the case, the company may gross up the salary, effectively paying the tax for the individual. That facility does not afford itself to officeholders of the day. That is the reason why we seek to make clear, and put beyond peradventure, the tax treatment of the use of pool car arrangements.

Some questions have been asked on the wider issues of the provision of accommodation, travel and spouses. We have been challenged on whether the new clause is drawn too broadly in relation to those subjects. Before we have use of an official car or have our air fare or accommodation paid, there are gates through which we must pass—the proprietorial grounds. Those are laid down in "Questions of Procedures for Ministers". If any Minister of the day has any doubt about those, his private office will be quick to remind him or her of the correct procedures. There is no question, therefore, but that we must pass through stringent tests before we use such cars. That is the point.

A Minister whose spouse has died might require the assistance of, for example, another member of the family in undertaking his or her official duties. That is why the new clause is cast fairly widely. Before we benefit from the new clause, we must pass stringent tests. The new clause in no way, shape or form would confer on Ministers any particular additional benefit other than was outlined by Parliament in 1976. All we seek to do is to put beyond doubt the tax treatment.

In answer to the question of the hon. Member for Gordon, we are not trying to be treated differently. In 1976, Parliament took the view that pool cars should be made available to Ministers. For the reasons that I have given, we wish to sustain the availability of the cars, but put beyond doubt the tax treatment.

Mr. Mike O'Brien: How does the hon. Gentleman deal with the fact that my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon) said at that time that his objective was to put a Minister on all fours with a director or a high-paid employee?

Mr. Jack: Exactly as I have described. If a director or high-paid employee receives the benefit in kind paid for by his employer, there are two courses of action. One is that his tax would be paid for him by virtue of his salary being grossed up. That facility is not available to office holders. That is why the tax treatment makes certain that, for the duration of the holding of the office, an individual is not liable for a substantial amount of tax.

I assure the House that the Inland Revenue has made it very clear that it would have no option but to levy tax charges in the forthcoming tax year if new legislation were not introduced. I am sorry that the official Opposition feel that they must vote against the new clause, which confers no extra benefit at all on Ministers. We look forward to hearing how they will deal with the issue in future. As usual, they have no alternative proposal. All one can say is that we are protecting all officeholders, including their leader, from what could be a very substantial tax bill.

Question put, That the clause be read a Second time:—

The House divided: Ayes 291, Noes 241.

Division No. 88] **[18.21 pm**

AYES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian

Beresford, Sir Paul
Biffen, Rt Hon John
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan-Smith, Iain
Dunn, Bob
Dykes, Hugh
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archibald
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Maginnis, Ken
Maitland, Lady Olga
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Ryder, Rt Hon Richard
Sackville, Tom
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Sheldon, Rt Hon Robert
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, The Reverend Martin
Soames, Nicholas
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, Rt Hon John D *(Strgfd)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, A Cecil *(Belfast N)*
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Derek Conway and Mr. Simon Burns.

NOES

Abbott, Ms Diane
Adams, Mrs Irene
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Austin-Walker, John
Barnes, Harry
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Benn, Rt Hon Tony
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Blair, Rt Hon Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen

Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Cunningham, Roseanna
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harvey, Nick
Henderson, Doug
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Sheff'ld, H)*
Jamieson, David
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
McCartney, Robert
Macdonald, Calum
McFall, John
McGrady, Eddie
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
McWilliam, John
Madden, Max
Maddock, Diana
Mahon, Alice
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Michael, Alun
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, Bill
O'Neill, Martin
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Tyler, Paul
Vaz, Keith
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. David Clelland and
Mr. John Cummings.

Question accordingly agreed to.

Clause read a Second time, and added to the Bill.

Mr. Devlin: On a point of order, Madam Speaker. The new clause that we have just passed exempts Ministers and the Leader of the Opposition from paying tax on the cars provided for them for the purpose of carrying out their duties. Given that the right hon. Member for Sedgefield (Mr. Blair) and his party voted against that new clause, will the right hon. Gentleman now do the honourable thing and pay the tax anyway?

Madam Speaker: That is not a point of order for me; it is a point that should have been debated when we were debating the new clause.

New clause 17

LIFE ASSURANCE BUSINESS LOSSES

'. Schedule *(Life assurance business losses)* to this Act, which makes provision about losses arising to insurance companies in the carrying on of life assurance business, shall have effect.'.— *[Mr. Jack.]*

Brought up, and read the First time.

Mr. Jack: I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss also Government amendments Nos. 65 to 67.

Mr. Jack: The new clause and the schedule in amendment No. 65 fulfil an undertaking I gave in Committee to my hon. Friend the Member for Beaconsfield (Mr. Smith) that, if possible, we would introduce our own provision to do what his new clause 38 sought to do.

[Mr. Jack]

The schedule amends a rule introduced in last year's Finance Act—a very necessary rule, designed to stop the creation of wholly artificial losses in a life insurance company. My hon. Friend and the life insurance industry think that we went too far last year. In particular, it is said that the 1995 rule bore too harshly on companies just starting up, and discouraged new entrants to the life insurance market. We have found a way of allowing start-up life insurance companies to use their losses within a group, as any other company would.

The new clause and the schedule identify circumstances in which the 1995 rule will continue to apply—where there is a takeover, including one following a demutualisation, and where the business is split by way of reinsurance or transfer of business. It will no longer apply to the start-up company where losses arise through normal patterns of business.

The measures in the schedule also clarify and amend existing rules preventing double relief for losses. If we relax the 1995 rule to allow more losses to arise than in the past, it is important that we have robust rules to prevent double relief.

Associated with the new schedule is a purely consequential amendment to schedule 13, and an amendment to the repeals schedule.

Mr. Tim Smith: As you will have gathered, Madam Speaker, this is effectively a piece of unfinished business from last year's Finance Act. We discussed it in Committee, and I am grateful to my hon. Friend the Financial Secretary to the Treasury for bringing the measure forward.

Mr. Alistair Darling (Edinburgh, Central): I think that there is unanimity that the new clause should be added to the Bill, but I want to make one small point, which follows to some extent from the previous debate. The schedule is extremely complex. I understand why it is complex, and I support what it aims to do, but its complexity raises a point that has been identified again and again during the Bill's passage through the House. That is that Parliament is passing complex legislation without adequate scrutiny. It is not possible on Report to go through a schedule or a new clause in anything like the detail possible in Committee.

The new clause and the schedule were tabled comparatively recently, and, as far as I know, there is nothing wrong with the drafting, and there are no unintended consequences. But I say "as far as I know", because the fact is that we do not know. The chances are that a further amendment will be necessary if we are debating the measure this time next year. Understandably, the industry complains about the way in which Parliament treats it, as the changes and uncertainty add to the cost and other complications faced by the corporate taxpayer, as well as by the individual taxpayer.

I repeat my request for the Government to do two things. First—in so far as they can—they should avoid tabling complicated and lengthy pieces of legislation at the eleventh hour. Secondly, they should reflect further on a point raised by a number of hon Members—the desirability of transferring certain aspects of the Finance Act to a taxes management Act, where they can be looked at with greater leisure.

There is no political difference between the parties on these points, which are technical to a large extent, and we all agree on the objective. But we are not making good law by dealing with complex matters at the last possible moment. I agree with the measure, and I understand why the Financial Secretary has brought it before the House at this stage. But the Government ought to try harder to avoid getting themselves into such situations in the years to come.

Mr. Jack: If there is one thing that I have learnt from my first ministerial involvement in the Finance Bill, it is that there is a need for the earliest possible consultation to take place with interested parties on complex matters. I understand the point raised by the hon. Member for Edinburgh, Central (Mr. Darling), and I take his message to heart.

In fairness, the matters dealt with by the new clause were discussed thoroughly in 1995. My hon. Friend the Member for Beaconsfield (Mr. Smith) tabled an amendment in Committee that the Government, while unable to accept it in the letter, certainly accepted in spirit. That is why we worked hard and fast—given that this is a complex matter—to try to meet the request of the life insurance industry.

Clearly the industry was party to the discussions in the period between the Committee and now, but I accept that others may not have had the chance to scrutinise the precise words. Those directly affected by the measure, however, have studied them, and are grateful and pleased by the moves we have made. I take the hon. Member for Edinburgh Central's point. It is sensible, and I shall bear it in mind when dealing with future Finance Bills.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 3

PERSONAL PENSION SCHEMES: RETURN OF CONTRIBUTIONS AFTER DEATH OF MEMBER

'.—(1) In section 633(1) of the Taxes Act 1988 (Board not to approve a personal pension scheme which makes provision for any benefit other than those specified in paragraphs (a) to (e)) in paragraph (e) (payment on or after the death of a member of a lump sum satisfying the conditions in section 637A) for the words following "a lump sum" there shall be substituted "with respect to which the conditions in section 637A (return of contributions) are satisfied".

(2) For section 637A of that Act (return of contributions on or after death of member) there shall be substituted—

"Return of contributions on or after death of member

637A.—(1) The lump sum payable under the arrangements in question (or, where two or more lump sums are so payable, those lump sums taken together) must represent no more than the return of contributions together with reasonable interest on contributions or bonuses out of profits, after allowing for—

(a) any income withdrawals, and

(b) any purchases of annuities such as are mentioned in section 636.

To the extent that contributions are invested in units under a unit trust scheme, the lump sum (or lump sums) may represent the sale or redemption price of the units.

(2) A lump sum must be payable only if, in the case of the arrangements in question,—

(a) no such annuity as is mentioned in section 634 has been purchased by the member;

(b) no such annuity as is mentioned in section 636 has been purchased in respect of the relevant interest; and

(c) no election in accordance with subsection (5)(a) of section 636 has been made in respect of the relevant interest.

(3) Where the member's death occurs after the date which is his pension date in relation to the arrangements in question, a lump sum must not be payable more than two years after the death unless, in the case of that lump sum, the person entitled to such an annuity as is mentioned in section 636 in respect of the relevant interest—

(a) has elected in accordance with section 636A to defer the purchase of an annuity; and

(b) has died during the period of deferral.

(4) In this section "the relevant interest" means the interest, under the arrangements in question, of the person to whom or at whose direction the payment in question is made, except where there are two or more such interests, in which case it means that one of them in respect of which the payment is made.

(5) Where, under the arrangements in question, there is a succession of interests, any reference in subsection (2) or (3) above to the relevant interest includes a reference to any interest (other than that of the member) in relation to which the relevant interest is a successive interest."

(3) This section—

(a) has effect in relation to approvals, of schemes or amendments, given under Chapter IV of Part XIV of the Taxes Act 1988 (personal pension schemes) after the passing of this Act; and

(b) does not affect any approval previously given.'.—*[Mrs. Angela Knight.]*

Brought up, and read the First time.

The Economic Secretary to the Treasury (Mrs. Angela Knight): I beg to move, That the clause be read a Second time.

Where a member of a personal pension scheme dies without purchasing an annuity and the survivor—that is, the spouse or dependant—also dies before purchasing an annuity, the new clause allows a pension fund to pass to the survivor's heir, however long a period has elapsed since the original member's death. This is presently possible within two years of the member's death. In other words, the new clause extends the circumstances in which a personal pension fund may be paid as a lump sum. The new clause has been tabled in response to representations that we have received. It is widely welcomed, and I trust that all hon. Members support it.

Mr. Darling: The Opposition do indeed support the new clause.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 16

CAPITAL ALLOWANCES: ROLL-OVER RELIEF IN RESPECT OF SHIPS

'. Schedule *(Roll-over relief in respect of ships)* to this Act (which amends sections 33A to 33F of the Capital Allowances Act 1990) shall have effect.'.—*[Mr. Jack.]*

Brought up, and read the First time.

Mr. Jack: I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss also Government amendments Nos. 63 and 64.

Mr. Jack: During the Committee's debates on shipping, I said that the Government were not opposed in principle to extending rollover relief for balancing charges arising on ships across groups of companies. We had discussions with the shipping industry, and we made rapid progress. I am pleased to be able to say that we reached agreement on the matter, and I commend new clause 16 to the House.

Mr. David Hunt (Wirral, West): I would like to thank my hon. Friend the Financial Secretary and congratulate all those involved on some speedy work. I pressed my hon. Friend to try to ensure that the work was done in time for this Finance Bill, and that has been done. I am sure that the measure will overcome a number of anomalies, and will enable a number of investment decisions to be made that might otherwise not be made, or perhaps might not be so well-timed.

My hon. Friend will know that I have raised a number of other matters on behalf of the shipping industry, an industry that is vital to the future of this country. I am grateful to him for agreeing that further meetings can take place, so that we can explore a number of other matters further.

Mr. Mike O'Brien: The Opposition welcome and support the new clause.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 1

REPORT ON EMPLOYMENT AND JOB INSECURITY

'.—Not later than 1st November 1996, the Treasury shall prepare and lay before Parliament a report which assesses the impact of the provisions of this Act and of the Budget measures introduced on 28th November 1995 on employment and job insecurity in the United Kingdom.'.—*[Mr. Andrew Smith.]*

Brought up, and read the First time.

6.45 pm

Mr. Andrew Smith (Oxford, East): I beg to move, That the clause be read a Second time.

The new clause calls for a report to be made on the effects of the Budget and the Finance Bill on employment and job insecurity. We see this as part of the focus that this country needs on employment generation and tackling job insecurity. We are arguing that the measures in the Budget and the Finance Bill should be assessed for their effects on jobs and on helping people into jobs in a far more comprehensive and purposeful way than happens at present. We believe that the "Financial Statement and Budget Report"—the Red Book—which quite properly devotes substantial space to the effect of the Budget's tax and public spending proposals on revenue yields and costs, borrowing and the public finances, ought also to evaluate the employment implications.

[Mr. Andrew Smith]

That is especially important at present, when Britain has not only 2.2 million unemployed, but 800,000 long-term unemployed and 600,000 young unemployed. Even when unemployment has fallen, there has not been a corresponding increase in employment. Job insecurity has become a more pressing concern for millions of people, and Conservative Members would do well to remember that when they attempt to boast about the Government's record on unemployment.

If Conservative Members want an explanation why the so-called feel-good factor remains so elusive, they need look no further than the fact that, on top of the Government's betrayal on tax promises and on top of last year's fall in living standards—the sharpest for 14 years—we still have not only high unemployment, but many people in work suffering downward mobility and insecurity, and people riddled with anxiety about how long their job will last and what will happen if they lose it.

It is true that there are already some contributions on the labour market within the "Financial Statement and Budget Report". For example, in annex B to chapter 3 of last year's Red Book, there are some interesting remarks by the Treasury's panel of independent advisers that some Conservative Members seem to ignore when making claims about unemployment. For example, on page 61 it says:

"The recovery in the labour market appears to be losing momentum. Employment growth has slowed, and the rate of decline of unemployment has slowed sharply."

There follows an analysis of the dismal employment record in this recovery compared with previous recoveries, concluding that

"it is clear that there has been a substantial increase in numbers counted as economically inactive . . . the peculiar feature of the recovery . . . is that participation has not picked up."

Although it is helpful to have that evaluation of the labour market from the panel, the new clause argues that we should go beyond that and focus attention much more closely on the employment implications of the Budget measures themselves. For example, it would be useful to have a broad report on the composition of the labour market, categorised by tenure in terms of part-time, full-time, temporary and self-employed employment. Each category could be analysed in terms of qualification for employment rights and turnover within the category.

At present, those in full-time work qualify for full rights after two years of service, and that requirement rises to five years for those in part-time work. It would therefore be important to include an analysis of turnover within each category and between categories, so that the extent of job insecurity can be properly ascertained.

As well as analysis of the labour market broken down into those categories, it would be useful to assess the direct effects of the Budget on new jobs. Employment creation should be broken down in the same way as the fuller picture of the labour market to keep track of any headway being made on countering job insecurity and encouraging quality employment.

On a more specific basis, the impact of Budget changes in tax, expenditure or national insurance could be more directly assessed in terms of jobs and employment. For example, in this year's Red Book, the revenue implications for the extension of the rebate on employers' national insurance contributions for the long-term unemployed are listed on page 107. They are costed at £5 million in 1996-97 and 1997-98 and £10 million in 1998-99, but there is no mention of the corresponding impact on alleviating long-term unemployment within the Red Book—the very purpose that is argued for the measure.

In future years, that could with benefit be factored in for specific taxation and expenditure measures. In addition, the much broader impact on employment of Government policies on taxation, national insurance contributions and employment rights in the tenure and distribution of the labour market, both for existing jobs and for those newly created, could be included. We want that information not merely for the better analysis of what is happening, but to focus attention on the need for action if unemployment and job insecurity are to be tackled with real effect.

Since the publication of the Red Book last November, the picture has worsened further. Unemployment rose last month for the first time in two years, to reach more than 2.2 million. Not only is mass unemployment a symptom of Tory Britain, but, under the present Government, the 1990s have become a decade of mass downward mobility and insecurity. Many of those who have jobs are insecure in them and overshadowed by the threat of redundancy. Many are having to move into lower-paid jobs, with less secure contracts and conditions.

What is more, whatever the convenience and attraction of part-time work for many employees, which we recognise, according to the March labour force survey, nearly half the men in part-time work say that they work part-time because they cannot get a full-time job. The facts speak for themselves. Our analysis has revealed that more than 8 million people have had at least one spell of unemployment since the last general election. This year, more than 2 million new people are likely to experience a spell of unemployment, and, since the Prime Minister took office in 1990, no fewer than 10 million people have experienced one or more spells of unemployment. That is one in four of the working population.

Mr. Nigel Forman (Carshalton and Wallington): So that we get the figures in context, can the hon. Gentleman tell the House the average length of the period of unemployment that those 8 million people experienced?

Mr. Smith: I do not have the figure to hand, but any period of unemployment is too long for those who suffer it. The aim of public policy in the area—the role of the state in assisting the individual—should be to help to equip them with the skills to ensure that they can get back into quality employment as quickly as possible. In that sense, the true measure of the success of policies to counter unemployment is not merely, where appropriate, to attenuate the rate at which people are losing jobs, but to ensure that, when they do lose them, they are in a position to get back into jobs.

The tragedy at the moment is that 2.2 million people are unemployed, another 2 million are likely to experience a spell of unemployment this year, and there are 800,000 long-term unemployed, who have been out of work for more than a year, and 600,000 young unemployed, for whom I hope the whole House would agree there is a case for priority action.

In practice, the Government's record on these matters matches neither their claims nor the needs of the country. We hear many comparisons with the rest of the European

Union from Conservative Members, yet the United Kingdom's record on job generation since 1979 has been the worst among the major European countries. To take a wider comparison—these figures are based on a parliamentary answer—employment in the United States has grown 21 times faster than that in the United Kingdom since 1979, and in Japan it has grown 18 times faster.

As we know, unemployment has more than doubled under this Government. Since the last general election, there has been no increase in full-time or permanent employment.

Mr. Forman: Taking up the comparison with the United States, does the hon. Gentleman concede that most experts agree that one of the main reasons why the United States has generated more jobs than this country in that period, and far more than our partners on the continent is that it has a more deregulated labour market, with a more flexible attitude—more akin to our attitude than that of countries on the continent?

Mr. Smith: I would not equate the words "flexible labour market" with a deregulated labour market in quite the way that the hon. Gentleman does, and there are many people in the United States who would not do so either. For example, to draw on the analysis of the operation of minimum wage legislation there, studies demonstrate that, where that wage has been increased—contrary to the arguments that many Conservative Members put forward—it has not led to a rise in unemployment. On the contrary, in the industries covered, it has led to a rise in employment. It is a mistake, therefore, for the hon. Gentleman to equate a flexible labour market, or an acceptably flexible market, with blanket deregulation.

In a modern labour market, of course we want flexibility, but we also want civilised conditions for the work force and proper support from the Government to equip people for success and to help them to meet the challenges that confront us all in a rapidly changing world. Judged by their record throughout their time in office, Conservative Members and their Government fail that test.

As we have pointed out a number of times since the Prime Minister took office, there are 1 million fewer people in jobs. Male unemployment in the United Kingdom is higher than the European average. On the Government's own figures, the financial cost of unemployment is more than £20 billion a year to the taxpayer, and that is before one counts the human cost of the misery and insecurity attached to unemployment, which has rocketed under this Government.

The truth is also that, under this Government, more people are suffering insecurity and downward mobility. Just as Britain has fallen from 13th to 18th down the world prosperity league, so millions of people are sliding down the personal prosperity league. That downward mobility is a scar across the face of Britain in the 1990s. That is why we have argued for measures to help people from welfare into work and off benefit into jobs.

The public will not be persuaded by the Government's credentials when they do not take up our proposals to help the young and the long-term unemployed into work. Instead, the Prime Minister threatens to withdraw employment rights from millions of workers in small businesses thereby exacerbating the crisis of insecurity that he should be seeking to solve. The Government have taken no action on the measures that we have suggested to help people off welfare into work. Instead, they are cutting the training budget and have abolished the community action programme, which only a year earlier they boasted was providing 40,000 quality, paid places for the some of the most vulnerable people in our society.

7 pm

The Finance Bill has failed to address the disastrous unemployment and job insecurity in Britain. Our proposals for welfare-to-work, investment, skills and public-private partnership have made clear our commitment to act where the Government have failed to act. Our policy statements make it clear that our commitment to a medium-term objective of raising the trend rate of growth, with low inflation, will be accompanied by an annual statement of the implications for employment of our policies and the ways in which they can be increased.

Mr. Jack: The hon. Gentleman fleetingly mentioned his target for growth. I would be most interested if he could tell us what it would be in numerical terms.

Mr. Smith: I said that we would have a medium-term strategy to raise the trend rate of growth, which under the Conservative Government since 1979, has been 1.9 per cent. including oil and 1.7 per cent. excluding it—one of the worst records of any industrialised country. Britain can and must do better and with Labour, it will. It is in that spirit that we bring new clause 1 before Parliament tonight. If the Government were serious about tackling the crisis of unemployment and job insecurity, a sensible first move would be to support new clause 1, publish the report that we call for and to act on it to ensure that each and every Budget measure generates work and eases the chronic problem of job insecurity that afflicts so many millions of people.

Mr. Forman: I am grateful to you, Madam Speaker, for calling me in this crowded debate. I wish to comment on new clause 1 and on the speech of the hon. Member for Oxford, East (Mr. Smith). I am sure that he really knows—he is more sensible than he appears—that Government strategies do not create new jobs, but that enterprising firms and individuals do. To answer my hon. Friend the Financial Secretary by saying that the Labour party does not have a target for growth but has a strategy, as if that were a guarantee of job prospects for people without jobs, is a grievous error that would mislead our people, if ever they were unfortunate enough to have a Labour Government. The Labour party is wise not to have a target, because such things usually end in tears, as happened with the national plan and George Brown in 1965.

There is no need for the sort of report that new clause 1 demands. The debate gives the Labour party an opportunity to indulge its normal habit of scaremongering on the important and sensitive question of job insecurity. I do not deny that there is much job insecurity. That is evident to all hon. Members from our surgeries and from what we read and learn about. The question is how best to deal with that psychological and real problem and how best to address the concerns of people who feel insecure.

Insecurity matters most for those who are out of work and finding it difficult to get back into work. I am glad that the Government are bringing forward a range of

[Mr. Forman]

measures, both in this Budget and in other aspects of policy, which are designed to create jobs and make people feel more confident about their lives. I draw the attention of the hon. Member for Oxford, East to the measures that are summarised right at the beginning of the Red Book under the heading, "Encouraging enterprise and helping business". For example, there is the reduction of the small companies rate of corporation tax to 24p rather than 25p.

Mr. Andrew Smith: Does not it make my point that jobs, unemployment and work insecurity are not mentioned in that list of Budget measures?

Mr. Forman: The benefit to people who have those problems derives from concrete measures, in the Budget and elsewhere, and not necessarily from more paragraphs that recognise the problem. My right hon. and learned Friend the Chancellor of the Exchequer, in his Mais lecture some time ago, made it clear that this is an important problem that the Government are addressing. I was trying to convey that the Government have taken practical measures. There is more help for businesses facing higher rate bills following last year's revaluation. We have mentioned already that employers' national insurance contributions are to be cut by £500 million from April 1997.

More importantly, the Finance Bill, and the Budget from which it flows, created the macro-economic and market conditions in which it has been possible for my right hon. and learned Friend the Chancellor further to cut interest rates. A prudent Budget and the effects of reduced interest rates, which are lower than they were at the time of the Budget, help to create new jobs and underpin the strength of the economic recovery, which mercifully, has been carried forward on a largely non-inflationary basis.

First, the Finance Bill contains useful measures that are designed to address the problems in the labour market. Secondly, the Budget has facilitated, through its fiscal prudence, a cut in interest rates. Thirdly, the background to the labour market is not as bleak or unsatisfactory as the hon. Member for Oxford, East implied. Paragraph 3.44 of the Red Book shows that although there was a period when the number of economically active people in Britain fell by more than 110,000, between the winters of 1992-93 and 1994-95, it has since risen by more than 140,000. Indeed, it is rising again partly because more people are being attracted into the labour force by the better job prospects to which I have already referred. Having gone through something of a trough, the labour market is manifestly improving. As it improves, so people will feel more secure about their employment prospects.

The hon. Member for Oxford, East talked about part-time work, but he must know that the majority of people in part-time work do it because it suits them, especially women with young children of school age, who want jobs with hours that fit in with their parental responsibilities. However, that is not confined to that group. That preference is increasingly true of the older worker, the professional or other worker in what Charles Handy calls the third age. People of my age, aged over 45 or 50, often find that their needs are well met by what Charles Handy calls a portfolio of employment activity, some of it self-employed, some of it employed.

Mr. Andrew Smith: Does the hon. Gentleman recall that I acknowledged that part-time work was convenient and attractive for many workers? That is not a reason to deny part-time workers full employment rights in the way in which Conservative Members are inclined to. Equally, I pointed out—and this is in the March labour force survey—that more than half the men working part time do so because they cannot find full-time jobs.

Mr. Forman: I am sure that we shall have to assist people to retrain and to reskill as a result of the technological changes that are taking place. That is a social priority that the Government are keen to address.

The hon. Member for Oxford, East prayed in aid the American experience and he contrasted it favourably with that of this country in terms of job creation. However, I said by way of intervention that the United States has been able to create more jobs more consistently over a longer period because it has a flexible labour market. The American Government recognised the fact that the unemployed would rather have even a relatively low-paid job than no job at all. One of the phenomena of the labour market—it is the real tragedy of the 800,000 long-term unemployed in this country—is that the longer one is unemployed, the less employable one becomes.

It is vital that people should be registered as unemployed for only a short time. The efforts of the Government and of the private and public agencies should be directed at getting people back to work as quickly as possible. Mercifully, the figures suggest that most people are unemployed for only a short duration. It might be helpful if my hon. Friend the Financial Secretary, in winding up this brief debate, could inform the House and the hon. Gentleman about the average duration of unemployment in this country. I believe that the figure is about three months. I am not saying that those three months are not an awkward time for those who are unemployed, but that is to be expected in a flexible labour market where there is a considerable turnover of jobs and much activity. That was the situation under previous Governments and it is likely to continue into the future.

The argument advanced by the hon. Member for Oxford, East could be regarded as scaremongering, and I do not believe that new clause 1 would serve any constructive purpose.

Mr. Tipping: New clause 1 is important because it provides an opportunity to check the theory against the practice and to measure the rhetoric against the reality. The new clause seeks to measure the Budget and to assess its impact. My hon. Friend the Member for Oxford, East (Mr. Smith) talked about the national perspective and about job insecurity. I shall refer to job insecurity on a smaller scale as it affects the coalfield communities.

It is slightly more than three years since the then President of the Board of Trade announced the closure of the coal industry as we knew it around the country. It is important to examine the consequences of that decision and the insecurity felt by those who lost their jobs as a result of the rundown of the industry and by their families.

In 1980, there were 40,000 miners in Nottinghamshire: today there are about 3,000. Much work has been done within coalfield communities to discover the plight of those who lost their jobs. Their situation is extremely insecure—the figures speak for

themselves. Several research studies have been conducted in that area—I recall the work done by the Coalfield Communities Campaign and by Derbyshire county council. They have shown that 50 per cent. of former miners have not found jobs since October 1992.

The hon. Member for Carshalton and Wallington (Mr. Forman) referred to the length of time that people are unemployed. Some ex-miners have been unemployed for more than three years, and the jobs that they find are not nearly as secure as their former occupations. Former miners typically earn 50 per cent. of the salaries that they received while working in the industry.

We must introduce measures to create jobs. I agree entirely that we must support firms and new industry, as they are the job creators. The simple fact is that that is not happening. New clause 1 will question the Government's good intentions: it is a means of testing budgetary measures to see whether they will achieve their purpose.

7.15 pm

Unemployment has fallen by 17 per cent. nationally since October 1992. However, in the Mansfield travel-to-work area, unemployment has fallen by only 7.5 per cent. and in the Worksop travel-to-work area—another coalfield community—unemployment has not decreased at all. The gap between affluent areas and those of disadvantage and deprivation is widening. The Government aspire to change all that, and the Budget aims to foster a climate for creating jobs. I do not wish to be pessimistic, but I share the sense of desolation that permeates coalfield communities: they believe that in November this year, the unemployment figures will not be any better.

We must find job-creating measures. I am extremely disappointed that the community action programme has been scrapped. It is a young programme that gives people the opportunity to come off welfare and into work. As well as denying those opportunities, its abolition leaves a big gap in the work of voluntary organisations.

At the time of the Budget announcement, I said that in some parts it could be better and that in other parts it was a green Budget. We could revamp the community action programme and give people the opportunity to do environmental work. Mr. Deputy Speaker, you know about the dereliction that has occurred in coalfield communities: a revamped community action programme could benefit the environment and lift the landscape.

One budgetary measure aims to reduce the money that is spent on the home energy efficiency scheme. We should look at the consequences of that decision for employment—for example, we know from answers to parliamentary questions that 200,000 fewer homes will be insulated. If the community action programme were thought out properly and geared towards conservation measures, it could create many hundreds of thousands of jobs for young people. It is important to introduce new programmes and to measure their achievements.

Job creation is not simply a matter for the Government: it will be achieved through partnership, and we must explore what budgetary measures will make that partnership work. I view the new clause as both a signpost and a milestone. It shows the way forward for the objectives that the Budget wants to achieve and it measures them at a later date. Therefore, I have no hesitation in welcoming the new clause, because I know that if we were to change rhetoric into reality in that way, we could create jobs in coalfield communities and across the country.

Mr. Jack: This is a welcome opportunity for the Government to reply in the context of the Budget and to put on record some of the benefits that will flow from it into the labour market. It was somewhat rich to hear the hon. Member for Oxford, East (Mr. Smith) propose his new clause, particularly when his party subscribes to the minimum wage and the social chapter—both of which, by universal claim by all analysts, would have a depreciating effect on creating jobs in this country.

One of the things that I have noticed during the passage of the Finance Bill is that the Labour party, if it is in doubt as to what its policies are, asks the Government to produce a report on some aspect of the subject of its concern—we have had that on shipping, on housing investment trusts and on one or two other issues. The Government are now asked to produce a report on the employment impact of the Budget.

If Labour Members had asked for a report on what we had done about boosting confidence and job security in my right hon. and learned Friend the Chancellor's Budget, I might well have been inclined to say, "Yes, I can produce a report and I can give it to you here and now"—it would have been a copy of my right hon. and learned Friend's Budget speech. Sadly, those are not the terms of the new clause.

I refer to the minimum wage. This week a MORI poll showed that approximately one third of employers would expect to lay off people if the minimum wage was around £4—that is a devastating indictment of the Labour party's policies. This week I happened to watch "Newsnight", and I listened very carefully to what the shadow Chancellor had to say about the problem.

Mr. Andrew Smith: And he was very good.

Mr. Jack: If he was very good, I am sure that he was chastened by what Mr. Michael Swift—who is currently being assisted by the Department for Education and Employment in his search for a job—said when he came to London to hear what the shadow Chancellor had to say. After hearing those ideas, Mr. Swift—who was formerly with Anglian Water—said:

"At present I cannot see anything radical in today's announcement from the new Labour party at all."

Mr. David Urp—another gentleman who was working hard; a former export consultant—said:

"I see it as a very positive point, but I do not see there being a full package here."

That is not exactly a ringing endorsement of the employment policies put forward by the hon. Member for Oxford, East, in support of the analysis that he asks us to do. In any Budget, it is the sum total of its effects on the totality of the labour market that matters—there are complex interactions. He has asked us to produce a piece of exacting analysis, but that misses the way in which the real world works.

I shall give the hon. Gentleman the headlines of the report that I should like to write. I pick up the point that my hon. Friend the Member for Carshalton and

[Mr. Jack]

Wallington (Mr. Forman) raised, when he reminded hon. Members that the landfill tax had given us the flexibility to reduce employers' national insurance charges by 0.2 of 1 per cent.—putting something like £500 million back in the hands of employers, which will no doubt assist them.

I refer to the income tax changes that we made in relation to the rate and the allowances. They have given a real boost to the incentive to work. I refer to the small companies corporation tax rate, which improves the profitability and the return of small companies. Clause 137 of the Finance Bill extends tax relief on vocational training for people over the age of 30. That is another contribution in the Budget to boost prospects and job security.

My hon. Friend the Member for Carshalton and Wallington raised some interesting points. He talked about the speed of turnover in the labour market, to which I shall refer in a moment. In response to his specific questions, one in four people are unemployed for less than one month, one in two people are unemployed for less than three months, and two in three people are unemployed for less than six months. That shows that there is fairly rapid turnover in the labour market. The hon. Member for Oxford, East said that up to 8 million people had been touched by unemployment.

Mr. Andrew Smith: It is 8.7 million people.

Mr. Jack: Yes, 8.7 million people. The figures show that while people may have been touched by unemployment—we all have sympathy for those who lose their jobs; we want to see them back in work quickly—the policies that the Government have put forward, particularly their many forms of assistance for the unemployed through the work of jobcentres, get them back to work quickly.

The nature of that work has been raised in the debate. It is interesting to note that, in the European Union, 10.9 per cent. of the work force is on temporary contracts and in this country only 6.3 per cent. of the work force is on such contracts. The United States was mentioned. The average job tenure in the United Kingdom is significantly above that in the United States. Characteristics of our labour force are beneficial. I refer to the proportion of the population that has claimed for benefits in the past five years. It has remained remarkably stable compared with the late 1980s. While job insecurity is a proper subject to discuss, when one compares the facts, one sees that it may have been somewhat distorted.

I think that I ought to send the hon. Member for Oxford, East a copy of a booklet that I have in my hand—in fact, I shall send him a copy; he deserves it after asking for a report from the Government. Perhaps I am cheating slightly, because a report has already been produced. It comes out every month, and is a remarkable little booklet called, "The U.K. at work: Key facts". I commend it to the hon. Gentleman, and I make no apology for quoting one or two facts from it. The booklet states:

"U.K. has had the strongest recovery since 1993 of any major European economy."

It reminds us of the effects of that—more than 600,000 have come off the unemployment register during that time. The booklet states further:

"Each year about 6 million jobs become vacant. On any one day there are 300,000 vacancies available."

If hon. Members are looking at the structure of the labour market, they should let the booklet speak for itself. It states:

"Workforce in employment has increased by 2.0 million since March 1983.

1.3 million more self-employed than in 1979."

If that is not a testament to the good economic policies being followed by the Government in their Budget, I do not know what is.

Youth unemployment was mentioned. Sadly, it is 15.7 per cent.—it must be lower, and we are working hard to achieve that. However, the European Community average is 20.8 per cent., and youth unemployment in the United Kingdom is lower than in Spain, Italy, Ireland, France and Belgium. We can be duly proud of that record.

The community action programme has been raised, and I shall pick up on that point. It has been cut back because unemployment is reducing. I refer to training for work, 1-2-1, job interview guarantee, work trial and job plan—I could go on. We have funded a whole range of policies through the Budget, and through the spending proposals of my right hon. Friend the Chief Secretary to the Treasury, which have enabled us to support people so that they can get back into work in the way that I have identified.

The booklet "The U.K. at work: Key facts" gives the lie to anyone who attacks the Government on the subject of employment prospects. At the back of the booklet are some excellent examples of things such as inward investment and new job-creating activities throughout the length and breadth of the country. Indeed, the constituency of the right hon. Member for Sedgefield (Mr. Blair) has benefited from our being No. 1 for inward investment, which is helping to create jobs. That would not have happened if we had not had a Budget and a financial policy that attracted inward investment.

The right hon. Member for Sedgefield is gaining 300 jobs with Black and Decker. The hon. Member for Dunfermline, East (Mr. Brown) has Lexmark International coming in, with an average investment of £31.5 million and 500 new jobs. The hon. Member for Livingston (Mr. Cook) is hiding his light under a bushel on unemployment—2,000 new jobs are coming in. I could go on. If it were not for the Government's policies, which are a report in themselves of our success in employment, I could not attest to such achievements.

It is a remarkable situation. The hon. Member for Oxford, East chastised us in terms. Sadly, in one month unemployment went up, but—since the December 1992 peak—unemployment in total has declined by 764,900. The work force in employment rose by 68,000 in one quarter in 1995 compared with a year earlier. Manufacturing employment was up in January by 6,000 on a year earlier. The labour market does change. It has to be flexible in a modern economy, but I hope that the House will see that all that we have done has boosted job opportunities.

On job insecurity, I shall conclude with one fact, because there is little hard evidence that jobs have become less secure, despite some people's perceptions. The 1994 labour force survey showed that almost two thirds of men aged between 30 and 49 had held their present jobs for more than five years, and that figure was little changed

from 10 years before. We understand the problem of unemployment and we are working hard to deal with it. The record that I have put before the House attests to that.

7.30 pm

Mr. Andrew Smith: It is a tragedy that the Financial Secretary and the Government did not respond with the seriousness that our proposal warranted, just as they have not tackled the unemployment and job insecurity crisis that the country faces with the seriousness that it deserves. It was clear from the Financial Secretary's speech that, if he were to produce a report on the employment consequences of the Budget, it would be a short document indeed. In fact, in his presentation, he could not get beyond the headlines and even then he barely mentioned actual job generation.

The Financial Secretary made some European comparisons and some reference to the social chapter and the minimum wage. It is interesting that, of the 17 countries that are higher than Britain in the world prosperity league—the league in which we have fallen from 17th to 18th under the Government—all the eight European Union countries that are higher than us have signed the social chapter. Of the 17 countries above us, no fewer than 15 operate a minimum wage policy. That shows the fallacy of the Financial Secretary's arguments on those points.

We welcome inward investment and we want to encourage it and the jobs that it brings. But why do not the Government look at the total picture on investment? Has Britain's share of total European Union investme : gone up since 1979? No, it has gone down since 1979. The share of total European investment is lower on the most recent figures than it was in 1979—so much for the Financial Secretary's claims and so much for the Government's record.

The Conservatives have failed on unemployment and on job insecurity because they have failed on investment, training and skills and on building up the country's economic and social fabric. It is time that they made way for a Government who would bring forward the reports that we have proposed, who would act on them, and who would start to tackle the devastating crisis of unemployment and job insecurity that afflicts so many millions in this country.

Question put, That the clause be read a Second time:—

The House divided: Ayes 226, Noes 294.

Division No. 89] **[7.33 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, N *(N'c'tle upon Tyne E)*
Burden, Richard
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Cleiland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Jean
Cousins, Jim
Cummings, John
Cunningham, Jim *(Covy SE)*
Cunningham, Roseanna
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dixon, Don
Dobson, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Etherington, Bill
Evans, John *(St Helens N)*
E\ ng, Mrs Margaret
Fatchett, Derek
Field, Frank *(Birkenhead)*
Flynn, Paul
Foster, Rt Hon Derek
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Jon Owen *(Cardiff C)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jowell, Tessa
Keen, Alan
Khabra, Piara S
Kilfoyle, Peter
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
McAllion, John
McAvoy, Thomas
McCartney, Ian
McCartney, Robert
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Mahon, Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Milburn, Alan
Mitchell, Austin *(Gt Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, Bill
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Robinson, Peter *(Belfast E)*
Roche, Mrs Barbara
Rooney, Terry

Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steinberg, Gerry
Stevenson, George
Stott, Roger
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis
Vaz, Keith
Walker, Rt Hon Sir Harold
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W. *(Carmarthen)*
Wilson, Brian
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mrs. Jane Kennedy and
Mr. Malcolm Chisholm.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Beggs, Roy
Bellingham, Henry
Bendall, Vivian
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon Kenneth *(Ru'cliff)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forsythe, Clifford *(S Antrim)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hannam, Sir John
Hargreaves, Andrew
Harris, David
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Heseltine, Rt Hon Michael
Hicks, Robert
Higgins, Rt Hon Sir Terence
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McNair-Wilson, Sir Patrick
Maginnis, Ken
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Molyneaux, Rt Hon Sir James
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londonderry)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Smyth, The Reverend Martin
Soames, Nicholas
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter

Taylor, Ian *(Esher)*
Taylor, Rt Hon John D *(Strgfd)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy *(Southend, E)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trimble, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, A Cecil *(Belfast N)*
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Timothy Wood and
Mr. Patrick McLoughlin.

Question accordingly negatived.

New clause 2

ENVIRONMENTAL IMPACT OF TAXES AND DUTIES

'.—In each year Mr. Chancellor of the Exchequer shall lay before Parliament not later than 30th June a report stating for the previous financial year the environmental impact of the provisions of the previous Finance Act and of the taxes and duties levied during that year.'.—*[Ms Primarolo.]*

Brought up, and read the First time.

7.45 pm

Ms Primarolo: I beg to move, That the clause be read a Second time.

The new clause concerns the environmental impact of the Finance Bill. We depend on the integrity of the environment for our survival and for that of generations to come. As Herman Daly of the World bank puts it:

"There is something fundamentally wrong with treating the earth as if it were a business in liquidation".

We are continuing to pollute our seas and rivers. The Sea Empress is the most recent tragedy to hit the headlines. The oil spill has damaged miles of coastline and smothered hundreds of birds in oil. What is less well known is that large incidents—spills of more than 100 gallons—number almost 100 a year.

Industrial and commercial development and modern farming continue to have a profound impact on our countryside and wildlife. We accept the Brundtland commission's definition of environmentally sustainable development:

"development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs."

We seek initiatives that promote economic efficiency, social justice and environmental protection—all together. The Government need to ensure that we look more closely at the environmental impact of our policies, just as many progressive companies do. We must also ensure that environmental considerations are properly integrated.

The Government now publish indicators of more and more services—from schools, to the citizens charter, to water leaks. It is right to introduce new indicators of environmental factors too. The Government's new report is welcome in that respect.

The relationship between environmental concerns and those of social justice is not always straightforward. The environment will never be protected unless people are convinced that their livelihoods are protected as well. In many cases, environmental sustainability and a thriving economy go together. The key to the relationship between the economy and the environment is the concept of environmental productivity. Protecting the environment means increasing the economy's environmental productivity. It means using resources more efficiently and producing less pollution per unit of output. That is the key to sustainable development.

Evidence from Germany, Japan, the United States and Sweden suggests that domestic regulation provides firms with a "first-mover" advantage in environmental industries, as firms are stimulated to innovate and create new, cleaner processes and attract greener products. We need to see improving environmental standards as an economic opportunity. The world is adopting higher environmental standards, and it is crucial that British industry is ready to lead the way.

There are tremendous opportunities for job creation in the new environmental technologies. The environmental sector is now very large. The global market was thought to have been worth $200 billion in 1990. It is growing by more than 5 per cent. a year and will be worth $300 billion by 2000. A survey by the German Government showed that 50 per cent. of the market is currently shared by only three countries—Germany, the United States and Japan. Britain should be leading the way in environmental management techniques, but it is not.

A recent Department of the Environment report, "Indicators of Sustainable Development for the UK", published in March this year, laid out clearly the Government's failure to respond to their objectives. Having set out report after report, they continue to fail in putting those objectives into action. Their own figures show that road traffic is likely to grow by between 58 and 92 per cent. by 2025 compared to what it was in 1994. Since 1970, car travel per head of population has nearly doubled. At the same time, travel on buses and coaches has dropped by a quarter.

On page 34 of the report, the Government state that they have recognised that they have a role to play in influencing people's travel behaviour and the choices that they make. One way to do that is through price. Having acknowledged that pricing is important in influencing behaviour, the report says:

"Since 1974, the real increase in bus fares has been 55 per cent. and in rail fares, 71 per cent., both higher than the 51 per cent. real increase in disposable income. Meanwhile the cost of motoring, which includes all costs like insurance, servicing and repairs, road tax as well as fuel and oil, has fallen by nearly 2 per cent. The real price of fuel and oil only—which is the perceived 'marginal' cost for an individual journey once someone owns and runs a car, and is therefore more important to decisions about individual journeys—has fallen by nearly 8 per cent . . . This demonstrates that the real cost of motoring, particularly the marginal cost of petrol, is very much more affordable, in relation to the real increase in personal disposable income, than it was 20 years ago."

That is obviously true, but I would add that that demonstrates the Government's total lack of commitment to public transport. How can they possibly hope to encourage more people to use public transport in our congested cities if they make the car cheaper?

[Ms Primarolo]

The report also refers to energy use, and says:

"Fuel use for road passenger transport has nearly doubled since 1970 and has increased by over 60 per cent. for freight. The volume of traffic, measured in terms of passenger-miles and freight tonne-miles has increased by about the same amount, showing that there is little change in efficiency of fuel use, in marked contrast to the industrial and commercial sectors. For passenger traffic, vehicle engines are more fuel efficient than they used to be, but the advent of unleaded petrol, catalytic converters, higher safety standards, higher specifications and performance have all tended to counter the fuel efficiency gains from improved engine design."

There are more vehicles on the road and fewer people use public transport. The Government's report shows that clearly. Even the most minimal targets are not being met.

The second report of the British Government panel on sustainable development was published in January 1996. Its first recommendation, in paragraph 12, says:

"the Panel recommends that the Government should give higher priority to the definition of its environmental objectives and targets, and how it intends to meet them."

Paragraph 13 reads:

"The Panel . . . recommends that the Government enter into discussion with industry to draw up proposals in key sectors for pilot projects involving economic instruments."

On the progress on last year's recommendations, paragraph 8 on page 8 says:

"Commitment to setting targets has so far been patchy. The Panel believes that more should be done to define environmental objectives. It recommends that priority should be given to setting targets for agriculture and transport over the coming year."

The most important recommendations in that report, which tie in with European recommendations, are on environmental accounting. New clause 2 attempts to start that slow and difficult process in moving towards environmental accounting.

The Secretary of State for the Environment (Mr. John Gummer): How would the hon. Lady answer the accusation made by Friends of the Earth, that in refusing to support an increase in VAT on fuel, the Labour party had turned its back entirely on the very principle that she mentioned—increasing the cost for overuse of energy? This is not a party political point, of course.

Ms Primarolo: Of course it is not a party political point, and I am happy to take a few minutes out of my speech to inform the Secretary of State of the correct position—

Mr. Andrew Smith: It is VAT on fuel.

Ms Primarolo: Yes, I know.

The statement is linked to the belief that Friends of the Earth supported at that time the idea that VAT should be raised to prevent people from consuming too much fuel. We take the view that that creates fuel poverty, which means that the poor cannot afford to keep warm. Therefore, we need an energy efficiency programme to ensure that people are able to keep warm but consume less energy. Had the Government not cut the neighbourhood energy scheme by £30 million in this year's Budget, we would be in a better position to help families who are suffering fuel poverty.

Mr. Gummer: Surely the hon. Lady remembers that the £30 million was to ensure that people were not energy poor but recompensed for the additional VAT against which her party voted—a vote that meant that the £30 million was no longer necessary. The hon. Lady has not answered the question. She is not prepared to adopt unpopular measures to defend the environment, but she will always attack the Government for adopting them and leading Europe in that regard.

Ms Primarolo: Is the right hon. Gentleman saying that the Government still want to raise VAT on fuel to 17.5 per cent? Having imposed such a massive tax increase on the population, would the Government be prepared to restore that £30 million to the energy conservation budget?

8 pm

Mr. Gummer: The hon. Lady was asked how she had replied to Friends of the Earth. She told that organisation that the Labour party did not care about the environment, and could not answer the challenge issued to her.

Ms Primarolo: It is very unusual for a Cabinet Minister to intervene so many times on such a junior Opposition spokesperson, but I am extremely grateful for the opportunity to correct a misunderstanding by the Secretary of State. I am not the one who is on the run; I am clear. Labour's commitment is to energy efficiency and energy saving—and when we deal with VAT on energy-saving materials later this evening, I expect the Secretary of State to join us in the Division Lobby.

The right hon. Gentleman is still not prepared to answer the question that we have raised. Are not the Government still committed to raising VAT on fuel to 17.5 per cent? The British electorate may want to hear a different message, but let them be clear about this: a tax-raising Government are attacking the poor. They would not deny that.

I would be happy to continue to discuss the merits of reducing VAT on fuel to 8 per cent.—a cut achieved by the Opposition against the Government's wishes—but I am sure that you would call me to order, Mr. Deputy Speaker. I had assumed that the Government would accept new clause 2, as they claim to be committed to the environment. According to paragraph 34.1 of their White Paper "Sustainable Development: The UK Strategy", published in 1994,

"For development to be sustainable, environmental considerations must become a central part of the decision-making process within government and industry. For this to happen, better information is needed on the way in which economic development impacts on the environment. The ultimate goal would be the integration of environmental and economic accounting in national accounts".

Our new clause would start that process. We understand that it is a difficult process, that definitions will be difficult to achieve and that any system that is established must be credible and accepted if it is to be a useful tool in management; but we also believe that the Government's progress in developing new forms of accounting has been slow, and of little use so far. If we leave it to the Government, they will continue to drag their feet. It is time that, having preached to industry, the Government put their own house in order and began the process of economic assessment and environmental protection.

We had intended to press the new clause to a vote, but we have decided not to do so, in order to save time. We support amendments Nos. 25 to 31, which deal with a reduction of

VAT on energy-saving materials. Those amendments give the House a chance to force the Government to practise what they constantly preach, and I hope that every hon. Member will support them.

Mrs. Helen Jackson: I have little to add to what was said by my hon. Friend the Member for Bristol, South (Ms Primarolo), but I want to make some general points.

I am sure that, before too many years have passed, the requirement in the new clause will be written into the environmental policy that Parliament expects. I understand why the new clause is not to be pressed to a vote, however: in a sense, that is appropriate. We have made our point, we have presented our arguments and we look forward to the day when our proposal is supported throughout the House.

As we all know, if we are to make progress we must increase environmental awareness. As the Secretary of State might have pointed out, the Department publishes—in a nice green cover—an annual report of its expenditure and activities. The Department may think that that is sufficient, but it is weak on two fronts. That is why the new clause is necessary. The report does not sufficiently assess the impact of the Department's expenditure proposals, and it fails to mention the environmental impact of any other Department.

We have heard that every Government team has its environment Minister. In Committee, we heard about the environmental responsibility of the Paymaster General, but we also heard—or surmised—that there was little communication between the "green" Ministers. Certainly, there is no requirement to include in the Department of the Environment's annual report the detailed environmental implications of the legislation and regulations that are pushed through by any other Department.

We would start at the heart of the Government—in the Finance Bill. It is through financial measures that we affect every area of policy, and every area of policy should be aimed at improving the environment. In Committee, we discussed air pollution and the possible impact of vehicle excise duties on the quality of air in our towns and cities. The new clause would enable that impact to be reported each year: we would be able to see whether our measures relating to unleaded or super-unleaded petrol, for instance, had had the right effect.

In Committee, we discussed some of the potential effects of the environmental tax on water. The new clause would enable us each year to look more constructively at proposals for the following year's Finance Bill. For example, we could ensure that the management of water resources, leakage and pollution were properly dealt with in the ensuing year.

The new clause would also give us an opportunity to consider the impact of each Finance Bill on local government expenditure. We could decide whether the legislation would have a positive or a negative impact, depending on the cuts in discretionary expenditure from which local authorities suffer, which have affected litter and parks and the general environment. Because of financial constraints, many cities do not now have the pleasant environment they once had, but the new clause would enable Parliament to examine those systematically every year. I could add to the list. We could debate the Bill's impact on housing and on the work environment in terms of health and safety expenditure.

I hope that the new clause will command support. Parliament should look at our position in Europe and at the contribution that Europe makes to establishing high environmental standards. In that context, we should criticise neither our contributions and gains from environmental issues nor the financial requirements that they place on European Union Governments. Such topics could be debated annually in Parliament to discover whether Europe's environmental influence on EU Governments was positive or negative. Such debates would have a significant effect on our policies in Europe in the ensuing year.

We have a chance to boost jobs and to put Britain at the head not just of the European environmental debate but of the world debate on that subject. As my hon. Friend the Member for Bristol, South said, boosting the technologies of industries that are trying to benefit the environment would result in a major boost for jobs in the years ahead. As we said in Committee, we are ahead of the field at the moment. We need to stay ahead, and the new clause would show all industries that Parliament and the Government mean business on the environment.

8.15 pm

Mr. Heathcoat-Amory: I agreed with the first few paragraphs of the speech made by the hon. Member for Bristol, South (Ms Primarolo) about the importance of the environment and about the need to improve environmental standards. There is no difference between the parties on that: we have shared aims in that respect. Economic growth can be fully compatible with protecting the environment, and economic failure and decline can bring their own environmental problems.

Some environmentalists used to think that zero growth was required to protect the environment. I have visited a zero growth economy. I went to Poland under the communists and saw signs of environmental dereliction that were brought on by a stagnant economy and by command and control political methods that were clearly inappropriate to the well-being of the people and to the environmental well-being of the country.

I believe in strong economic growth sustained in a way that protects the future of the environment, but I do not think that we need another bureaucratic and unnecessary report, or series of reports, as would be required by the new clause. The new clause overlooks the enormous quantity of information that is routinely published by the Government. I refer in particular, because it is topical, to the latest in a series of White Papers on the environment. "This Common Inheritance" was first published in 1989 and the series has continued annually since then. It sets out the Government's targets and shows progress in meeting them.

The latest White Paper in the series was published only yesterday and, to answer the query made by the hon. Member for Sheffield, Hillsborough (Mrs. Jackson), it includes the environmental targets that have been discussed and agreed on a European basis. It fully integrates European environmental aims and achievements with our national ones. An example concerns carbon dioxide emissions, which are central to the debate about global warming. The White Paper makes it clear that we are now expected comfortably to meet the aim to which we signed up of returning carbon dioxide emissions to below the 1990 level by 2000.

[Mr. Heathcoat-Amory]

Of course the achievement of that target is affected by taxation, especially by fuel duties, but it is not affected only by taxation. There is a range of regulatory, expenditure and taxation mechanisms to achieve environmental targets. The hon. Member for Bristol, South seemed to suggest that motor taxation was too low, but she stopped short of telling us exactly what her party thinks the true rate should be.

Ms Primarolo: The Prime Minister referred to the targets that have been set by the Government for reducing greenhouse gas emissions by 2010. Why did the Government panel on sustainable development say in January that, to meet the targets, the Government would have to use all appropriate means to achieve greater energy efficiency and energy saving by domestic users, industry and transport? Will he confirm that he will support amendments Nos. 25 to 31 as the beginning of that process?

Mr. Heathcoat-Amory: We shall debate that subject when we get to it. The point that I made, and which the hon. Lady does not dispute, is that we have signed up to a target reduction of CO_2 emissions by 2000, and it is clear that we shall achieve it. We use a range of mechanisms to do that, and they include vehicle taxation.

The hon. Lady evidently believes that vehicles are undertaxed. I had half hoped that, in her intervention, she would state Labour's thinking on the subject rather more clearly. The intervention by my right hon. Friend the Secretary of State for the Environment drew from the hon. Lady the fact that she altogether failed to support a move effectively to increase the price of fuel and power—a move that would have helped to achieve these targets. For purely opportunistic party reasons, she and her party did not support the Government and environmental groups such as Friends of the Earth when we urged putting VAT at the standard rate on fuel and power, which is done in practically every other country with a VAT system. No one can take either Labour or Liberal Democratic environmental policies seriously because those parties drew back from supporting an environmental measure simply for opportunistic reasons.

The hon. Member for Bristol, South spoke about fuel poverty, but she overlooked the fact that, even with the addition of VAT, gas and electricity prices to consumers are now lower than they were two years ago. I have not even mentioned the impact of schemes such as the home energy efficiency scheme, which deliberately caters for those who live in houses that are or have been inadequately energy-efficient.

The report for which the hon. Lady is calling is not only unnecessary and bureaucratic, but conflicts with a superior method to improve the environment—the setting of targets and the use of a range of measures, not only those in the Budget, to achieve them. We in the Conservative party believe that economic instruments have an important part to play. That is why the switch from leaded to unleaded petrol was, in part, achieved by creating a duty differential. We have also established the landfill tax to reduce the quantity of waste going to landfill. That environmental achievement is gained from an economic instrument.

We are also committed to increasing fuel duties by, on average, 5 per cent. a year in real terms. We have also reduced the duty on liquified petroleum gas and compressed natural gas. We are also increasing the duty on super unleaded petrol in case increased usage of that fuel were to increase the emissions of benzene and other harmful aromatic compounds. We do not shrink from using economic mechanisms as part of the overall picture. They were all carefully laid out in the White Paper, and are reported on at the time of the Budget.

The hon. Lady may have overlooked the fact that, at the time of the Budget, we drew together the measures used to reduce vehicle emissions. They specify the increases and, in some cases, decreases in fuel taxes that were introduced to achieve our environmental aims.

Possibly the best example I can give of where we drew on published information to put forward a specific environmental policy was the preparation of the landfill tax. Officials and Ministers drew on a study by Coopers and Lybrand, commissioned by the Department of the Environment, to design and legislate for the structure of that tax. Officials also drew on the report by Professor David Pearce on externalities of landfill and incineration. All that information is publicly available. We do not need another report to bring before the House and the public information that is already freely available.

The conclusion that I must reach at the end of this short debate is that the Opposition are, characteristically, more interested in reports than in delivering on published targets. I end with the simple assertion that, whereas the Opposition talk about the environment, we deliver on it.

Ms Primarolo: We intend to deliver on the environment later this evening and to defeat the Government. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 9

DOMICILE FOR TAX PURPOSES OF OVERSEAS ELECTORS

'.—(1) In determining—

(a) for the purposes of inheritance tax, income tax or capital gains tax where a person is domiciled at any time on or after 6th April 1996, or

(b) for the purposes of section 267(1)(a) of the Inheritance Tax Act 1984 (deemed UK domicile for three years after ceasing to be so domiciled) where a person was domiciled at any time on or after 6th April 1993,

there shall be disregarded any relevant action taken by that person (whether before, on or after that date) in connection with electoral rights.

(2) Relevant action is taken by a person in connection with electoral rights where—

(a) he does anything with a view to, or in connection with, being registered as an overseas elector; or

(b) when registered as an overseas elector, he votes in any election at which he is entitled to vote by virtue of being so registered.

(3) For the purposes of this section, a person is registered as an overseas elector if he is—

(a) registered in any register mentioned in section 12(1) of the Representation of the People Act 1983 (right to be registered of persons entitled to vote at parliamentary elections) on account of any entitlement to vote

conferred on him by section 1 of the Representation of the People Act 1985 (extension of parliamentary franchise to certain non-resident British citizens); or

(b) registered under section 3 of that Act of 1985 (certain non-resident peers entitled to vote at European Parliamentary elections).

(4) Nothing in subsection (1) above prevents regard being had, in determining the domicile of a person at any time, to any relevant action taken by him in connection with electoral rights if—

(a) his domicile at that time falls to be determined for the purpose of ascertaining his or any other person's liability to any of the taxes mentioned in subsection (1)(a) above; and

(b) the person whose liability is being ascertained wishes regard to be had to that action;

and a person's domicile determined in accordance with any such wishes shall be taken to have been so determined for the purpose only of ascertaining the liability in question.'.—*[Mr. David Hunt.]*

Brought up, and read the First time.

Mr. David Hunt: I beg to move, That the clause be read a Second time.

I should like to thank my hon. Friend the Financial Secretary for taking such an interest in this matter and for helping to ensure that the new clause is technically workable.

The history of this matter is that legislation on overseas electors has always had all-party support. I believe that all parties have run up against a difficulty, however, because there is some uncertainty about whether registering to vote and then voting might have an effect on an individual's tax position. A person's domicile is relevant in establishing certain tax liabilities—for example, inheritance tax in the case of non-residence. I feel strongly that there must be no unnecessary disincentives to people exercising their democratic right wherever in the world they may live. There should also be no uncertainty about any possible financial consequences of registering to vote and then voting.

My new clause would, of course, apply to all voters. I believe that it is non-partisan and I hope that the Government and the Opposition will accept it. The United States has a comparable rule. When a United States citizen who lives abroad registers to vote in federal elections, it is clearly stated in the law of the United States that that in no way affects that individual's residence or domicile status for federal, state or local tax purposes.

Finally, I am encouraged in my belief that the new clause will be accepted by the Government and the Opposition by the news that, last month, the Opposition launched their campaign to win overseas voter registration. I pay tribute to the fact that there are a number of individuals in the Labour party who have gone out to win over support abroad. I understand that the Opposition's launch mentioned that Los Angeles is one of their most active centres. Well, good luck to them. Perhaps it is appropriate that the film star world should be in the lead in what we believe to be a rather cosmetic new Labour party.

The initiative was launched by the deputy leader of the Labour party and one of its foreign affairs spokesmen under the title, "Wish you were here". The main centres of Labour activity will be Spain, Australia, Hong Kong, Brussels, Rome, New York and Washington DC. I therefore hope that my new clause will gain support from the Opposition and the Government. It is important that everyone considering whether he should vote and whether he should register to be entitled to vote should not be subject to any uncertainty. People should certainly not fear that that democratic act might have a detrimental effect on their tax liabilities.

Mr. Mike O'Brien: Whereas the American colonies in 1774 cried, "No taxation without representation," it seems that certain rich Tory overseas voters are now demanding representation without taxation.

I hate to say it, but new clause 9, proposed by the right hon. Member for Wirral, West (Mr. Hunt), who is held in some respect in the House, has all the hallmarks of a cynical amendment motivated by the self-interest of the Tory party. It seeks to reduce the evidential weight attached to registering to vote in determining whether a person is domiciled in this country.

Does citizenship not carry with it any responsibilities for Tories any more? Does patriotism and duty to others mean nothing? Is the right hon. Gentleman saying that seeking to vote—to influence the future of the country—and being represented in Parliament does not carry with it any duty to that country and its other citizens? No one says that people must pay taxes to vote, nor do we want unnecessary barriers to voting, but the rich should not get special tax privileges to encourage them to vote.

With opportunities to vote come responsibilities of caring about one's country and fellow citizens. Accepting that registration to vote shows a commitment to one's country. It can be evidence of domicile. In each case, that evidence will have a different weight, depending on the other circumstances of the individual, but it is right that registration should have some weight and show some degree of commitment to one's country.

Seeking representation in Parliament, although seeking to avoid making a proper contribution to taxation, is not the way in which to show patriotism. Let people who vote accept our laws. Let them not seek the special privileges that the new clause would confer. With the benefit of the vote comes the burden of citizenship. With the right to a voice in Parliament comes a responsibility of commitment to one's fellow citizens.

Some of the people who would benefit from the new clause are extremely wealthy tax exiles. Some of them may be Tories, perhaps even making contributions to the Tory party. I know that the Tories have been desperately trying to fill their coffers with overseas donations. Now it seems that some seek to give people who seek to evade their responsibilities on tax the right to do so and still vote. Registration to vote should be evidence of domicile and possible liability to tax.

8.30 pm

Cynical as, in many ways, the new clause is, I doubt whether the Tory party will benefit all that it imagines from it. Many voters of all sorts, including those overseas, are now turning to new Labour, so I suspect that, in terms of votes, the right hon. Gentleman may be hoist with his own petard.

Let no one say that we tried to stop people from voting. We will not force a Division, although others may decide to, but nor can we, in all conscience,

[Mr. Mike O'Brien]

support this change in the law. There is a certain tackiness in the new clause that ill befits the right hon. Member for Wirral, West, who, as I said, has had a high reputation in the House. I regret that he has proposed it. I suspect that he did so out of party loyalty, which has its place. I therefore cast no slight on the respected right hon. Gentleman, but I hope that he will withdraw the new clause. If the Minister decides to support it, the people will judge the Government's criteria for law-making. They will know the Government's standards. That is why they will vote against them at the next general election.

Mr. Jack: I am tempted to ask, "Has the hon. Member for North Warwickshire (Mr. O'Brien) finished?" because that was the most amazing outburst on a modest proposal made by my right hon. Friend the Member for Wirral, West (Mr. Hunt), whose face shows the reaction that must be abroad in the House.

The hon. Member for North Warwickshire told us, first, that the Opposition will not vote against the new clause, so I suppose that that will be an abstention against democracy, as they have put it. He then asked my right hon. Friend to withdraw the new clause. It sounds like the Opposition want a good each-way bet.

I suspect that my right hon. Friend starts from the same position as me in this. When I came into my job as Financial Secretary, I received letters from people asking what their position was. We in the Treasury have done our best to write to people who want to exercise their democratic rights, conferred on them by the House, but, clearly, letters of advice showing that, effectively, registering to vote would not corrupt their tax position in relation to domicile was not enough for them.

Therefore, my right hon. Friend is right to introduce the new clause. He has put the matter beyond doubt, because domicile is not a tax concept, but one of general law that is used for many other purposes—for example, the validity of a marriage and the effect of a marriage on property rights and legitimacy.

Broadly, a person is domiciled in the country where they have their permanent home. Those are the types of test that, effectively, influence matters when tax considerations must be considered. The new clause says simply that registering to vote does not change anything in relation to domicile. I hope that, by reading out that brief paragraph, I have put on record some of the factors that must be taken into account in adjudging, as I said, the context of general law.

I was delighted that my right hon. Friend referred to an extract, which I presume was from a newspaper, showing that hon. Members on both sides of the House are attempting to woo our respective supporters if they are outside the United Kingdom. There may be doubts in the minds of some of the supporters of the hon. Member for North Warwickshire on this matter. Given his testimony to democracy, it would have been a sensible and simple move to put this matter beyond doubt in the clear and unequivocal terms that my right hon. Friend proposed.

Which way people vote, wherever in the world they exercise that vote, is a matter for influence in the normal course of electioneering. The new clause has been tabled on a non-partisan basis to enable all people who wish to exercise the democratic rights conferred on them by the House to do so without doubt in relation domicile and tax. I commend my right hon. Friend's new clause to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 14

EXPENDITURE ON IN-TOWN COMMERCIAL PREMISES

'The following section shall be inserted after section 70 of the Capital Allowances Act 1990—

"70A (1) If person carrying on a trade incurs expenditure on the construction of or alterations or refurbishment to a qualifying building occupied by him for the purposes of that trade then, if an allowance or deduction in respect of the expenditure could not, apart from this section, be made in taxing the trade or computing the profits or gains from it, this part shall apply as if the expenditure were capital expenditure incurred on the provision of machinery or plant for the purposes of the trade, and as if the machinery or plant had, in consequence of his incurring the expenditure, belonged to him, and as if the disposal value of the machinery or plant were nil.

(2) If a person has incurred expenditure on the construction of or alterations or refurbishment to a qualifying building let by him otherwise than in the course of a trade then, if an allowance or deduction in respect of the expenditure could not, apart from this section, be made in taxing the letting or computing the profits or gains from it, this part shall apply as if the expenditure were capital expenditure incurred in providing machinery or plant first let by that person, otherwise than in the course of a trade, at the time when the expenditure was incurred and as if the property comprised in the lease of the qualifying building had as from that time included the machinery or plant, and as if the disposal value of the machinery or plant were nil.

(3) In this section 'qualifying building' means any building or structure in a retail enterprise zone.

(4) In this section, 'retail enterprise zone' means an area designed as such by an order made by the Secretary of State under power in that behalf conferred by Schedule 32 to the Local Government, Planning and Land Act 1980 or, in Northern Ireland, by an order made by the Department of the Environment for Northern Ireland under Article 7 of Enterprise Zones (Northern Ireland) Order 1981.

(5) The writing down allowances within section 24 which are made to a person by reason of this section are not to exceed £50,000 in aggregate for a chargeable period.

(6) This section applies to expenditure incurred on or after 28th November 1995.".'.—*[Mr. Pearson.]*

Brought up, and read the First time.

Mr. Ian Pearson (Dudley, West): I beg to move, That the clause be read a Second time.

The aim of new clause 14 is to give help to high streets, which have suffered as a result of out-of-town retail development. In the past 15 years, there has been a major growth in out-of-town shopping centres. The Metro centre in Gateshead, Meadowhall near Sheffield and the Merry Hill centre in my constituency are just three well-known examples. Although those developments have undoubtedly proved popular, they have created major problems for town and local centres, in some cases threatening their future survival as shoppers go elsewhere, retailers move out, premises are boarded up and prone to violent vandalism and high streets go into a spiral of decline.

Belatedly, the Government have recognised the damage that their lax attitude to planning matters has done to our high streets. In July 1993, they produced planning policy

guidance 6 and, in July 1995, even tougher guidance in draft form, which is yet to be implemented, but which clearly states that future proposals must take into consideration the vitality and viability of town and local centres. Turning off the tap now, however, will not stop the flow of the many developments in the pipeline or do anything to right the wrongs and to repair the damage that the Government's policies have heaped on many high streets already.

It is perhaps stating the obvious to say that building the second biggest retail complex in Europe less than three miles from Dudley and Stourbridge town centres and right next to Brierley Hill was bound to affect local trade. The Merry Hill impact study conducted for the Department of the Environment provides hard evidence of that. It shows graphically the 70 per cent. decline in comparison goods shopping in Dudley town centre and a 43 per cent. decline in Stourbridge.

We cannot turn back the clock. Nor would I want to with 1.8 million sq ft of retail space and two and a half miles of malls attracting 23 million visitors a year. Merry Hill is a major success story. It has created significant transport problems, clogging up roads for major parts of the day, creating pollution, annoying local residents and having dramatic consequences for long-established town centres.

I do not want to talk down Dudley or Stourbridge town centres. In the past five years, retailers and business people who are trying to make a living there have suffered enough, but I acknowledge that, recently, there have been some improvements as the market has adjusted to new patterns of shopping. Warm words from the Government and a stricter use of planning controls are simply not good enough.

The Daily Telegraph, commenting on the new draft guidance, said that it

"leaves the Environment Secretary in the uncomfortable and somewhat ridiculous position of ordering back the tide of Britain's modern car-borne shoppers."

We should not be trying to do that. We have to live in the now. What we can do is support town centres and the people in them who are trying to develop new visions and strategies for their future. There have been some exciting recent developments in the science of town centre management and in action in partnership to revitalise and regenerate towns and local centres. The new clause would boost that process of developing new strategies and plans so that towns and local centres could offer a vibrant future.

The new clause would give writing-down allowances on costs of construction, alteration or refurbishment of premises in a retail enterprise zone. It is not designed to be massively expensive. It gives the Secretary of State the power to control the number and size of retail enterprise zones. There are limits of £50,000 in any one chargeable accounting period for which business men can claim writing-down allowances.

The new clause would go some way to repairing some of the damage that has been done to Dudley town centre and other similarly affected centres. It would not solve all the problems, but it would make significant improvements, and I would welcome the Government's favourable response to it.

The Chief Secretary to the Treasury (Mr. William Waldegrave): The debate initiated by the hon. Member for Dudley, West (Mr. Pearson) has become something of an annual event, which always produces an interesting speech and a response from the Government which sympathises with a great deal of what he says. He will understand if I do not refer in detail to Merry Hill because I understand that a planning application has been submitted to extend that great site, and obviously I must not say anything that might be taken wrongly and prejudice the decision. The experience that the Member for Dudley, West has had in Dudley is obviously interesting and important.

I want to offer one or two new arguments to show why I do not think that the hon. Gentleman's approach, with which in principle the Government are sympathetic, is right. We are sympathetic because he is trying to use market forces, by offering incentives to get things moving, rather than the dirigisme of planning. In some senses, that fits in very well with Conservative philosophy. However, one or two points lead us—I am sure that it does not surprise the hon. Gentleman—to reject his new clause.

I also come from an inner-city constituency, where there have been some extremely controversial planning applications over the past two or three years. As a constituency Member of Parliament, I have campaigned against some applications for big retail centres within the city, but on green space within it, which had widespread opposition from my constituents and others on the grounds of loss of green space and also because they would divert shopping from existing shopping areas and streets in the city of Bristol. There has also been rapid development outside Bristol in the north fringe of some classical out-of-town centres—not as big as those in Dudley but of the kind with which the hon. Gentleman is probably familiar.

If we had designated areas of the city to try to counteract the pull of the north fringe, we might have found ourselves facing the paradoxical outcome of encouraging some of those very big inner-city developments, which—it would have been argued—would not have been very satisfactory. We might still have ended up with a new conflict and encouraged big inner-city shopping developments, which, arguably, would also have damaged the more traditional high streets in the city.

That seems to show that, although the hon. Gentleman's motivation is very sensible, such an approach is rather a blunt instrument, and that, with all its faults—such an argument is probably more often heard on his side of the House than mine—the finer grain and more exact targeting through the proper use of the planning system is a better way in which to deal with the problem.

8.45 pm

Mr. Andrew Smith: I am following the right hon. Gentleman's speech, as I am sure are all hon. Members, with some interest. The argument of my hon. Friend the Member for Dudley, West (Mr. Pearson) is that in some respects at least there is not a genuinely level playing field, in fiscal terms, between new out-of-town, or indeed new inner-town, developments, such as the Chief Secretary has described, and more conventional and traditional developments, especially in inner-city

[Mr. Andrew Smith]

shopping areas. If the right hon. Gentleman does not accept my hon. Friend's argument as a means of addressing that situation, does he at least accept that there is a case for examining with great care the fiscal effects of the present legislation on new and green-field development in comparison to its effects on more conventional city centres to see whether there are not ways in which to give incentives to, particularly, the smaller shopkeepers in more traditional centres, as my hon. Friend is trying to do?

Mr. Waldegrave: The point made by the hon. Member for Dudley, West is valid. There is certainly a perception that a new green-field site has a range of advantages over the redevelopment of an existing site. In Bristol, if I may refer to it again—the hon. Member for Dudley, West spoke of Dudley—we have the great Broadmead centre, which was built after bombing in the war and which is not very satisfactory in many respects. It is a classic late 1950s or 1960s development. There has been much good investment in it over recent years by Ladbrokes and others and some major steps have been taken, but it was probably more expensive than, as the hon. Members for Oxford, East (Mr. Smith) and for Dudley, West are arguing, it would have been on a wholly green-field site. None the less, the advantages do not seem fiscal. They derive not from any oddity in the tax regime, but from an inherent greater ease of developing on green-field sites, except for possible strains on the road system.

Therefore, a better way to right the balance is through direct control of the planning system. Although I understand the argument of the hon. Members for Dudley, West and for Oxford, East, with which we experimented in the early 1980s through enterprise zones, and which is still one weapon in the armoury, such a weapon has turned out to be a fairly blunt instrument, which creates curious boundary problems and a deadweight problem. It finances developments that might have happened anyway. Although I am glad to hear that the centre of Dudley is coming back to life, to some extent under its own steam as the hon. Member for Dudley, West was arguing, one ends up helping to finance developments that would have happened anyway.

We have mechanisms to address the point made by the hon. Member for Dudley, West that have been established and used on a bipartisan basis or by other parties separately over many years through the Town and Country Planning Acts, and the hon. Gentleman was generous enough to say that in recent years we have been steering the system that way. The turnaround was begun by the present governor of Hong Kong, and was carried through by his two successors as Secretary of State for the Environment. I am told that the current draft is quite restrictive. The balance is difficult to maintain because cities are dynamic. I know that many of the shops that are threatened—allegedly—by new developments in Bristol are where they are today only because they had to be moved out of the centre of Bristol because of the bombing in the war. They were not there before the war.

Things cannot be set in aspic. The traditional British urban centre is usually around a railhead, which was a result of ruthless free-enterprise competition 150 years ago. The only question is whether touching the tiller, which is legitimate for Governments to do, is better done through the fiscal system or the planning system. We argue for the planning system. As usual, the hon. Member for Dudley, West has stimulated an interesting debate and chivvied us along a little in remembering that the balance must be got right.

Mr. Pearson: I thank the Minister for his careful and considered reply, and for his acknowledgement that I am making a real point. His preference for the direct control mechanism of the planning system is all very fine for future developments, but it does nothing to redress the problems caused to my constituents and their businesses in the Dudley borough.

I must also point out that Merry Hill—uniquely, I think—is not a green-field out-of-town development but a brown-field development in an enterprise zone, which was not subject to any planning approvals whatever. Under that regime, there were 100 per cent. industrial building allowances and a 10-year rate-free period, so it is clear that the tax system offered significant incentives.

Mr. Waldegrave: I must not prolong the debate simply because it is interesting; that would get us into trouble with the usual channels. The hon. Gentleman is pointing to one of the inherent problems of the enterprise zone—the boundary problem. We may find that we have simply moved things from one place to another, and the argument revolves around righting the fiscal balance again. We could extend the zone, but then the inherent problems that we have been trying to solve might spread somewhere else. That was probably the right move to deal with the acute problem of Merry Hill, but every time we spread the boundary, perhaps we undermine the principle of the enterprise zone.

Mr. Pearson: I understand. We could have an interesting debate about boundary problems and creating special local economic initiatives by using the tax system. Arguably, those problems could equally apply to a whole range of other economic development initiatives such as single regeneration budgets, city challenge, and the old task force areas. I do not want to pursue that line, other than to repeat that I think that there is a special case for justice for Dudley, because it is the only area in which something of that size—Merry Hill is the second biggest retail complex in Europe—was built in an enterprise zone. As a result, it had massive tax advantages, and that persuaded virtually all the major retailers to move into it, not only for the capital benefits but for the revenue benefits of the rate-free period.

The example of the borough of Dudley makes a clear case for justice for our town centres. In view of the Government's reluctance to support my new clause, I shall seek other avenues by which to pursue that case, and I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 4

RATES OF DUTY AND REBATE

Mr. Roger Gale (North Thanet): I beg to move amendment No. 24, in page 2, line 22, leave out '£0.2817' and insert '£0.10'.

I begin by congratulating the Government on the fact that the provision already in the Bill proposes a 15 per cent. cut in excise duty on gas used as a road fuel. That is an important, indeed a vital, step—a step towards sustainability and towards protecting the health of adults and children in all our towns and cities.

It is accepted that vehicles using gas fuel pollute much less than their petrol and diesel counterparts. To someone standing on any traffic-filled high street, the case for gas-fuelled vehicles is self-evident. If one stays there long enough, one does not need to read recent Government reports to know that vehicle emissions are far too high.

In local and national newspapers, the subject of air quality is now discussed. As an asthma sufferer myself, I have a heightened awareness of the effects of polluted air. Regrettably, local government activities sometimes make that worse. I happen to favour traffic calming measures, but the fact remains that, as we introduce them, especially road humps, we cause petrol and diesel vehicles to pollute more.

The extra acceleration and deceleration caused by traffic calming substantially increases vehicle emissions into our city streets. That is all the more serious because vehicle emissions rise geometrically rather than arithmetically, so the increases in pollution are sixfold, eightfold or even tenfold. More gas vehicles will undo such damage, and help to stop one form of protection for our children—slower speeds—exacerbating another—emission pollution.

Recently, my hon. Friend the Minister for Transport in London announced the publication of a report by the energy technology support unit highlighting the benefits of gas as a road fuel. Furthermore, gas is transported by pipeline, thus avoiding the need to use road-based oil tankers, so it offers additional quality-of-life benefits. Those of us who travel on Kent's roads recognise only too clearly the need to reduce the heavy traffic that uses them, including the rural roads, as rat runs.

I wholeheartedly endorse the existing clause that compensates for the extra costs of delivering compressed natural gas to vehicles. The 15 per cent. cut will allow gas fuel to be sold at the same price as petrol and diesel, and that sends the right fiscal message to the marketplace. Unfortunately, the signal is neither strong enough nor clear enough, which is a great shame, because it is the right signal. If we are to develop a large and growing gas fleet, with all its attendant air quality benefits, clearly we need to do more. We need not only to equalise the fuel costs but to allow for the additional costs of gas vehicles themselves.

Whether they are new or converted, gas vehicles are currently more expensive. That is not inevitable. In time, once the industry has begun mass production, gas vehicles need be no more expensive than existing petrol or diesel vehicles. But for the moment, and probably for some time to come, they are bound to cost more, because they lack the economy of scale of their rivals.

The Government's existing provision already accepts the benefits of gas fuel, but I suggest that, without greater incentives, especially for fleet operators, the environmental benefits of compressed natural gas usage will not be delivered. My amendment addresses that problem. It would create a differential of 16p a litre between petrol and diesel, on the one hand, and gas on the other.

My amendment would also lower the duty rate to the European Union minimum. Our current duty on natural gas is 340 per cent. of that minimum, while our duty on diesel is only 160 per cent., and on petrol only 140 per cent. We have a tremendous opportunity to give the market an unequivocal message by reducing our gas duty to the minimum permitted under EU rules.

The figure that I have selected is not random, for another reason. It has been carefully selected, because it would give gas vehicles life-cycle costs similar to those of petrol and diesel vehicles.

It is believed that the natural gas vehicle industry is ready to take off. Its specific early targets are buses, taxis and mid-range trucks—for example, the refuse trucks found in every town and city. These are all largely urban vehicles, and are obvious polluters in the eyes of the public. Research that I have seen suggests that all that is holding fleet managers back is the significant price differential. By making gas fuel substantially cheaper than petrol and diesel, we can compensate them for the extra capital costs of the vehicles and allow the industry to take off. That is what the amendment will do.

I should emphasise to my right hon. Friend the Paymaster General that I see the enhanced reduction as a temporary measure, lasting only until the economies of scale to which I have referred take effect. Once the industry achieves 20 per cent. of the share in any market, the economies of scale will begin to take hold, and unit costs will fall. The markets will then move to become more environmentally friendly, and the need for such a large differential—I accept that I am suggesting a large differential—will disappear.

In year one, the revenue impact of what I am suggesting would be minimal, as the actual number of vehicles that could conceivably take advantage of any cut this year is 5,000 at the very most. The potential net cash loss to the Treasury would therefore be relatively small—about £7 million at most. Clearly, the extra reduction could cost more in the longer term.

Were 200,000 vehicles to convert to natural gas, the Treasury would lose about £200 million a year, but even this would be more than offset by the estimated environmental and social benefits of reduced pollution. It is estimated that 200,000 gas vehicles could save about £240 million a year, and recent reports laying greater emphasis on the health problems caused by particulates suggest that even that may be an underestimate.

The precedent and example for a lower rate for environmentally better fuels lies with our treatment of unleaded petrol. We all know that the first—minor—cut in the rate led to a small increase in the number of people using the fuel, and it required a second larger cut before the policy affected public behaviour. My amendment avoids a repetition of that mistake with gas as a road fuel.

The Government have shown in the Bill that they are committed to their approach to the subject. My amendment offers the added benefit of sending a clear and unequivocal signal to the market. The current clause is highly desirable, but I do not believe that it will be sufficient to convert expressions of interest into firm orders. My amendment will be to the benefit of all who live in, work in and visit all our towns and cities. I look forward to hearing my right hon. Friend's reply, and I hope that he will treat my proposal sympathetically.

9 pm

Mr. David Jamieson (Plymouth, Devonport): In rising to support the amendment tabled by the hon. Member for Thanet, North (Mr. Gale), I should first declare an interest. I have given advice to the Natural Gas Vehicle Association, but have no financial contract with it.

The amendment—which essentially proposes to use a fiscal measure to promote the use of compressed gas vehicles—gives the Government the opportunity to do three things: first, to create a cleaner environment, particularly in terms of air quality; secondly, to develop new technology at which we could be at the leading edge; thirdly, to greatly assist our balance of payments. I shall address a few comments to each of those matters.

First, the environmental case for moving from diesel and petrol motor vehicles to compressed natural gas is overwhelming. The emissions from natural gas vehicles are substantially lower in almost every category than from diesel and petrol vehicles. Evidence shows that diesel in particular is giving out particulates that are carcinogenic, and much of the evidence from America shows that cancers are developing early in young people as a result of their breathing in diesel fumes. In particular, slow-moving vehicles such as buses, taxis, refuse collection vehicles and other vehicles seen in our city centres give out high levels of pollution. The environmental case is so strong that there is no need to say any more on it.

Secondly, this country has for many years been at the leading edge of vehicle production—in particular, car production. We should be developing the new technology in this country, but it is instead being developed in other parts of Europe, Japan, America and Canada. We could be losing out by not providing new technology that could be sold right across the world if we could grasp our home market and develop it as we should.

I have named some countries, but Argentina and Italy, for example, are also ahead of us in this area. Italy has a third of a million gas vehicles on its roads, while we have only a few hundred. The industry needs the critical mass of filling stations to give it a kick start, and that can only be done by the fiscal measures proposed in the amendment.

Finally, we could substantially help our balance of payments by not importing the oil that presently fuels our vehicles. Some 60 per cent. of oil for our vehicles is imported from other countries—mainly the middle east. Natural gas would come almost in its entirety from the gasfields around the United Kingdom.

A topical argument is that oil comes to this country across the sea in tankers and is then taken in tankers along our roads, which is, as recent experience in south Wales has shown, an environmental hazard and a hazard to safety and life on our roads; whereas gas is delivered through pipes, which is much safer.

Clearly, there is cross-party support on such an important matter. The amendment is an opportunity for the Government to reduce the excise duty, which would encourage the use of much cleaner fuels in vehicles on our roads.

Mr. Robert Atkins (South Ribble): I apologise to you, Mr. Deputy Speaker, to the House and to my hon. Friend the Member for North Thanet (Mr. Gale) for missing the start of my hon. Friend's brief remarks on the amendment, particularly since I added my name to the list of those supporting the amendment. I will speak but briefly, knowing largely what my hon. Friend and the hon. Member for Plymouth, Devonport (Mr. Jamieson) have said.

When I was Minister of State for the Environment and Countryside, the hon. Member for Devonport and I shared a platform, and we talked about this very issue. I was pleased to do so, because it is an important issue.

The hon. Gentleman is wrong on one point, however: the technology is being developed in my constituency at the Leyland technical centre—the former Leyland Trucks site, where a lot of work is being done in the field and on designing buses and trucks which, as my hon. Friend the Member for North Thanet rightly said, are being used in other parts of the world. We already have a lead that we can build on and on which Britain can score a few runs, from both the environmental and industrial points of view.

I am therefore delighted to be associated with the amendment. Allowing for the fact that it has revenue implications that might not be wholly acceptable to my right hon. Friend the Paymaster General, I ask him to realise the strength of feeling that is beginning to build up among—to put it politely—three hon. Members who would consider themselves involved in the issue and who I would hope the House would realise have a genuine and abiding interest. I hope that he will be sympathetic in his response tonight and in the way in which he treats this matter, which has ramifications for health, the environment and pollution control, and would also allow us to make a product that we can sell to the world.

Mr. Alan Simpson (Nottingham, South) *rose—*

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Does the hon. Member for Nottingham, South (Mr. Simpson) want to speak on this amendment?

Mr. Simpson: No, Sir.

Mr. Heathcoat-Amory: The case for the use of natural gas, or liquefied petroleum gas, has been well made during this short debate. I listened with care to the remarks of my right hon. Friend the Member for South Ribble (Mr. Atkins), my hon. Friend the Member for North Thanet (Mr. Gale) and the hon. Member for Plymouth, Devonport (Mr. Jamieson) in support of the amendment. I detect that it is chiefly a probing amendment, but that it nevertheless has a serious intent.

The Government well understand the advantage that natural gas and LPG can have, particularly in reducing urban pollution. The use of such fuel reduces most of the main pollutants—one cannot escape the production of carbon dioxide, but, for example, sulphur emissions are considerably lower than when such vehicles burn diesel.

In recognition of those advantages, the duty on road fuel gas was frozen in the November 1994 Budget. It was made clear at the time that further research was necessary, and that further consideration would be given to a possible cut. That was indeed done in the 1995 Budget, when my right hon. and learned Friend the Chancellor of the Exchequer, after examining the environmental and other cases, concluded that a 15 per cent. reduction was appropriate. That was designed approximately to equalise the running costs of vehicles using gas with those using diesel or petrol. Now there is no disincentive to the use

of road fuel gases, and it is up to consumers and the market to decide whether to convert or purchase vehicles using those fuels.

As my right hon. Friend the Member for South Ribble said, some vehicles are already using the fuel. There is at least an embryo industry using them.

My hon. Friend the Member for Thanet, North urged a dramatic cut in duty because of the problems of conversion. A reduction in the cost of the fuel would tend to encourage high-mileage users rather than the lower-mileage urban use that all hon. Members who spoke thought to be the more achievable use for such vehicles. It may therefore be better to examine whether the cost of conversion could be encouraged through more capital-directed assistance, possibly through changes to vehicle excise duty. I at least offer him the prospect of that being considered.

We intend to consider carefully using VED as a means to encourage low-emission vehicles. If there was evidence to support that, it could be possible to use it as the incentive to undertake conversion work. That might be a better targeted measure than a simple further cut in the cost of the fuel. I cannot prejudge the outcome of the studies, and I do not wish to give my hon. Friend too certain a steer, but I can undertake that it will be closely considered.

As to future research, the energy technology support unit is about to produce a report on alternative fuels right across the board. In addition, it has a programme of research into gases and other fuels that will be published next year. I hope that I have said enough to show those interested in the subject that I am at least sympathetic to their points. I can offer no immediate relief but I understand the point about the cost conversion, in addition to the help that we have already given by cutting by 15 per cent. the taxes in the current Budget.

Mr. Gale: I am grateful to my right hon. Friend, especially for recognising in his closing remarks the burden of the additional cost of conversion. I am also grateful to my right hon. Friend the Member for South Ribble (Mr. Atkins) and to the hon. Member for Plymouth, Devonport (Mr. Jamieson) for their support.

This issue is not going to go away, but, equally, I know that my right hon. Friend has not come to write out the cheque for the relatively modest sum that we ask to stimulate the industry. I am also conscious that the House wants to move on to an important debate. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 28

REFUNDS IN CONNECTION WITH CONSTRUCTION AND CONVERSION

Mr. Simpson: I beg to move amendment No. 25, in page 17, line 21, at end add

'provided that any refund made pursuant to paragraph (b) of subsection (1D) below may, unless the Treasury decides otherwise, only be a refund of a least nine and one half per cent. on the VAT chargeable'.

Mr. Deputy Speaker: With this, it will be convenient to discuss also the following amendments: No. 26, in page 17, line 24, after 'they', insert '(a)'.

No. 27, in page 17, line 26, leave out '(a)' and insert '(i)'.

No. 28, in page 17, line 27, leave out '(b)' and insert '(ii)'.

No. 29, in page 17, line 29, leave out '(c)' and insert '(iii)'.

No. 30, in page 17, line 31, at end insert 'or

(b) involve the conversion of a dwelling by the installation into or on the dwelling of energy saving materials as defined under subsection (1F) below.'.

No. 31, in page 17, line 35, at end insert—

'(1F) For the purposes of subsection (1D)(b) above energy saving materials shall be such materials or products as are by Order designated by the Secretary of State and the materials or products so designated

(a) shall include all such materials or products which in his opinion are used solely for the purpose of improving the energy efficiency of buildings; and

(b) may include any material or product of which in his opinion, the primary purpose is the improvement in the energy efficiency of buildings.

(1G) The Secretary of State

(a) shall within one year of the passing of this Act make the Order referred to in subsection (1F) above; and

(b) may make further Orders designating other materials or products if in his opinion it is expedient to do so; and

any such Orders shall be subject to approval by resolution of the Commons House of Parliament.'.

Mr. Simpson: I am sorry if I misled the House a few moments ago with my enthusiasm to get on to this debate. This is not a probing amendment, but a genuine one. It aims to address an important energy conservation issue that I have attempted to raise in the House before.

The amendment is not the channel through which those of us who tabled it would have preferred to go. We were compelled to go through it to get an amendment on the Order Paper which was not ultra vires. During our proceedings, I have discovered that the other options—to propose a reduction in VAT or VAT relief—were not open to me as a Back Bencher to move.

I reflected on the fact that, although the Chancellor of the Exchequer and I are neighbours, there are important differences between us. He is Chancellor and I am a Back Bencher. I also understand that, in troubled times such as these, he often has cause to envy the security of my position. Although his occupation of the Chancellorship may be temporary, he has the opportunity to introduce proposals relating to VAT reduction and relief. Those opportunities were not available to those who have tabled these amendments. However, the issues and the principles at stake are the same. The principle underpinning the amendments is that it is quite wrong in tax law to pursue a policy of taxing energy conservation more heavily than energy consumption.

9.15 pm

I am not the first—and I suppose that I shall not be the last—to make that point. I always try to give credit where it is due, so I pay particular tribute to a former Chancellor of the Exchequer, the right hon. Member for Kingston upon Thames (Mr. Lamont). In his Budget speech on 16 March 1993, he said:

"For the first time, the rate of VAT on domestic fuel and power will be the same as that charged on goods like loft insulation material, which improve energy efficiency. This will bring to an end

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the current anomaly, which makes nonsense of any attempt to use the tax system to improve the environment".—[*Official Report*, 16 March 1993; Vol. 221, c. 183.]

In its infinite wisdom, the House decided to retain VAT on domestic fuel bills at 8 per cent., but it did not then address the anomaly to which the Chancellor had drawn our attention. So that anomaly—the "nonsense" to which the former Chancellor referred—remains. This group of amendments seeks to remove that anomaly and to restore a level tax field to environmental policies.

As the Treasury would not do that via VAT reduction or relief, we were forced to explore the possibility of VAT rebates. I am grateful to the present Chancellor of the Exchequer for introducing the administrative framework of a rebate system into the Finance Bill. The amendments slot quite comfortably into that system. It is not simply the administrative system that matters: I shall remind the House of the extent of public support for that sort of proposal.

I should not be coy, but attribute praise to all those who deserve it. In a way, they are not my amendments, as they were formulated on the basis of wide, cross-party support. In a matter of days, 201 right hon. and hon. Members put their names to the group of amendments. Over a slightly longer period last year, 343 right hon. and hon Members put their names to an early-day motion that said substantially the same thing. A majority of hon. Members have backed the principle that we should tax energy conservation no more heavily than energy consumption.

I pay particular tribute to the hon. Member for Exeter (Sir J. Hannam) and for Truro (Mr. Taylor) who have worked to ensure that the amendments before the House are of an all-party nature. It is also important to pay tribute to the 350 local authorities around the country that have given their support to the proposal. The Confederation of British Industry energy policy committee, the Builders Merchants Federation, local chambers of commerce, pensioners' rights organisations and Friends of the Earth support the measure. A national survey commissioned by the Association for the Conservation of Energy found that Conservative councillors around the country support the proposal by a ratio of six to one. That is the scale of public support for the measure around the country on a cross-party basis.

I have attended a number of public meetings up and down the country, and I have not met anyone who opposes the proposal. However, there is one exception: Her Majesty's Treasury. The Treasury has advanced four reasons why it objects to the amendments.

First, it says that they are too bureaucratic. I shall answer that charge in three parts. The amendments would not create any new bureaucracy, as they would slot into the rebate scheme as set out in clause 28 of the Bill. It is not cumbersome in relation to generating an unsupportable level of demand on a civil service, because the terms of the amendment are targeted to the trade.

Clause 28(1C) makes it clear that the measure is aimed at contractors, and it makes it administratively simple for that to take place. If the Government's objection is that it is not wide-ranging enough, it would be open to them to come up with a proposal that widened the basis of that uptake—they could introduce it on the basis of an across-the-counter refund system. New clause 19 gives an indication of how the Government might do this, if that were their preferred path. It is not beyond the wit of the House to extend it in simple, non-bureaucratic ways if that is what the Treasury wants to do.

The second objection is the problem of definition. How will people define what is or what is not an energy-saving material? The Treasury has said that it is not competent to define that list. The truth is that we would not be asking the Treasury to define that list; it is written into the amendment that we would be asking the Secretary of State for the Environment to draw up that list over the next year.

The list would be divided into two groups: products that are solely for the purpose of energy saving, and products that are primarily for the purpose of energy saving. The Secretary of State would come to the House with that list, and he would have a year to draw it up. The Government would have a year in which they would be free to come back with a better method of delivering that reduction in VAT. I am sure that that would be ample time and would be welcomed.

The third objection I have heard is precedent—that, if we were to go down this path, a whole series of good causes would come and say, "You have done it for one, so you ought to do it for us." They are not the conditions within which the amendment is being moved. We have an unprecedented position, in which energy saving is actually tax penalised. We are not asking for tax favouring; we are asking for the removal of a tax penalty that favours the wasteful use of energy rather than the safe and responsible use of energy—we are creating a level playing field, not tax favouring.

The fourth objection that I have heard is that, if we go down this path, we will upset Europe—the objection is probably couched around it being in breach of the sixth VAT directive. I know that there are other countries in Europe—Belgium and Greece, in particular—that already use different rates of VAT to tax-favour energy conservation. If it is sauce for Belgium, it is sauce for Britain. That is not a sense in which we would be in breach—the practices are already being carried out elsewhere in Europe.

Secondly, I have managed to get a letter from one of the European Commissioners that says that, in relation to the sixth VAT directive,

"Certain Member States do tax the construction, renovation or alteration of social housing at the reduced rate. In such cases it may be that the contract to construct, renovate or alter the house in question might include the incorporation of energy saving materials".

We are told that that is a possibility open to us. The Commissioner pointed out that it would not be an option on an individual basis, which reinforces the argument about targeting it on the trade.

My final comment in relation to this uncertainty about European rules and directives is this: what if we were challenged? If the European Commission told the House that its actions were VAT-illegal, surely that would be precisely the sort of ground on which Her Majesty's Government would want to challenge a European ruling. If European rules and directives prevent a country from tax-favouring energy conservation rather than the wasting of energy, surely that is the absurdity.

In the words of the right hon. Member for Kingston upon Thames, the former Chancellor of the Exchequer, that is "the nonsense" that the House has a

responsibility to tackle. If the nonsense resides at European level, it should be challenged there rather than consented to by the House. We hear much about subsidiarity, but if subsidiarity does not mean that a country has the ability to fend for its fuel-poor, it means nothing at all. The issue is as stark as that.

Against the detractors, I wish to focus on the positive points in the core of amendment No. 25, which represents a virtuous circle with four-way winners. One group of winners would be those who live in cold homes. The industry estimates that there would be a 10 per cent. increase in demand for home insulation products if we supported the amendment. It would be a real boost to the mileage of moneys left in the home energy insulation budget, which, as the House will remember, was cut by 30 per cent. despite assurances to the contrary, and it would target that greater mileage specifically on those who are suffering greatest hardship from fuel poverty.

The second beneficiary would be the environment. It has been estimated that the amendment would save 200,000 tonnes of carbon dioxide, 290 tonnes of nitrous oxide and 530 tonnes of sulphur dioxide by the year 2000.

The third group of beneficiaries would be the unemployed. Industry has estimated that the increase in demand, simply from passing the amendment, would be the equivalent of 10,000 job-years in jobs created and jobs sustained. Finally, the industry itself would benefit. The industry is desperate for the 10 per cent. increase in demand that it estimates would come from the amendment.

The House should hear some of the comments that I have received from sections of the industry. The chief executive of Owens Corning Building Products has said:

"Market demand is very disappointing with no sign of improvement".

More or less the same comment was made by Sheffield Insulations and Schlegel (UK) Engineering Ltd. The director of British Gypsum has said:

"Builders report that the past six months have been extremely difficult. We expect worse to come".

Pilkington Glass Ltd. has said:

"The first six months of the year were very flat and we forecast a decline from here on".

Dow Construction Products has said:

"Business is flat or even declining. The future looks bleak".

Similar comments have come from Vencel Resil Ltd. and the directors of Honeywell Control Systems Ltd. Those are some of the major home insulation contractors working in Britain and they back the amendment. They have urged us to support it tonight.

The one question with which the Treasury should concern itself is the cost. The estimate for the worst case scenario for costs is £10 million. In Treasury terms, that is no more than a cup of tea between the Chancellor and the Governor of the Bank of England. The figure assumes that there would be no increase in revenue to the Treasury from the increase in demand for products in the home insulation industry. It assumes that no savings would accrue from the retention and development of jobs in the industry.

The best case scenario suggests that the Chancellor would come out financially better off from the process. Even the worst case basis shows a minute price to pay for making serious inroads into the 50,000 avoidable deaths of people in the United Kingdom every winter through fuel poverty. That is the real bottom line of the costs borne by this country.

The reason why the Treasury does not support amendment No. 25, and why it has not come up with any amendments that would achieve the same end, is very simple. The Treasury does not want this because it does not want it. It will not come up with a simpler proposal because it does not want one—but the public do.

Mr. Christopher Gill (Ludlow): Has the hon. Gentleman been able to assess how much it would cost the Treasury to administer this scheme? Will he not concede that it will be quite complicated, and that it would be much simpler if we could vote in a straightforward way to reduce the rate of VAT?

Mr. Simpson: I said at the outset that there are simpler ways, but I am not the Chancellor of the Exchequer, so I am not in a position to introduce them. I do know, however, that the Treasury has massively exaggerated the administrative costs involved in this process. The necessary bureaucracy is being set up by the Chancellor in clause 28 of this very Bill. The new processes would simply slot into that, and the bureaucratic costs would be minimal.

Outside this place, there is massive support for the measure. Inside this House, I believe that there is massive support for the amendments too. I also know that the country will not understand if tonight we turn our backs on the simple principle that energy conservation should not be taxed more heavily than energy consumption. If we turn our backs on that idea, we shall be neither understood nor forgiven for spurning this opportunity. That is why I urge all hon. Members to support the amendments, to restore an equitable system in which sanity and environmental responsibility become the cornerstones of our tax policy.

9.30 pm

Sir Teddy Taylor (Southend, East): The hon. Member for Nottingham, South (Mr. Simpson) rather spoiled his case by asking us to follow the examples of Greece and Belgium, which are both in a financial shambles, but every responsible person is aware that energy saving is important. We levy a tax of 8 per cent. on fuel, and it would seem only common sense to say that there should be no VAT at all on energy saving. The tragedy is—Opposition Members well know this because of their obsession with Europe—that under European rules, our Parliament is not permitted to abolish VAT on energy saving. As the Liberal Democrats will appreciate, even if every Member of this House, including the Prime Minister and the Leader of the Opposition, voted to abolish VAT on energy saving, we would not be allowed to.

The hon. Member for Nottingham, South is proposing something very clever—not because he is particularly clever, but because he has noticed that, in clause 28, the Government have discovered a clever way round the problem. Instead of reducing the rate of VAT, it can be done by means of refunds.

The amendment is worth supporting if for no other reason than to find out whether that is possible. I therefore hope that every Member of this House who cares about

[Sir Teddy Taylor]

democracy, about the elderly and about preserving fuel will agree that it is worth finding out whether such a system will work.

Some people, especially the Euro-enthusiasts in the Government, claim that the sixth directive already permits what we want. But I have studied it and it is far from clear. It states that the Government could reduce—not abolish—VAT in the case of housing built as part of a social policy, referring to

"renovation and alteration of housing provided as part of a social policy."

My hon. Friends and I would certainly like to take advantage of that if it would reduce VAT, but I very much doubt, for instance, whether my house was built as part of a social policy. But there is still just a possibility that it might work, so let us try—that is, if we care about saving energy.

I hope that the excellent Paymaster General is a sensible Minister who will let us know shortly whether he has today telephoned the European Commission to ask, "Look lads, are we allowed to do this? Could we reduce the rate of VAT to 8 per cent.?" If by any chance he has not done so—I know he is a busy man—I hope that Liberal Democrats, Labour Members and Conservative Members will form a popular front—a united British Parliament—and will tell the European Commission, once we have agreed the amendment, that we want permission to reduce VAT on energy saving to 8 per cent. Would not all the parties fighting for the restoration of just a little democracy be a fine picture?

We could do it, so let us try. Why should we bother trying? Because even Government Whips would accept that it is ridiculous to have a higher rate of tax on energy saving than on energy. We should encourage, not discourage, people to save energy. One has to be very careful in supporting unusual amendments, particularly when testing ourselves against the all-powerful European Commission.

Would the change involve massive bureaucracy? I was talking to a Minister the other day, who said, "If you pass this, it will mean that everyone who goes to a do-it-yourself store will be able to ask for a refund on the VAT. It will involve hundreds of civil servants and lots of paper, and we don't want to waste paper, just as we don't want to waste fuel." Happily, I am able to reassure my hon. Friends, because I have checked up on the amendment, which the hon. Member for Nottingham, South, with the help of the Government, has constructed so carefully. It relates to new subsection (1C), which applies only to jobs done by contractors. Even if the Government wanted to try to stretch this to cover DIY stores, they cannot. The amendment is absolutely clear and precise, so we do not need to worry about bureaucracy. If there is any bureaucracy, it is in clause 28.

The second thing that worried me—I am sure that it would worry all Conservatives—is that we should not do anything to undermine or upset the Government's brilliant economic strategy. We know that we are so fortunate to have such a splendid Chancellor of the Exchequer and such a fine Government, and when they have added up the figures carefully and put on the taxes, one is always terrified that one might upset them, but the amendment is brilliant, because we do not have to do this tomorrow. In fact, all we have to do is say to the Treasury, "We don't want you to cut the taxes now. All we are saying is, please go away for a year and think carefully about what should be exempt." That means that we do not need to do anything until the next Budget—in fact, the Budget after next.

I am absolutely confident that the Conservatives will get an even greater majority at the next election, but who knows, there might be—if people are silly—a change of Government, in which case this would have to be done by a Labour Government, or even a Liberal Democrat Government, supported, perhaps, by the Scottish nationalists. It would be they who would have to go to the European Commission to say, "Please, sir, can we do this?" I hope that if there were such a Labour Government, which I would deplore, of course, they would have the support of the Conservatives in the all-popular front.

But then again, it might not cost anything. I know that, because of the need to try to save money, which the Government are so good at—apart from in their dealings with the EC—we have had to reduce slightly the very expensive and nice little scheme to help to install energy-saving features in people's houses. Whereas we used to help pensioners, we now help only pensioners who are on income support. That means that hard-working pensioners, such as my mother, who worked so hard to save money, are not eligible. That is very sad.

I do not want to bring personalities into it—otherwise, I should have to declare an interest in the Register of Members' Interests—but pensioners who cannot get income support are cut out. That means that contractors will not be able to work on those pensioners' houses, and will have to ask, "Which of you has an income support book?" If we were able to do this, it would help jobs, and that might save money. There might be an increase in demand, which would also provide jobs and so on. The Government might even find, because they are so clever in these things, that they would make money, not lose it. If there is a prospect of making money, it should appeal to the Conservative party.

Thirdly, one thing that we must not do is upset the Conservative party. It is terribly important, whether we support something or not, that on no account must we upset the Conservative party. That is one of the rules that we should all obey. Unlike myself, my hon. Friends work so hard that they sometimes do not have time to keep in touch with everybody. I have found out—I hope that my hon. Friends are aware of this—that we have done a survey of all the Conservative councillors. I draw the attention of the House to that most wonderful Conservative council which has more Conservative councillors than any other—Westminster. All the members of that brilliant Conservative council replied that they were in favour. That is the view not only of the vast majority of Conservative councillors, but of Westminster councillors. We should certainly take that into account.

We should support the amendment. What will be lost if the Government accept it? First, I believe that people will be glad that we are moving away from the nonsense created by the EC, whereby we must charge more for energy saving than for energy. So many aspects of EC policy are mad; let us try to sort one of them out. Secondly, acceptance would unite us; we could all go together to the EC and say, "We want to change this. Please have the courage to let us do it."

We have very good Commissioners. We have one who is represented by the Conservative party, and one represented by Labour. The trouble with the EC is that it sometimes does illegal things that it is not entitled to do, such as banning exports of cattle all over the world. It does those things for funny reasons: in that instance, it is taking action not because it wants its action to work, but to deprive us of our subsidies.

The Commission is all-powerful, and I therefore hope that we can unite on a popular front. Let us help jobs; let us help pensioners who are not on income support; let us help democracy; and let us help to introduce a bit of common sense in the EC. I understand that more than 70 Conservative Members—they do not include me, of course—have put down their names in support of the proposal. Conservatives' word is their bond: I signed the pledge against alcohol when I was six years old, and, like all Conservatives, I have kept my promise. I know that Conservatives keep their promises, and I hope that they will support the amendment. It will be good for Britain, good for pensioners, good for jobs, good for the Government and, I believe, good for the whole nation.

Mrs. Margaret Ewing (Moray): As a sponsor of the amendment, I congratulate my hon. Friend the Member for Nottingham, South (Mr. Simpson) on tabling it.

The hon. Member for Southend, East (Sir T. Taylor), who spoke at length, said that the amendment contained flaws. He and I, and other members of the all-party parliamentary warm homes group, trawled through the Bill to try to find other ways of addressing the issues of energy conservation and fuel poverty, and this is the best method that we could come up with. Although it is not perfect, at least it is a step in the right direction, and, if accepted, it would send the country the message that we are trying to deal with such matters in Parliament.

Let me touch briefly on two principles. First, there is the question of the health and safety of the most vulnerable members of society. I thought it despicable that the Budget massively cut the home energy efficiency scheme, given the impact that that will have on the poorest members of society, who are often living in the worst housing. The safety aspect relates to the health issue that has already been mentioned. Many people are now taken into hospital during the winter, which costs the national health service a vast amount. If those people could heat their homes to a reasonable extent, that would not happen. I do not think that the Treasury has considered the saving that could be made.

Before the Budget, we made a substantial submission. We said that we did not want money simply to be thrown at the problem; the Treasury could benefit from some of the positive ideas that had emerged from the all-party group and, indeed, from many voluntary and statutory organisations throughout the United Kingdom. The Treasury should bang a few heads together, get its civil servants to do their sums and realise that our proposals will benefit not only the health of the most vulnerable in society, but—perhaps—the Treasury.

The second aspect is energy conservation and employment creation. When the Government introduced the concept of VAT on domestic fuel, they said that it was part and parcel of the Rio agreement. That seemed to paint a bright picture for the Government, but in reality they were looking for money and not adhering to the agreement at all.

Hon. Members who care about the environment should vote with us on the amendment because it is about the green issue of energy conservation and employment creation. From whichever part of the House he comes, no hon. Member should sit on his hands—he should join us in the Lobby. Employment creation is important and there are many opportunities to renovate the housing stock, which would take people out of unemployment and social security benefits and enable them to earn money and pay taxes.

9.45 pm

I listened to the speech by the hon. Member for Southend, East (Sir T. Taylor). We all talk about the rights of an elective democracy. We are sent here to represent people, and the amendment would remove some power from the Executive, not just in Brussels, but in Whitehall, and would give members of every party in the House the right to say, "We will take the decisions affecting vulnerable sections of society." This is not just an argument about Europe: it is about the Executive and the rights of elected representatives. I hope that hon. Members will support the amendment.

Sir John Hannam (Exeter): The hon. Member for Nottingham, South (Mr. Simpson) made a powerful speech in promoting the amendment. I shall be brief, because the case in principle for removal of the VAT anomaly in energy conservation matters is irrefutable. Obviously, the problem is to try to find a method of achieving that objective, whereby customers would pay the same 8 per cent. rate on energy-saving materials as on the fuels that they consumed.

As the hon. Member for Nottingham, South said, new clause 10 was reasonably clear cut, in that it would have established relief from VAT for a designated list of energy-saving products. However, the new clause was ruled to be outside the resolution of the Bill, so instead we are debating a group of amendments that would enable refunds to be claimed by contractors carrying out energy conservation installations.

Over the years, like other hon. Members no doubt, I have engaged in many debates with Treasury officials and Ministers in an endeavour to obtain VAT refunds for charities and charitable operations. I am fully aware of the strong reservations of Customs and Excise and Treasury officials about giving VAT relief for specified products and services. I am sure that, as usual, Treasury Ministers will produce solid evidence against refund proposals, as well as showing them to be counter-productive.

Even if the refund system is not the answer to the VAT anomaly, I implore the Minister to recognise our case for a more positive approach to energy saving. It cannot be right that people have to pay more tax to save fuel than to use it. That is not how our tax system should operate. Many of my hon. Friends have shown their support for that principle by signing early-day motion 383.

If new clause 10 had been the subject of this debate, I have no doubt that it would have been supported by a substantial number of my hon. Friends. The refund amendments do not command the same enthusiasm. If the Minister has alternative proposals for the restoration of confidence in our energy-saving programme, which

[Sir John Hannam]

took a sudden battering in November from the 31 per cent. reduction in the home energy efficiency scheme, we shall be happy to go along with the Government.

Like many other hon. Members, in November, I took part in the home energy efficiency scheme week. I was mortified when, on the very day I was assisting an elderly couple with draught-proofing in their home, the news broke of the 31 per cent. cut in that scheme. Unfortunately, it was broken to me by the local press. That reduction in financial support will result in 200,000 fewer grants; with a national waiting list of 210,000 households, that was not good news.

A refund of VAT on energy-saving material costs would represent only modest help to the home energy efficiency scheme, so I would prefer to see a restoration of the lost funding in the next Budget. I hope that my right hon. Friend the Paymaster General will be able to reassure my hon. Friends and me that the Government are determined to strengthen our energy conservation policies and that they will look at the issue again if they are unable to accept the amendment. My right hon. Friend's reply to the debate will be crucial in determining my attitude in any Division that may be called later, and I am sure that that applies to other hon. Friends as well.

Mr. Matthew Taylor (Truro): The answer to the hon. Member for Exeter (Sir J. Hannam) is that there is one simple alternative to the amendment before us: the Government could accept the original measure promoted by so many hon. Members. If the Minister so wished, he could choose to do that. It is clear that, sadly, the Government are not prepared to do so. Just one conclusion can be drawn by all those who signed the early-day motion, including many Conservative Members. If they believe in what they said they believed in by signing that early-day motion, they will vote in favour of the amendment.

If the Government pursue their current line, the Paymaster General will put his own colleagues in an extremely difficult position. He is asking them to choose between standing by what they said they believed in publicly by signing the early-day motion, and supporting their party. I understand that difficulty, but if the Government pursue that line, they will be defeated tonight. I certainly hope so, because that would be the only creditable position for the House to adopt, given the widespread support for the early-day motion.

The amendment deserves support, quite apart from the fundamental principle involved. It offers good news for the industry, which has been hit by the cuts in the home energy efficiency scheme grants, which were so unexpectedly announced in November, as the hon. Member for Exeter said. It would be good news for jobs and for the environment. It would also be good news for those currently living in damp, cold homes that they cannot afford to heat properly. Those arguments have been put very well already, and I do not intend to dwell on them.

It is nonsense for the House to be in the current position of supporting a regime whereby those who seek to save energy are penalised by the tax system, whereas those who use it wastefully are supported by it. That cannot be maintained. The Finance Bill already contains a refund system for certain building works, and all the amendment seeks to do is to add an extra category of goods for refund.

Although hon. Members would prefer a different system from that advocated in the amendment, that system works and the necessary bureaucracy has already been created. That is not at issue here. That system would offer the benefits to which I referred and, above all, it reflects the concern that so many hon. Members have already expressed by supporting the early-day motion. If they are honourable men and women, they will support the amendment.

Mr. Tim Yeo (South Suffolk): I do not intend to reiterate the points that have already been made in the debate, most of which I agree with, but I have a couple of pleas to make to my right hon. Friend before he answers the debate. If he is unable to accept the amendment—and it will not be a great surprise to me if he is unable to do so, because I am sure he could find plenty of good technical arguments objecting to it—I hope that he will say something about his view of the principles involved. Both inside and outside the House, there is overwhelming support for what the amendment is designed to achieve: to produce the same VAT rate for energy use and energy saving.

Energy efficiency is one of those rare subjects where economic, environmental and job creation aims coincide. In that respect, it is a happy and unusual subject. That makes the principle that the amendment would establish genuinely difficult to fault. If in answering the debate my right hon. Friend deals only with deficiencies in the amendment and does not deal with the principles, the issue is bound to return. I hope, therefore, that, if he does not accept the amendment, for whatever reason, he will at least assure the House that the issue will be examined with a view to finding, between now and the next Budget, a satisfactory method of achieving the principle and the amendment's aim.

Reducing the VAT rate on energy-saving materials to the same rate as on fuel can be achieved in a variety of ways. I would be happy if my right hon. Friend said that he will perhaps introduce measures in the Budget, provided that—I recognise that the Treasury may be concerned about administrative costs and the cost of the concession—in the next eight months, he can be satisfied in relation to the total cost of the concession and the bureaucratic difficulties that some people suggest may arise. If he told the House that, subject to that, he would accept the principle, that would be a huge step forward.

My right hon. Friend's task has not been made easier by the change to the funding of the home energy efficiency scheme. My hon. Friend the Member for Exeter (Sir J. Hannam) referred to the change, which was announced just before Christmas. If there are to be alternative solutions, many hon. Members would be happy for that reduction in funding to be restored. That would be another way of dealing with the issue and of demonstrating the Government's commitment.

There are other ways of doing that. If the Government were able to give energy efficiency a higher profile—for example, if they could emphasise the importance of publishing energy ratings for every property, especially at the time when a property or tenancy changes hands—that would be a step in the right direction. Energy efficiency remains an unglamorous subject. If people understood it more clearly, they would find that the benefits that can be achieved from energy efficiency and energy saving are so great that they would have every motivation to take the necessary steps in relation to their property.

I should like to make one final suggestion to my right hon. Friend. If he offered even a temporary cut in VAT, for a year or two, that would be helpful. It would provide an incentive, boost the building industry at a time when jobs are still needed and give a higher profile to the subject. My right hon. Friend was once responsible for energy efficiency issues. I know of his interest in the subject and I look forward to his response, when I hope that he will demonstrate his commitment to the principle.

Ms Primarolo: I congratulate my hon. Friend the Member for Nottingham, South (Mr. Simpson) on his creativity in drafting these complex amendments, which aim, by way of a refund, to reduce the VAT rate on energy-saving materials to 8 per cent., putting it in line with that on fuel. He acknowledged, as other hon. Members have, that there are some drafting problems in that the Budget resolution is drawn so tightly that it is the only way in which the House can express its view on a proposal to reduce the VAT on energy-saving materials.

As the hon. Member for Ludlow (Mr. Gill) rightly pointed out, there are easier, less complex ways to achieve the same objective, but that is prevented by way of the Budget resolution. The House is left with this rather complicated method of expressing a view.

The hon. Member for Southend, East (Sir T. Taylor) called for the formation of a popular front—one-nation Members of Parliament acting in unison to defend those who, through their poverty, are cast out by the Government by the prevention of reasonably priced energy-efficient materials.

Instead of giving us bureaucratic and technical excuses, the Government should be agreeing to take the proposals forward in the 12-month period provided by the amendments, and should come back next year with clear proposals on how the will of the House can be enacted. We disagree with the Government. We do not believe that the proposals would be ruled out by the sixth directive, but we are prepared—as the hon. Member for Southend, East rightly challenged us to be—to put it to the test.

We shall support the amendments, not because they are the best way in which to achieve our ends but because they are the only way that is offered to us. The Minister must explain whether he is against the principle that VAT on energy-saving materials should be the same as VAT on fuel, or whether he is telling us that Brussels prevents us from making them the same. If Brussels is preventing us, he should clearly explain why. We believe that he has no reasons to offer and we shall vote against the Government.

I want to make it clear that, despite the fact that the director of Friends of the Earth on "Today" this morning seemed to know by telepathy what the Front-Bench team of Her Majesty's Opposition were going to do, he was wrong. We shall be voting against the Government, we intended to vote against the Government, and I ask all hon. Members in the name of justice, jobs, democracy and energy efficiency to vote with us.

10 pm

Mr. Heathcoat-Amory: It is clear from this debate and other debates that the House is strongly committed to the cause of energy efficiency. No one who heard the hon. Member for Nottingham, South (Mr. Simpson) can doubt his commitment to that aim, which is shared by me personally and by the Government as a whole. We give considerable help, practical advice and grant assistance to improve the way in which the country uses energy. We can all unite behind the amendment's motive, even if we disagree on the mechanism.

The hon. Member for Nottingham, South pointed out that he—as well as perhaps other hon. Members—has previously raised the issue of cutting the rate of VAT for energy-efficient material. I must make the point, however, that that request must take its place alongside many others that I receive for favourable and reduced rates of VAT on a range of other goods and services. Many right and hon. Members who are present have written to me—often on behalf of constituents—urging lower rates of VAT for hotel and tourist accommodation, for example. There has been a strong campaign for that recently. Requests have also been made about repairs to buildings, particularly historical buildings and churches. People have also asked for lower rates on sanitary products for women—that is strongly urged on the Government from time to time—and for more favourable VAT treatment for the disabled and for charities in general. All those cases—

Mr. Simpson: I am sorry to interrupt the Minister's winding-up speech, but does he understand that what I was asking for was no more than what was requested by a former Chancellor of the Exchequer—a level playing field, so that we do not tax energy saving more heavily than energy consuming?

Mr. Heathcoat-Amory: Yes, but other people urging other cuts use precisely the same argument. For instance, we apply VAT at the full 17.5 per cent. to repairs to listed buildings, whereas alterations to listed buildings are zero-rated. So people writing to me make the same point: why not have a level system, with zero rating applying to both?

I promise the hon. Gentleman that he is not unique in drawing our attention to perceived anomalies in the VAT system. As a Minister, I have inherited a system containing within it anomalies that doubtless we would like to correct in various ways—but to choose between the well-argued and plausible cases put to us would be highly invidious.

The other examples that I gave are all well argued and heartfelt, yet to concede on all of them would seriously erode the VAT tax base, and would mean that taxes had to go up elsewhere. I also urge another reason on the House. Our long-standing policy is to favour a simple VAT system with a single positive rate operating with our zero rates.

The single exception to that, as the hon. Member for Nottingham, South pointed out, is VAT on fuel and power. We originally wished that rate to increase to the standard rate. Indeed, all other countries with VAT systems have a standard rate for fuel and power. But here, Parliament decided that the rate should stay at 8 per cent., so 8 per cent. is where it will remain. In administrative terms, that is not a serious erosion of the principle of simplicity, because fuel and power are easy to define and there are comparatively few suppliers, so it creates no undue complexity either for taxpayers or for Customs and Excise.

However, I contrast that starkly with the case before us. Building materials are in an entirely different category. We are dealing with an enormous range and quantity of

[Mr. Heathcoat–Amory]

products, some of which are, and some of which are claimed to be, energy-efficient. To draw up a definitive list of energy-saving materials and services that would receive favourable tax treatment would be extremely difficult.

Some products and services are used solely to improve energy efficiency, but there are many others whose energy-efficient qualities are secondary to their main purpose, or even incidental. For example, gas-fired condensing boilers are more expensive than ordinary boilers, but also markedly more fuel-efficient.

I am sure that the purpose of the amendments is to encourage the installation of such boilers by giving them favourable VAT treatment. But it is not clear that the primary purpose of such a boiler, or of any boiler, is energy-efficiency. The primary purpose of a condensing boiler is to produce hot water. It would not fall within the definition drawn up by the supporters of the amendment.

A more general objection that applies to any scheme to reduce VAT for this diverse range of products is that someone would have to decide when a boiler was sufficiently energy-efficient to qualify for the reduced rate of VAT. Who would decide? Who would draw up the list? When would a new switch on a boiler sufficiently improve its energy efficiency to qualify for the tax privilege?

Mr. Nicholas Winterton (Macclesfield): I am listening to my right hon. Friend's explanation, but will he stop reading from the brief prepared by either Customs and Excise or the Inland Revenue and give a guarantee to Conservative Members that he will look seriously at ways of exempting energy efficiency from the higher rate of VAT? If he fails to do so, he will fail to get the full support of Conservative Members.

Mr. Heathcoat–Amory: I am not reading from a brief prepared by Customs and Excise. I am referring to my notes made for the purpose of resisting the clause. I confidently expect to see my hon. Friend in the Division Lobby with me, because he has been a proponent of deregulation and the simplification of the tax system.

The proposed scheme and the proposed reduced rate for the complex range of energy-efficient materials would be a recipe for doubts and litigation that would make nonsense of our pledge to simplify the tax system and deregulate burdens on business—particularly small businesses. My hon. Friend has been a doughty champion of small businesses and the need to remove burdens from them. The amendment would add to their burdens, because small businesses would have to make sense of the secondary legislation and the complex borders and dividing lines between what is and what is not energy-efficient material.

The points that I have made about the complexities are emphasised by looking at the amendment, as the House is being asked to approve a repayment scheme. The clause is aimed to help DIY converters—for example, someone who is converting a barn into a house. The clause as it stands allows that person to reclaim VAT on the construction and conversion of that dwelling. The amendment would bolt on to that clause a measure, the result of which will be that the person will not receive a refund for a large building project as was intended under the clause. Hundreds of thousands of energy-efficient conversions would be added to the measure, creating a regulatory paper chase.

The problem is that there are 23 million households in this country, a high proportion of whom in any one year undertake additions to their houses involving energy-efficient goods. Under the provisions of the amendment, all of them would have to have the work done by a VAT-registered contractor who would have to be familiar with the complex secondary legislation and be able to make sense of it. The contractor would then have to submit a VAT invoice to the householder, who would then have to go along to Customs and Excise to receive back the VAT. That is a regulatory and bureaucratic nightmare.

Mr. Simpson: Has the right hon. Gentleman received similar representations to those that I have received from small builders' associations, saying that they do not regard the proposals as too complex to administer or undesirable? They are overwhelmingly in favour of the proposals in the amendment.

10.15 pm

Mr. Heathcoat–Amory: I have received representations from many people wanting a reduced rate, but it is my duty as a Minister to point out the practical effects of passing such an amendment and the regulatory consequences.

In Standing Committee, I was pressed, as were my right and hon. Friends, to simplify the tax system. Indeed, the Labour party voted on its own new clause to the Bill to insist on further simplification of the indirect tax system. I do not understand, therefore, how in the same sentence Labour Members can claim that they are in favour of simplification and deregulation of the tax system and urge on the country a system of bureaucratic regulation such as the one that I outlined.

I must deal with one further point—that raised by my hon. Friend the Member for Southend, East (Sir T. Taylor). I do not know whether the proposals conflict with European Community law. because of the very complexity of the method used to achieve the refund of VAT, it may well be that a way has been found of complying with the requirements of EC legislation—I certainly do not want to inflame my hon. Friend by denying that that is possible—but that has been achieved only by putting before the House a proposal that is complex, regulatory and bureaucratic. To repeat the point, it conflicts with everything that I know my hon. Friend believes about shrinking the size of the state, getting complexities and regulations off the back of business and making our tax system comprehensible to the public.

Finally, to return to the argument with which I started, I take energy efficiency seriously. We believe in working to improve the way in which the country uses energy. I have listened carefully, particularly to my hon. Friends the Members for Exeter and for South Suffolk (Mr. Yeo), both of whom have a long and honourable record of promoting energy efficiency. During the coming public expenditure round, we will look with more than the usual care to find out what needs to be done to improve energy efficiency. If we can find a way to achieve by other means, what the amendments seek to achieve, I will certainly endeavour to meet the points raised in the debate.

Question put, That the amendment be made:—

The House divided: Ayes 279, Noes 280.

Division No. 90] **[10.17 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Alton, David
Anderson, Donald *(Swansea E)*
Anderson, Ms Janet *(Ros'dale)*
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin-Walker, John
Banks, Tony *(Newham NW)*
Barnes, Harry
Battle, John
Bayley, Hugh
Beckett, Rt Hon Margaret
Beggs, Roy
Beith, Rt Hon A J
Bell, Stuart
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blunkett, David
Boateng, Paul
Bradley, Keith
Bray, Dr Jeremy
Brown, Gordon *(Dunfermline E)*
Brown, N *(N'c'tle upon Tyne E)*
Bruce, Malcolm *(Gordon)*
Burden, Richard
Byers, Stephen
Cabom, Richard
Callaghan, Jim
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(Fife NE)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, D N
Canavan, Dennis
Cann, Jamie
Carlile, Alexander *(Montgomery)*
Chidgey, David
Chisholm, Malcolm
Church, Judith
Clapham, Michael
Clark, Dr David *(South Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Tom *(Monklands W)*
Clelland, David
Clwyd, Mrs Ann
Coffey, Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corston, Jean
Cousins, Jim
Cunningham, Jim *(Covy SE)*
Cunningham, Roseanna
Dalyell, Tam
Darling, Alistair
Davidson, Ian
Davies, Bryan *(Oldham C'tral)*
Davies, Chris *(L'Boro & S'worth)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham, H'dge H'l)*
Denham, John
Dixon, Don
Dobson, Frank
Donohoe, Brian H
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Ms Angela
Etherington, Bill
Evans, John *(St Helens N)*
Ewing, Mrs Margaret
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flynn, Paul
Forsythe, Clifford *(S Antrim)*
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
George, Bruce
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike
Hanson, David
Harvey, Nick
Hattersley, Rt Hon Roy
Henderson, Doug
Heppell, John
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Howarth, Alan *(Strat'rd-on-A)*
Howarth, George *(Knowsley North)*
Howells, Dr Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Kevin *(Doncaster N)*
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Hutton, John
Illsley, Eric
Ingram, Adam
Jackson, Glenda *(H'stead)*
Jackson, Helen *(Shef'ld, H)*
Jamieson, David
Janner, Greville
Jones, Barry *(Alyn and D'side)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Lynne *(B'ham S O)*
Jones, Martyn *(Clwyd, SW)*
Jones, Nigel *(Cheltenham)*
Jowell, Tessa
Keen, Alan
Kennedy, Charles *(Ross,C&S)*
Kennedy, Jane *(L'pool Br'dg'n)*
Khabra, Piara S
Kilfoyle, Peter
Kirkwood, Archy
Lestor, Joan *(Eccles)*
Lewis, Terry
Liddell, Mrs Helen
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Llwyd, Elfyn
Loyden, Eddie
Lynne, Ms Liz
McAllion, John
McAvoy, Thomas
McCartney, Ian
McCartney, Robert
Macdonald, Calum
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McMaster, Gordon
McNamara, Kevin
MacShane, Denis
McWilliam, John
Madden, Max
Maddock, Diana
Maginnis, Ken
Mahon, Alice
Mandelson, Peter
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester, S)*
Martin, Michael J *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Mitchell, Austin *(Gt Grimsby)*
Molyneaux, Rt Hon Sir James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon Alfred *(Wy'nshawe)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Marjorie
Mudie, George
Mullin, Chris
Murphy, Paul
Nicholson, Emma *(Devon West)*
Oakes, Rt Hon Gordon
O'Brien, Mike *(N W'kshire)*
O'Brien, William *(Normanton)*
Olner, Bill
O'Neill, Martin
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Pope, Greg
Powell, Ray *(Ogmore)*
Prentice, Bridget *(Lew'm E)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Randall, Stuart
Raynsford, Nick
Reid, Dr John
Rendel, David
Robertson, George *(Hamilton)*
Robinson, Geoffrey *(Co'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Londonderry)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Simpson, Alan
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, Chris *(Isl'ton S & F'sbury)*
Smith, Llew *(Blaenau Gwent)*
Smyth, The Reverend Martin
Snape, Peter
Soley, Clive
Spearing, Nigel
Spellar, John
Squire, Rachel *(Dunfermline W)*
Steel, Rt Hon Sir David
Steinberg, Gerry
Stevenson, George
Stott, Roger
Strang, Dr. Gavin
Straw, Jack
Sutcliffe, Gerry
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon John D *(Strgfd)*
Taylor, Matthew *(Truro)*
Thurnham, Peter
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Trimble, David
Turner, Dennis
Tyler, Paul
Vaz, Keith
Walker, A Cecil *(Belfast N)*
Walker, Rt Hon Sir Harold
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N
Watson, Mike
Welsh, Andrew
Wicks, Malcolm
Williams, Rt Hon Alan *(Sw'n W)*
Williams, Alan W *(Carmarthen)*
Wilson, Brian
Wise, Audrey
Worthington, Tony
Wray, Jimmy
Wright, Dr Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Jon Owen Jones and
Mr. John Cummings.

NOES

Ainsworth, Peter *(East Surrey)*
Aitken, Rt Hon Jonathan
Alexander, Richard
Alison, Rt Hon Michael *(Selby)*
Allason, Rupert *(Torbay)*
Amess, David
Arnold, Jacques *(Gravesham)*
Arnold, Sir Thomas *(Hazel Grv)*
Ashby, David
Atkins, Rt Hon Robert
Atkinson, David *(Bour'mouth E)*
Atkinson, Peter *(Hexham)*
Baker, Rt Hon Kenneth *(Mole V)*
Baker, Nicholas *(North Dorset)*
Baldry, Tony
Banks, Matthew *(Southport)*
Banks, Robert *(Harrogate)*
Bates, Michael
Batiste, Spencer
Bellingham, Henry
Beresford, Sir Paul
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Rt Hon Virginia
Bowis, John
Boyson, Rt Hon Sir Rhodes
Brandreth, Gyles
Brazier, Julian
Bright, Sir Graham
Brooke, Rt Hon Peter
Brown, M *(Brigg & Cl'thorpes)*
Browning, Mrs Angela
Bruce, Ian *(South Dorset)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Peter
Butterfill, John
Carlisle, John *(Luton North)*
Carlisle, Sir Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sir Sydney
Churchill, Mr
Clappison, James
Clark, Dr Michael *(Rochford)*
Clifton-Brown, Geoffrey
Coe, Sebastian
Colvin, Michael
Congdon, David
Conway, Derek
Coombs, Anthony *(Wyre For'st)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon Sir John
Cormack, Sir Patrick
Couchman, James
Cran, James
Currie, Mrs Edwina *(S D'by'ire)*
Curry, David *(Skipton & Ripon)*
Davies, Quentin *(Stamford)*
Davis, David *(Boothferry)*
Day, Stephen
Deva, Nirj Joseph
Devlin, Tim
Dicks, Terry
Dorrell, Rt Hon Stephen
Douglas-Hamilton, Lord James
Dover, Den
Duncan-Smith, Iain
Dunn, Bob
Durant, Sir Anthony
Dykes, Hugh
Elletson, Harold
Evans, David *(Welwyn Hatfield)*
Evans, Jonathan *(Brecon)*
Evans, Nigel *(Ribble Valley)*
Evans, Roger *(Monmouth)*
Evennett, David
Faber, David
Fabricant, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fishburn, Dudley
Forman, Nigel
Forsyth, Rt Hon Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam *(Woodspring)*
Fox, Rt Hon Sir Marcus *(Shipley)*
Freeman, Rt Hon Roger
French, Douglas
Fry, Sir Peter
Gale, Roger
Gallie, Phil
Gardiner, Sir George
Garnier, Edward
Gill, Christopher
Gillan, Cheryl
Goodlad, Rt Hon Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, Sir John
Grant, Sir A *(SW Cambs)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Peter *(Portsmouth, N)*
Grylls, Sir Michael
Gummer, Rt Hon John Selwyn
Hague, Rt Hon William
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Rt Hon Jeremy
Hargreaves, Andrew
Harris, David
Haselhurst, Sir Alan
Hawkins, Nick
Hawksley, Warren
Hayes, Jerry
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hendry, Charles
Higgins, Rt Hon Sir Terence
Hogg, Rt Hon Douglas *(G'tham)*
Horam, John
Hordern, Rt Hon Sir Peter
Howell, Rt Hon David *(G'dford)*
Howell, Sir Ralph *(N Norfolk)*
Hughes, Robert G *(Harrow W)*
Hunt, Rt Hon David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Robert B *(W Hertfdshr)*
Kellett-Bowman, Dame Elaine
Key, Robert
Kirkhope, Timothy
Knapman, Roger
Knight, Mrs Angela *(Erewash)*
Knight, Rt Hon Greg *(Derby N)*
Knight, Dame Jill *(Bir'm E'st'n)*
Kynoch, George *(Kincardine)*
Lait, Mrs Jacqui
Lang, Rt Hon Ian
Lawrence, Sir Ivan
Legg, Barry
Leigh, Edward
Lennox-Boyd, Sir Mark
Lester, Sir James *(Broxtowe)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lord, Michael
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McNair-Wilson, Sir Patrick
Maitland, Lady Olga
Major, Rt Hon John
Malone, Gerald
Mans, Keith
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Martin, David *(Portsmouth S)*
Mawhinney, Rt Hon Dr Brian
Mayhew, Rt Hon Sir Patrick
Mellor, Rt Hon David
Merchant, Piers
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David *(NW Hants)*
Moate, Sir Roger
Monro, Rt Hon Sir Hector
Montgomery, Sir Fergus
Needham, Rt Hon Richard
Nelson, Anthony
Neubert, Sir Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Sir Cranley
Oppenheim, Phillip
Ottaway, Richard
Page, Richard
Paice, James
Patnick, Sir Irvine
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Pickles, Eric
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Rt Hon Michael
Powell, William *(Corby)*
Rathbone, Tim
Redwood, Rt Hon John
Renton, Rt Hon Tim
Richards, Rod
Riddick, Graham
Robathan, Andrew
Roberts, Rt Hon Sir Wyn
Robertson, Raymond *(Ab'd'n S)*
Robinson, Mark *(Somerton)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Mid Kent)*
Rumbold, Rt Hon Dame Angela
Sackville, Tom
Sainsbury, Rt Hon Sir Timothy
Scott, Rt Hon Sir Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shephard, Rt Hon Gillian
Shepherd, Sir Colin *(Hereford)*
Shersby, Sir Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Nicholas
Spicer, Sir James *(W Dorset)*
Spicer, Sir Michael *(S Worcs)*
Spink, Dr Robert
Spring, Richard
Sproat, Iain
Squire, Robin *(Hornchurch)*
Stanley, Rt Hon Sir John
Steen, Anthony
Stephen, Michael
Stewart, Allan
Streeter, Gary
Sumberg, David
Sweeney, Walter
Sykes, John
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Temple-Morris, Peter
Thomason, Roy
Thompson, Patrick *(Norwich N)*
Thornton, Sir Malcolm
Townend, John *(Bridlington)*
Townsend, Cyril D *(Bexl'yh'th)*
Tracey, Richard
Tredinnick, David
Trend, Michael
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(N Tayside)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Waterson, Nigel
Watts, John
Wells, Bowen
Whitney, Ray
Whittingdale, John
Widdecombe, Ann
Wiggin, Sir Jerry
Wilkinson, John
Willetts, David
Winterton, Nicholas *(Macc'fld)*
Wolfson, Mark
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Tim Wood and
Mr. Patrick McLoughlin.

Question accordingly negatived.

Amendments made: No. 4, in page 17, line 22, leave out from '(1D)' to 'to' in line 23 and insert

'For the purposes of this section works constitute a residential conversion'.

No. 5, in page 17, leave out lines 32 to 35.—*[Mr. Wells.]*

Clause 29

GROUPS: ANTI-AVOIDANCE

Amendments made: No. 42, in page 18, line 19, leave out from '83(wa),' to 'in' in line 24 and insert

'the cases in which the tribunal shall allow the appeal shall include (in addition to the case where the conditions for the making of the direction were not fulfilled) the case where the tribunal are satisfied,'.

No. 43, in page 18, line 32, leave out from 'of' to end of line 34 and insert 'Schedule 9A.".'.—*[Mr. Wells.]*

Schedule 3

VALUE ADDED TAX: ANTI-AVOIDANCE PROVISIONS

Amendments made: No. 44, in page 172, line 55, leave out 'it appears to them'.

No. 45, in page 172, line 56, leave out 'that'.

No. 46, in page 173, line 1, leave out 'that'.

No. 47, in page 173, line 2, leave out first 'that'.

No. 48, in page 173, line 5, leave out from beginning to end of line 7 and insert

'the transaction in question is not a supply which is the only supply by reference to which the case falls within paragraphs (a) to (c) above.'.

No. 49, in page 175, line 47, leave out

'appears to the Commissioners to have'.—*[Mr. Wells.]*

Further consideration adjourned.—*[Mr. Wells.]*

Bill, as amended (in the Committee and in the Standing Committee), to be further considered tomorrow.

Mr. Ian Bruce (South Dorset): On a point of order, Mr. Deputy Speaker. I wonder if you can help the House. On Monday, a document was introduced into the House that purported to be a draft of an order that was supposed to have been introduced by the Labour party in 1978 on treating cattle food. The Labour Front Benchers said then that that document would be available to the House, but there has been nothing on the record to identify that document. I have tried to get a copy and I wonder whether you can help the House by explaining that such documents, when introduced, should be identified in *Hansard.*

Mr. Deputy Speaker: That has absolutely nothing to do with the Chair.

PETITION

Poverty (North-east England)

10.35 pm

Ms Joyce Quin (Gateshead, East): I wish to present a petition organised by the North East Child Poverty Action Group and signed by some 300 people, including many of my constituents and those of my hon. Friends who represent Newcastle-upon-Tyne and adjacent areas. The petition expresses great concern about the growing incidence of poverty, the great harm that it is causing in our society and the difficulties that confront people who are forced to live on low incomes and on inadequate benefits in north-east England.

The petition concludes:

Wherefore your Petitioners pray that your honourable House ensures that no further cuts in social security benefits are made.

And your Petitioners, as in duty bound, will ever pray etc.

To lie upon the Table.

Ex-service Men (Asbestos Exposure)

10.36 pm

Sir Peter Lloyd (Fareham): My purpose this evening is to raise with my hon. Friend the Minister of State for the Armed Forces the situation of service men who have developed asbestosis-related conditions as a result of exposure to that material in course of their duties before 1987.

The significance of the year is that it is when the Government invited and backed the private Member's Bill promoted by my hon. Friend the Member for Davyhulme (Mr. Churchill) to repeal section 10 of the Crown Proceedings Act 1947. The Government deserve full praise for taking that initiative, which enabled service men for the first time to secure damages for injuries sustained in service which were the result not of hostilities, but of error or negligence on the part of the Ministry of Defence or its agents. The ensuing Crown Proceedings (Armed Forces) Act 1987 put service men on the same footing as civilians employed by the MOD, and was intended to remove for the future a potent source of unfairness.

Naturally, like other legislation, the Act had no retrospective effect, and no service man who had sustained injury before 1987 could benefit from it. It simply drew the line under everything that had gone before. I well understand why that principle is followed by successive Governments of every political complexion when they legislate, especially on employment conditions, rights and obligations. Any other approach would nearly always produce too many difficult time-consuming cases, in which the evidence was no longer available or which produced unfairness and anomalies.

However, such common-sense rough justice, which ensures that everyone knows exactly where he stands, may be right for the generality of cases, but it does not serve for the very special circumstances of service men suffering from asbestos-induced disease and disability. The great difference when asbestos is involved is that the effects of exposure do not become apparent until many years later. So it is only recently, well after 1987, that service men are being disabled as a result of exposure in the 1960s and 1970s. Thus, with asbestos, no final line can really have been drawn in 1987. In fact, it is drawn again and again in practice, whenever the symptoms develop and an asbestos-related disability takes hold; and another service man or former service man finds his health, his job and eventually his life taken painfully away.

The unfairness to the former service man newly afflicted with the symptoms of asbestosis is not just in being told that he cannot apply for compensation because his condition is not really new, as it was the result of exposure before 1987; the unfairness lies also in the knowledge that a civilian MOD employee who has just developed the same symptoms, possibly from exposure while working in the same job at the same time all those years ago, can seek and get substantial compensation.

Mr. David Martin (Portsmouth, South): I congratulate my right hon. Friend on bringing this growing injustice before the House. As he can see from the number of our hon. Friends who are attending the debate, it is a matter that takes up the time of, and causes anxiety to, quite a few of us. I hope that his debate will lead to early action by the Government.

Sir Peter Lloyd: I am grateful to my hon. Friend. He is quite right.

For the service man developing an asbestos-related condition in 1996, there is still only a war pension, while for the civilian MOD employee with exactly the same condition, there is industrial disability benefit and compensation. In a number of respects, the war pension is considerably more generous than IDB, although they both produce fairly similar sums weekly. Where disability is 100 per cent., that is about £90 to £100 a week.

It is in the availability of compensation, where the civilian victim can be awarded £150,000 to £200,000 in the severest cases, that the inequality lies. Compensation means a lump sum which can make the last months or years of a sufferer's life more comfortable, and can take away a great deal of worry about how his dependants will fare after his premature death.

The injustice is compounded by the cruelty of the condition. It can take many forms: from the deadly tumour of mesothelioma, to asbestos-induced lung cancer, to cancer of the larynx, asbestosis, pleural thickening and pleural plaques, in rough descending order of malignancy. Most are disabling and life shortening; all are a source of worry, discomfort and reduced activity.

This well-founded sense of injustice is further exacerbated by the knowledge that the MOD, like many other public and private employers, was culpably slow to act on the evidence, plentifully available in the 1960s and 1970s, that asbestos is a killer.

There is no doubt that the MOD failed to show the foresight and to exercise the proper care that it should have done. The fact that it has awarded compensation to almost 1,500 civilian employees since 1985 proves that point. I do not know how many service men have also developed one of these conditions. No doubt the information is present in the details of war pensions awarded. I was told in answer to a parliamentary question, however, that it would cost too much to sift out this information.

So what proportion of the 297,000 war pensions granted since 1985 are for asbestosis-related conditions is not known. It would not, I suppose, be unreasonable to assume that they are running at a level similar to that for civilian cases.

I know that I do not have to persuade the Minister of the pain and distress that these conditions bring to service men and their families. I know that he is aware of that. I know I do not have to win his sympathy for their plight. Nor do I have to convince him of the inequity of their treatment compared with their civilian colleagues, who were exposed at the same time and with the same horrific, though long-delayed, consequences. But I do realise that, as a Minister, he comes here tonight bound by the law and practice as they stand, and that he cannot offer the House a remedy off the cuff. I am not asking him for one.

I am, however, asking my hon. Friend to accept that this is a problem which simply will not go away. As the number of victims grows as a result of the after-effects of the intensive use of asbestos in the 1960s and 1970s, so will public disquiet and the sense of injustice, which cannot permanently be ignored. For it will not be until well into the next century that the number of new cases each year will begin to reduce.

The fact that, unlike most Adjournment debates, I am not speaking to an empty House, but that my hon. Friends the Members for Portsmouth, South (Mr. Martin), for Portsmouth, North (Mr. Griffiths), for Isle of Wight (Mr. Field), and for Wyre Forest (Mr. Coombs), and the hon. Members for Leeds, West (Mr. Battle) and for Plymouth, Devonport (Mr. Jamieson) on the Opposition Benches have stayed to express their interest and support is an early sign of the strong and determined feeling that this subject will increasingly evoke.

I understand that my hon. Friend can promise no remedy now, but I make a particular request of him. Will he undertake with his colleagues in the Department of Social Security to study the problem, establish the facts, and make them available to the House?

It is unsatisfactory, to say the least, to be told that the number of war pensioners with asbestosis remains uncounted. I believe that the House should know how many there are and at what rate new applications are coming in; what the accurate comparisons between the financial circumstances of Ministry of Defence civilians and service suffers are, taking into account pensions benefits and compensation; and what is the nature and extent of the unprotected exposure of service men and MOD civilians to asbestos, and when it ceased.

If the outcome of my hon. Friend's study confirms, as I fear it will, a sharp inequity of treatment between service men and civilians, I am sure that he and his colleagues will need to give serious thought to how it might be ameliorated. I do not believe that retrospective legislation is the right answer. Instead, I wonder whether the expedient of the Secretary of State simply refraining from certifying asbestos exposure cases under section 10(2) of the Crown Proceedings Act 1947 would serve. I suspect that it might not, as he may have a duty to sign when a case meets the criteria. Perhaps my hon. Friend will reflect and let me know, if not this evening, in due course by letter.

I should imagine that the best way forward is by way of ex gratia payments designed to put the former service men suffering from asbestosis into a similar financial situation as the civilian. Again, there may be some difficulty, because, with the large number of cases that I fear there are, such payments may not be a legitimate source of discretion, which are designed to cover only special cases and not a whole category. Perhaps my hon. Friend will let me know what the legal considerations are here, too.

I urge my hon. Friend not to delay, not only because any extra help is needed by those service men and their families now but because I am sure that he would wish to forestall a case going to the European Court of Human Rights. The *Portsmouth Evening News*, which has been publicising the plight of these former service men, has opened a public fund to finance a legal opinion and initial test case. I shall not seek to lay out the grounds on which such a case might be based, as my hon. Friend has legal experts who can advise him more thoroughly than I—although I know that the Government have not always won judgments that they felt that they should have won from that court.

That apart, I believe that it would be a shaming end to this unhappy story if the Government, after more delay, were finally obliged to do the right thing for their asbestos-disabled service men only by the intervention of a bench of foreign judges. We should resolve this matter ourselves, willingly, justly and without delay.

10.48 pm

The Minister of State for the Armed Forces (Mr. Nicholas Soames): I warmly congratulate my right hon. Friend the Member for Fareham (Sir P. Lloyd) on securing this very important Adjournment debate. I acknowledge, as he did, the presence of other hon. Friends tonight, and that of the hon. Members for Leeds, West (Mr. Battle) and for Plymouth, Devonport (Mr. Jamieson) on the Opposition Benches. I am glad that this should be such a well-attended Adjournment debate. It induces a warm feeling in a Minister who is so used to speaking to an entirely empty House bar one other hon. Member—except yourself, Mr. Deputy Speaker.

My right hon. Friend has been an extremely assiduous campaigner on this issue, and I applaud his concern and, I understand, that of a number of his constituents, to see that ex-service personnel are not left without help or assistance, should they need it, after they have served their country well. I hope, however, that I can reassure him tonight that that is not the case. If I cannot deal with any of his points in my speech, I shall write to him. I assure him that we shall pay the closest attention to all that he has said.

Before I tackle the points that my right hon. Friend raised in his well-informed speech, I hope that he and others will forgive me if I set out a little of the history of asbestos usage. Asbestos is a natural, not an artificial, substance. Its widespread use dates from around 1890, and its common forms were used widely in industry for purposes such as insulation and fire prevention. Indeed, used in that way it certainly saved lives that would otherwise have been lost.

The hidden penalty was, of course, the long-delayed incidence of asbestos-related diseases resulting from the inhalation of airborne asbestos dust or fibres. Those diseases include certain extremely disagreeable types of cancer, and also the crippling lung disease asbestosis. They can take from 15 to over 40 years to develop.

One of the chief industrial uses of asbestos was in ships' boilers and engine rooms, including those of Royal Navy warships. Regrettably, people engaged in maintenance and repair work in such areas up to about the late 1960s could have been exposed to significant quantities of airborne asbestos dust and fibres. Thereafter, more comprehensive legislation was thankfully introduced to deal with the hazards of asbestos.

Much more stringent controls are in place today, and the use of asbestos has been discontinued in all applications for which there is a suitable alternative. All asbestos products require the approval of the Health and Safety Executive. Wherever possible, the Ministry of Defence employs specialist contractors, licensed by the HSE, to deal with asbestos.

Where MOD employees, service or civilian, have to work with asbestos, the same regulations now apply. The HSE must be notified, and the work is subject to scrutiny by the enforcement agency in just the same way as work in the civil and private sectors. We have also introduced procedures to record any exposure to asbestos dust above statutory action levels, and to provide appropriate medical surveillance.

[Mr. Nicholas Soames]

As my right hon. Friend knows, however—along, no doubt, with all other hon. Members who are present—the sad fact remains that, in the 1950s and 1960s, general controls on the use of asbestos were entirely inadequate. Royal Navy personnel and civilian workers engaged in ship maintenance and repair in boiler rooms and the like were allowed to breathe air containing much more asbestos dust and fibres than was safe, or than would now be permitted.

For that reason, there are likely to be a number of ex-service personnel, as well as civilian defence workers, among those from British industry generally who are now suffering and, sadly, dying from asbestos-related diseases. I fully acknowledge that, and we do not seek to avoid the issue in any way.

My right hon. Friend pointed out that ex-service victims of asbestos, unlike their civilian counterparts, have been debarred from suing for compensation by section 10 of the Crown Proceedings Act 1947. The law was changed in 1987. Before then, there had been some tragic cases of service men seriously injured by accidents on duty. If they had been civilians, they would have been able to seek compensation from their employer, when accidents resulted from negligence for which the employer was responsible.

Although the law was changed, so that service personnel now have exactly the same compensation rights against the MOD as their civilian counterparts have against their employers, Parliament accepted that repeal would not be retrospective, and that no ex gratia compensation would be paid for events that occurred before the repeal was announced in December 1986. That lack of retrospection was the subject of careful and detailed consideration at the time. Even for those tragic cases which had largely prompted the decision to repeal, compensation would not be paid.

In the light of recent representations from my right hon. Friend and others, we have looked carefully again at the asbestos issue. We all have the utmost sympathy with those who have suffered as a result of serving their country, whether the suffering began at the time or whether it set in later. However, to make payments now, on some sort of ex-gratia basis, to asbestos victims who are debarred by section 10 of the Crown Proceedings Act, would be entirely and wholly inconsistent with Parliament's decision in 1987.

How could we possibly justify compensating someone disabled now because of asbestos exposure pre-1987, and not compensating somebody disabled by a negligent accident pre-1987? At the same time, all the arguments against retrospection, which were accepted in 1987, apply even more so nearly 10 years later. It saddens me greatly to say it, but the fact is that we cannot reopen every page of these tragic histories and rewrite them with the aid of a blank cheque—which is what it would be.

Mr. David Jamieson (Plymouth, Devonport): I congratulate the right hon. Member for Fareham (Sir P. Lloyd) on securing the debate. He will appreciate that this is a cross-party issue. My hon. Friends the Members for Dunfermline, West (Ms Squire) and for Leeds, West (Mr. Battle) have a great interest in the matter, and I represent many service men and service women.

Would the Minister at least give an assurance? We do not ask for a blank cheque. I have two simple requests for the Minister. First, will he make an assessment of how many service men receive war pensions due to exposure to asbestos? Secondly, will he make an estimate of what it would cost to compensate them at the same rate as civilian workers? If we got that from the debate, without an assurance from the Minister that an unquantifiable sum would be available, it would satisfy many hon. Members that at least the Government were moving along the right road.

Mr. Soames: Perhaps the hon. Gentleman will allow me to continue with my speech. I hope to deal with some of the points that have been raised in the debate.

My right hon. Friend has said that, with asbestos, unlike with accidents, the effect may have occurred after 1987, even though the cause was long before. This is correct, but it is still not a reason for treating asbestos victims differently. It has long been obvious, certainly since well before 1987, that cases of asbestos-related disease would continue to arise as a result of long-past exposure, for well into the future. As my right hon. Friend rightly said, they will continue into the next century.

I turn now to the comparison between former service men and former civilian workers. It is true that, where section 10 of the Crown Proceedings Act applies, ex-service men are not eligible for compensation, where their civilian counterparts are. On the other hand, ex-service men and their widows can apply to the War Pensions Agency of the Department of Social Services when disability or death has resulted from service in the armed forces, in war or peace. This includes those suffering from asbestos-related disease. The level of pension depends on the degree of disablement, but it can be, and often is, substantial.

I take as an example someone with 50 per cent. disablement through reduced lung function. That means being able to walk only for 200 or 300 yards on the flat. The basic rate of his war pension is over £50 per week. Someone with a more severe reduction in lung function who gets short of breath just from talking or dressing could be assessed as 100 per cent. disabled, and his basic rate of war pension would be over £100 per week. On top of this, he would qualify for extra supplements and allowances for attendance needs, inability to work, clothing, and so on. These could raise his war pension to anything up to about £370 per week. These sums are tax-free and index-linked. The rate for war widows in the age groups relevant here is from about £140 per week upwards, depending on allowances.

As my right hon. Friend knows, I am not able tonight to discuss individual cases. The pensions in question are not even matters for my Department. But let us imagine someone in his 50s or 60s, whose disability is moderate for a few years, then severe for further years. He then sadly dies from asbestos-related disease, leaving a widow who lives on for some years thereafter. War pension payments to the man and his widow could total many tens of thousands of pounds.

Of course, civilians with asbestos-related disease might qualify for help from the DSS. But given the level of benefits available for ex-service personnel under the war pension scheme, service men cannot be regarded as

seriously disadvantaged through lack of compensation from the MOD for asbestos disease. The average compensation paid by my Department to former civilian workers with asbestos-related disease is under £20,000. Amounts vary greatly, of course, according to particular circumstances.

For example, someone who dies relatively young, thus losing career earnings, and also leaving dependants, would clearly be liable to get a higher rate of compensation. Compensation claimants can, of course, take the matter to court if they dispute the amount offered by the employer's insurance company. But the average pay-out to civilian asbestos claimants since 1987 for illness caused by asbestos when working for the MOD in previous decades is under £20,000.

Broadly speaking, I do not think that ex-service asbestos victims can be said to be disadvantaged compared with their civilian counterparts. They are disadvantaged compared with the position they would be in if they had been exposed to dangerous amounts of asbestos in the services since 1987, when the law was changed to allow serviee men to sue the Crown for compensation, in addition to war pensions. One hopes that no one has been so exposed in the services since 1987, but in any event that is a very different comparison.

I hope that my right hon. Friend will understand that the Ministry of Defence truly has the utmost sympathy for those who find themselves afflicted by those horrible diseases, and that the service personnel in question are most definitely not placed in a worse position than their civilian comrades.

My right hon. Friend is welcome to write to me, and to come to see me, if he knows of ex-service asbestos cases for which overall Government provision appears inadequate. I would ask him, however, to take each person's war pension into account. Anyone seriously disabled with asbestos-related disease through service in the armed forces can get a substantial tax-free income from the War Pensions Agency of the DSS.

My Department will study with great care the points raised by my right hon. Friend, the hon. Member for Plymouth, Devonport (Mr. Jamieson) and my hon. Friend the Member for Portsmouth, South (Mr. Martin). I will write to my right hon. Friend to deal with any issues that I have not dealt with tonight in detail. I give him an assurance that the MOD wishes to continue to study the problem.

I am aware of the campaign that is being run and the legal appeal fund that has been set up in right hon. Friend's constituency. We will continue to keep the matter to the forefront of our mind. I share my right hon. Friend's anxieties, and I warmly applaud the steps that he has taken so far to lobby and to raise the matter on the Adjournment. We will continue to study the issue, and I will be pleased to see my right hon. Friend to discuss the matter further.

Question put and agreed to.

Adjourned accordingly at three minutes past Eleven o'clock.

House of Commons

Thursday 28 March 1996

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

BODMIN MOOR COMMONS BILL *[Lords]*

Order for Second Reading read.

To be read a Second time upon Thursday 18 April.

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

Common Agricultural Policy

1. **Mr. Sutcliffe:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to press for reform of the common agricultural policy; and if he will make a statement. [21601]

4. **Mr. Spring:** To ask the Minister of Agriculture, Fisheries and Food what proposals he has for reform of the common agricultural policy. [21604]

The Minister of Agriculture, Fisheries and Food (Mr. Douglas Hogg): I shall seek to build on the European Commission's acceptance of our view that the common agricultural policy must change by continuing to press for progressive reductions in production-linked support and the eventual removal of artificial restrictions on production.

Mr. Sutcliffe: Is not the Government's credibility in question in view of yesterday's export ban on British beef? What are the Minister's plans for rebuilding confidence in British beef? Will he implement the proposals of my hon. Friend the Member for Edinburgh, East (Dr. Strang) and the National Farmers Union, which would regain the credibility of British beef? More important, any reform of the common agricultural policy would be helped if the Government made sure that they put the interests of British people first,

Mr. Hogg: I certainly think that the decision by the European Union to ban, or temporarily suspend, the importation of British beef is not founded on the scientific evidence, and is therefore wrong. As our advisory committee has made absolutely plain, provided the controls are fully implemented, the risk from eating beef is extremely small or, to use ordinary language, British beef is safe.

Mr. Spring: Does my right hon. and learned Friend agree that any reform of the CAP must look closely at beef production and include long-term reassurance to the British and continental public that British beef is safe? Does he share my view that the collapse in confidence in British beef is due in part to the quite disgraceful and irresponsible scaremongering of the hon. Member for Peckham (Ms Harman)?

Mr. Hogg: Much of the hysterical reaction to the contents of the scientific committee's report has contributed to the lack of public confidence. I deeply regret that, and those who have been party to it should be ashamed of themselves.

Mr. Wigley: Is the Minister aware that rural Wales faces devastation from the prospective loss of as many as 20,000 jobs because of the beef crisis? Will he confirm that it is within the Government's power to bring in an intervention scheme and that it would be possible to have a British aid scheme on that basis? Will he make an announcement about selective culling to restore confidence? When, oh when, will the Government do something? People are losing their livelihoods and the farms that they have built up over a generation while the Government seem mesmerised, like chickens in the headlights of a car.

Mr. Hogg: There is unquestionably a lack of consumer confidence at the moment. I do not believe that it is justified because it is quite plain from what the Spongiform Encephalopathy Advisory Committee—SEAC—has said that, to use ordinary language, British beef is safe. There is a debate later today in which I shall set out our further thoughts. I think that they will be of assistance to the House.

Sir Michael Spicer: Is not the situation with respect to British beef and the CAP that either British beef and British beef producers will be supported through intervention buying through the CAP or we shall have to go it alone through some form of national deficiency payments? Would not that begin to spell the end of the CAP as we know it?

Mr. Hogg: My hon. Friend is entirely right to focus on the existing intervention scheme. The European Union, through its policies within the agricultural policy, should play a full part in supporting the British meat industry at this time.

Dr. Strang: May I suggest to the Minister that, from the start, a more constructive approach should have been taken to the inevitable concern in Europe following last week's announcement on BSE and CJD? Will he agree to a change in his position today? Will he assure us that his officials are talking with European Commission officials about measures that aim to get rid of BSE? Does he agree that it would be valuable to agree a package that has European support and European funding?

Mr. Hogg: The hon. Gentleman has called for a more constructive attitude. I assume that that is an implied rebuke for the hon. Member for Peckham (Ms Harman). As to the substantive part of his question relating to talks with the European Union, I confirm that officials were in

Brussels yesterday and are in Brussels today discussing possible ways of restoring confidence in British beef and ways in which the European Union can play a full part in providing financial assistance. I anticipate going to Brussels shortly to reinforce those discussions.

Food and Drink Industry

2. **Mr. Alexander:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to develop export opportunities for the United Kingdom's food and drink industry. [21602]

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mrs. Angela Browning): During the past year, and with the Government's financial support, Food From Britain has opened new representative offices in Japan and Denmark. FFB's corporate strategy for the next three years involves expanding the coverage of its existing offices and extending its services into central Europe and the middle east.

Mr. Alexander: I am grateful for that reply but, as the export of beef is one of the most important components of the food and drink industry, is it not urgent that an emergency package of relief for farmers and the industry should be announced very soon to avoid widespread bankruptcy and unemployment? In that connection, will my hon. Friend, and my right hon. and learned Friend the Minister, encourage British banks to be as supportive as they can of the farming industry until this crisis is sorted out?

Mrs. Browning: We are all aware of the grave difficulties in all sectors of the industry, from the farm right through the food processing chain. I refer my hon. Friend to the comments a few moments ago of my right hon. and learned Friend the Minister. I hope that my hon. Friend will attend tonight's debate.

Mr. Cousins: Does the Minister accept that one of the things that could transform beef export prospects is an effective and accurate live test of cattle? Will she therefore reconsider the prospects of Dr. Narang of Newcastle, my constituent, who was personally refused a research grant by the Secretary of State as recently as 21 February? Does she agree that this is not the moment to turn down any avenue of research advance that could transform the prospects of our farmers and their exports?

Mrs. Browning: I confirm that the hon. Gentleman's constituent, Dr. Narang, has been invited to give his information to SEAC for consideration, but I must point out that Dr. Narang has refused to have published in the necessary scientific journals for scientific scrutiny the research that he has done to date. When invited by the Ministry of Agriculture, Fisheries and Food to make that information available to us, he has refused to do so.

Mr. Marlow: Will my hon. Friend make it clear that the biggest problem that has been imposed on British beef and the food industry has been imposed illegally by the European Commission, which has decided to ban British beef? It is allowed to make a decision on the basis of there being a severe hazard to health. There is no severe hazard to health and it accepts that. Its decision was made politically, has devastated British industry and British agriculture and is now devastating European agriculture. The only way to put this right is not to receive the European Commission's generosity, but to have legal compensation from the Europeans.

Mrs. Browning: My hon. Friend identifies very clearly what has happened. The scientists who advise the Commission have had all the science put in front of them, but their decision making and determination has not been based on that scientific evidence. As my hon. Friend says, that has had a dreadful effect on the British beef industry which is now spreading to the Europewide meat industry in general. I have heard what my hon. Friend has said and there is much sympathy with the points he made.

Mr. Tyler: May I place on record that we Liberal Democrats believe that this is not the appropriate time for recriminations such as we have heard? Does the hon. Lady agree that the first step towards re-establishing our export position in Europe should be taken here at home? Germans will not buy British beef, regardless of any ban, if public confidence remains at such a low ebb in the United Kingdom. Has she and the Minister had time to look at the package of proposals that we put to them last night, which we hope will make a positive contribution to what is undoubtedly a very difficult situation that requires consensus across the House if we are to solve it?

Mrs. Browning: We have received many packages of proposals from various organisations—the NFU, the food industry and other political parties, including the Liberal Democrats. I welcome the hon. Gentleman's initial comment. Making the issue party political will only damage British farmers, the British food industry, other industries and British jobs, for which those who have turned it into a party political scare must take personal responsibility. I assure the hon. Gentleman that we welcome his statement. We shall study all options and bring them forward as quickly as possible.

Sir John Cope: Will my hon. Friend do her best to make it clear as widely as possible that farmers have confidence in British beef because they have seen the number of BSE cases come down in recent years and therefore trust what the vets and doctors say?

Mrs. Browning: The farming community understands only too well why policy has always been—and will continue to be—based on scientific evidence available at the time. We are all aware, however, that, beyond the science, there is a need for market support. I can assure my right hon. Friend, and the farming community that he represents, that we shall take every step necessary to restore confidence as quickly as possible.

Mrs. Golding: Is the Minister really aware of the extent of the damage to our export opportunities that has been caused by the Government's failure to act swiftly and ruthlessly on BSE? Will she assure the House that that catalogue of delay will never be allowed to happen again?

Mrs. Browning: The hon. Lady should study the facts. We received SEAC's scientific advice concerning the 10 CJD cases, and the necessary steps that it

recommended, at midday last Wednesday. By 3.30 pm that day, the information was being conveyed to hon. Members. One cannot act any faster than that.

Subsequently, of course, the scientists in Europe have taken their disgraceful decision and made recommendations that, as I have already said, were based not on science but on other issues. It is therefore necessary, now that that has happened, to try to remove the temporary ban on the export of British beef. We feel sure that that will be the first step towards restoring public confidence, which, as the hon. Member for North Cornwall (Mr. Tyler) said, begins at home.

I sincerely hope that, as an Opposition agriculture spokesman, the hon. Lady will add her voice to those of some of her hon. Friends who recognise the danger in following the attitude of other Opposition Front-Bench spokesmen in building up the scare and turning the matter into a party political brickbat competition. Too many jobs are at stake to play party politics with the industry.

Mr. Budgen: When my right hon. and learned Friend the Minister said a few moments ago that the ban on exporting beef was not based on scientific evidence and was wrong, did he mean that the ban was illegal? If it is illegal, what action does he intend to take about it in the European Community?

Mrs. Browning: The ban is not illegal in terms of the law as it stands in the European Community. My point was that, whereas in this country we make decisions based on science—one could reasonably have expected scientists in Europe to follow the same principle—other countries in the European Community have singularly failed to do so.

Farm Workers

3. **Mr. Clapham:** To ask the Minister of Agriculture, Fisheries and Food when he last met representatives of the rural, agricultural and allied workers trade group of the Transport and General Workers Union to discuss employment conditions for farm workers. [21603]

The Minister for Rural Affairs (Mr. Tim Boswell): I have not yet had the opportunity to meet formally representatives of the rural, agricultural and allied workers trade group. I should be happy to do so, if they wish.

Mr. Clapham: I am rather surprised by that answer, given that about 350 BSE-infected cows are disposed of each week. Bearing in mind the fact that there will be a greater number if there is selective slaughter and that concern has been expressed that the humane killer could spread infected brain tissue, I should have thought that the Minister would have sought the advice of the Health and Safety Executive on the protection with which workers should be provided, and ensured that he met the unions to give them the Health and Safety Executive's advice.

Mr. Boswell: It is, of course, entirely within the remit of the Health and Safety Executive to carry out such studies and to consider any evidence laid before it. Policy responsibility for the executive rests with my right hon. Friend the Secretary of State for the Environment. We do, of course, take an interest in those matters and we are more than pleased to pass on any representations to the executive and, equally, to SEAC for expert scientific appraisal. These are serious matters which affect concerns about the health and welfare of the working population and about their employment prospects. We take those concerns seriously and we are prepared to consider any evidence, or to hold any discussions, that they feel appropriate.

Mr. Bill Walker: When my hon. Friend meets this august body, will he tell it that many farm jobs are at risk in Scotland in the prime beef-producing areas, which produce quality beef? The problem has been caused by careless talk, much of it in the House, and by action taken within Europe which means that, whatever we have, we do not have a common agricultural policy. It should be recognised that animals in Europe suffer the same ailments as animals in the United Kingdom. We want a level playing field.

Mr. Boswell: I would be pleased to pass on those messages. We suffer at the moment from an unfortunate combination of scare tactics, for political reasons, on the part of certain hon. Members and an inappropriate and disproportionate reaction by some of our European colleagues which is not based on the science.

Mr. Hood: More than 200,000 jobs in Scotland are at stake as a result of the BSE scare. May I remind the Minister that, when the farmers asked the Parliamentary Secretary for help last week, the only help she offered was to put good Samaritans on the other end of a helpline? Can we stop the nonsense about political opportunism? If we had accepted the statement by the Secretary of State for Health—that it was the people who were mad and not the cows—where would we have been today?

Mr. Boswell: The hon. Gentleman might care to have a word with the hon. Member for Peckham (Ms Harman). He is worried about the 200,000 jobs in the beef industry in Scotland, but he should be aware that she started that hare and that she was fully followed by a number of Labour Members.

Animal Welfare

5. **Sir Michael Neubert:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about developments in his negotiations with his European counterparts about the welfare of animals. [21606]

Mr. Douglas Hogg: Discussion of the Commission proposals for amending the European Union directive on the welfare of calves has now commenced. I have made it clear to my colleagues that the United Kingdom will continue to press for the early introduction of adequate space and dietary requirements. In addition, the Government will press at the intergovernmental conference for a protocol to be added to the treaty of Rome to place an obligation on a Council of Ministers to give full regard to considerations of animal welfare in the exercise of its powers on agriculture, transport, research and the single market.

Sir Michael Neubert: Will my right hon. and learned Friend accept credit for the success of the Government's efforts to persuade other countries in the EU to consider high standards of animal welfare, in line with our own? Will he continue his efforts to press for an early end to the veal crate and its associated restrictions on space and diet? Will he seek an amendment to the treaty that would give the welfare of animals the importance that it has in this country? Presumably that would not include the unjustified slaughter of masses of cattle.

Mr. Hogg: I am grateful to my hon. Friend for his support. Veal calf crates are an important subject, and I am glad to say that proposals are now being made by the Commission. At the moment, the time contemplated for the implementation of the new regime—12 years—is in our view far too long. We shall press for a shorter time.

Dr. Strang: Will the Minister acknowledge that BSE is a terrible and invariably fatal disease in cattle and that, since last week, there has been concern about a link with human beings? Has he seen the letter that I sent him yesterday, setting out Labour's proposals to restore confidence in British beef, keep the BSE agent out of our food, improve the epidemiology of the disease, increase consumer awareness and make Government action more effective? Will he adopt a constructive approach to those proposed measures?

Mr. Hogg: Of course BSE is a terrible disease; CJD is an even more terrible disease. Yes, I have seen the letter from the hon. Gentleman; he will bear in mind the fact that we are to have a debate. He asked whether I was adopting a constructive approach to the problems. The answer is yes, I am, and I shall set out my thoughts more fully in this evening's debate.

Fish Quotas (Essex)

6. **Mr. Amess:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the fish quotas which apply to Essex fisherman. [21607]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Tony Baldry): The UK fish quotas are apportioned between producer organisations, the non-sector—representing vessels over 10 m in length that do not belong to producer organisations—and the under-10 m fleet. Most Essex fishermen fish against the separate allocations of quota made to the non-sector and to the under-10 m group of vessels.

Mr. Amess: Is my hon. Friend aware that Essex fishermen are fed up with being allowed to catch only tiddlers while the rest of Europe is allowed to catch whoppers? Will he kindly bring their plight to the attention of the next Fisheries Council, so that the imbalance can be addressed and their quota of Dover sole increased?

Mr. Baldry: I am well aware of the problems facing smaller vessels, and I am considering constructively what steps might be taken to ease their difficulties. My hon. Friend initiated an Adjournment debate on the subject yesterday morning, and I said then that I was willing to go and talk to the Essex fishermen at Leigh-on-Sea and to consider more carefully what we might do to help further the non-sector fishing industry of the Thames estuary.

Common Fisheries Policy

7. **Mr. Austin Mitchell:** To ask the Minister of Agriculture, Fisheries and Food by what percentage the British fishing fleet is over its common fisheries policy multi–annual guidance targets. [21608]

Mr. Baldry: The UK's multi-annual guidance programme targets consist of separate tonnage and power figures for each of 10 fleet segments. They are due to be met by 31 December 1996. At 31 December 1994, the nephrops and distant water targets had been met. All other segments were short of target by varying degrees. Figures for the end of 1995 are not yet available.

Mr. Mitchell: I should have hoped—and expected—that the Minister would take the opportunity offered by the first fishing questions for ages to ask consumers who do not want to eat beef to eat fish, because it is better for them. On the substance of his answer, is it not ludicrous that the United Kingdom—which provides two thirds of the waters in this so-called common market pool and more than three quarters of stocks—is now being asked to make the biggest reductions in its fishing fleet, particularly when a fifth of that fleet is owned by Europeans? Commissioner Bonino said that she will take quota hoppers into account when deciding reductions. Why does the Minister not meet her and ask her to live up to that promise?

Mr. Baldry: The hon. Gentleman needs to sort out some of his points—some of them are good and some are awfully bad. We are not being asked to make any greater reduction in our fishing effort than any other member state. If we fish against national quotas, of course it is crazy that members of other EU states can catch fish against our quota. For that reason, we have made it perfectly clear that, if appropriate, we will seek treaty changes at the intergovernmental conference to deal with the issue of quota hoppers. Of course I discussed that with the European Commissioner—she was in the UK the other day. I think that she fully understands our opposition, and our determination to deal with quota hoppers—which is what we are determined to do. I very much hope that, in the not too distant future, the Anglo-Dutch fleet, which is sailing around the North sea, will disappear.

Mr. Nicholas Winterton: My hon. Friend is aware that Europe is taking emergency action to keep out our beef. Why cannot we take emergency action to keep the pillaging fishermen of Spain and elsewhere out of our waters on the grounds of an emergency in employment and conserving fishing stocks? What is good for the goose should be good for the gander.

Mr. Baldry: That is good, robust stuff, Madam Speaker. It is important to remember in all this that the House and the country will always comply with the rule of law. We will always base our decisions on law. We will, moreover, seek to base our decisions on best

science. It is a matter of great disappointment to all hon. Members that our European colleagues have shown this week that they do not follow those policies.

Managed Access to the Countryside

8. **Mr. Butler:** To ask the Minister of Agriculture, Fisheries and Food what steps the Government have taken to promote managed access to the countryside. [21609]

Mr. Boswell: The Ministry offers a range of incentives to encourage farmers to provide increased public access.

Mr. Butler: Does my hon. Friend accept that farmers in my constituency and elsewhere welcome managed access to the countryside? What they do not welcome, however, is the hysterical approach of the right to rampage being put forward by the Labour party, which would be a licence for criminals, burglars and people who want to commit damage to go into the countryside without let or hindrance. Does my hon. Friend recall that the previous Labour policy on this subject, in 1990, was launched under the title "Out in the Country"? Does he think that this policy could more accurately be described as out to lunch?

Mr. Boswell: I have considerable sympathy with the points made by my hon. Friend. There has been wise advice on the subject from some of the Opposition's noble Friends in another place—including Baroness Mallalieu, who explained that a law would be unenforceable without the consent of farmers and landowners. As my hon. Friend implied, the policy would also impose very severe insurance, administrative and general hassle costs for the farming community. It could not proceed without consent, it is entirely the wrong way round and we will have no part of it.

Mr. Foulkes: I am surprised that the hon. Member for Milton Keynes, North–East (Mr. Butler) did not blame my hon. Friend the Member for Peckham (Ms Harman) for pillaging the countryside. Has the Minister seen the representations made by the Ramblers Association following the decision announced yesterday—

Mr. Jacques Arnold: She has done enough damage already.

Mr. Foulkes: I know that the hon. Member for Gravesham (Mr. Arnold) is suffering from mad cow disease.

After yesterday's decision by the Secretary of State for Scotland on the Forestry Commission's holdings, the Ramblers Association made representations to the effect that such a policy will discourage access to the forest and is, in fact, privatisation by the back door.

Will the Minister talk to his right hon. Friend and ask him to rethink his plans for the forestry?

Mr. Boswell: We would be happy to shift our attack from the hon. Member for Peckham (Ms Harman), who has perhaps already taken sufficient punishment, to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes). I will, of course, be delighted at any time to speak to my right hon. Friend the Secretary of State for Scotland on forestry matters, as I do frequently. I would have to tell him that the basis of any of our forestry disposals programme is to provide properly for public access. Woods that are not widely used by the public are one category, but we would not sell woods or forests that are widely used by the public without making or offering adequate provision for access, which we regard as important.

Regional Speciality Food

9. **Mr. Bellingham:** To ask the Minister of Agriculture, Fisheries and Food what action his Department has taken to promote regional speciality food. [21610]

Mrs. Browning: In the past few months, two regional speciality food and drink groups have been set up with the help of Government financial assistance. Those groups have joined three other regional and several smaller groups to raise the profile of this important sector of the food industry.

Mr. Bellingham: Is the Minister aware that, although Norfolk is predominantly an arable county, one particular regional speciality is its excellent beef? Is she aware that Norfolk farmers are concerned because they do not want their beef businesses destroyed by a combination of press hysteria and Opposition Members who are more concerned about scoring political points than about helping those businesses? How long does it take for a post-mortem BSE test to be carried out on a slaughtered bullock or cow?

Mrs. Browning: My hon. Friend rightly draws attention to the many beef herds around the country that fall into the speciality category and are of particularly high quality. I know that Norfolk has its share of such herds.

As for how long it takes to check a slide from the brain of a cow infected with BSE, that is not a process that can be conducted at the abattoir—the point that my hon. Friend may have had in mind. The brain has to be subject to the normal process—which takes considerable time—of being put on wax, after which a thin slide is taken for examination specifically under the microscope. I can assure my hon. Friend, however, that brains are subject to such examination. My hon. Friend may believe that that test can be conducted at the slaughterhouse, but I am afraid that the methods available to us at the moment prevent an immediate test being conducted quickly.

Mr. John D. Taylor: As the most important regional speciality food in Northern Ireland is obviously Ulster beef, both in terms of the employment that it provides and the value that it adds to the economy of Northern Ireland, and given the damage done to the Ulster beef industry by decisions taken in Europe, will the Minister not forget that there are other important export markets for Ulster beef outside Europe? As a matter of urgency, will she spearhead a new export drive in those other countries to promote Ulster beef?

Mrs. Browning: The right hon. Gentleman rightly draws attention to the importance of Ulster beef. Although countries outside the European Community have been caught by the worldwide recommendation, the right hon.

Gentleman may like to know that I am making scientists available from the Ministry to speak to representatives from other countries outside the EC who have asked to come to hear the science from us, and to hear about how it has affected the trade. I am receptive, as a Minister and on behalf of the Ministry, to those countries which wish to do that. We shall enable that to happen, and we are happy to talk to attachés and ambassadors of specific countries.

Mr. David Porter: Does my hon. Friend appreciate that another regional speciality food is North sea cod, plaice and sole? Because of the workings of the common fisheries policy, however, there is a great danger that we shall soon not be able to catch any of those off England. Will she take that message to the IGC when she considers the reform of the common fisheries policies?

Mrs. Browning: My hon. Friend the Minister of State has outlined to the House the work that he is doing with the industry to ensure that we get a sensible common fisheries policy, which affects his constituents and many other people around the country.

Mr. Morley: Does the Minister agree that many regional beef herds—such as Ulster beef, Scottish beef and herds from other areas—are high-quality herds with no history of BSE? Will she support some of the quality-assured schemes run by producers, and give support to those regional beef herds? Will she give some thought to the slaughter and food-processing industries where many thousands of jobs are now at risk because of the way in which the Government have handled the issue, and for no other reason?

Mrs. Browning: When the hon. Gentleman started his question, I thought that he was going to say something of profound interest to the industry and was going to recognise the difficulties that it faces. I certainly agree that some herds, kept by specialist producers, are free of BSE. Those herds are very often raised on grass, and are not subject to the cattle feed problems that we are talking about. I can assure him that I am aware of his point and will do my best to take it into account. How disappointing it is that yet another Labour agriculture spokesman, pretending to seek a justifiable solution for a matter of grave importance throughout the country, cannot resist the temptation to add his fivepen'orth of party politicking. It is a disgrace.

Mr. Key: Will my hon. Friend take another look at the future of Bath chaps, which are under sentence of death this week? Will she go back to SEAC and ask whether it really meant the masseter and temporal muscles to be classified as specified offal, because that will bring to an end a large industry and could result in up to 40 works closing?

Mrs. Browning: I am well aware of my hon. Friend's concern for the industry in his constituency that is producing Bath chaps. The recommendation from SEAC last week was very clear, and I am sorry that I cannot give him any comforting words. SEAC has recommended that the head should be removed, and that the part of the head that may be used in the food chain is the tongue. The part of the head to which my hon. Friend referred has been specifically identified by SEAC as a part not to be put into the human food chain. While I sympathise with, and have every concern for, my hon. Friend's dilemma, it would be quite wrong for the Government to challenge the scientific advice that we have accepted at this Dispatch Box.

Farm Animal Welfare

10. **Mr. Mullin:** To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had with his EC colleagues regarding the welfare of farm animals; and if he will make a statement. [21612]

Mrs. Browning: I refer the hon. Member to the answer my right hon. and learned Friend gave a few moments ago to the hon. Member for Romford (Sir M. Neubert).

Mr. Mullin: Is the Minister aware that many people of all political persuasions will welcome the collapse in the odious trade in live exports that has resulted from the present crisis? Is she further aware that many of us gave up eating meat some years ago—not for health reasons, but because we were unable to justify the appalling cruelty that factory farmers inflicted upon farm animals? She can restore the confidence of many of us only by persuading the EC to amend the treaty so that live animals can be treated as sentient beings and not as agricultural products.

Mrs. Browning: My right hon. and learned Friend explained to the House today that the addition of a protocol would create a legally binding obligation, whereas amending the treaty itself would not necessarily meet the objective. With regard to the hon. Gentleman's first remarks, he is free to take whatever decisions he likes about what he eats, and we all value the fact that he is able to do so. In time, however, he may well feel that his initial remarks were ill founded. There is a meat trade, and it is important that the highest standards apply—we have led the way on this—for animals reared in, and transported from, this country. We have pioneered the way in which those standards can be implemented across Europe, and that is the answer. We cannot just focus on what we do here, as what happens over the water is equally important in terms of animal welfare.

Mr. Gallie: Is my hon. Friend aware that today McDonald's is importing foreign beef products? Is she also aware that health observation in other countries throughout Europe is perhaps not so stringent as ours and that animal welfare considerations have been shown not to be of such great concern? Does she feel that McDonald's has made a great error of judgment?

Mrs. Browning: We shall work hard to encourage McDonald's to lift its decision on British beef as quickly as possible, because that will surely give confidence to the beef market both at home and abroad. We have no intention of allowing beef from other countries to undermine our marketplace here. We are studying imports of beef carefully to see that we can be absolutely sure that they comply with the sort of assurances on British beef that we give the population of this country.

PRIME MINISTER

Engagements

Q1. **Sir Michael Neubert:** To ask the Prime Minister if he will list his official engagements for Thursday 28 March. [21631]

The Prime Minister (Mr. John Major): This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Sir Michael Neubert: Is not the wide welcome for the Government's endorsement of Sir Ron Dearing's proposals for the education of 16 to 19-year-olds thoroughly deserved, as they bring together academic study with work-related training and recognise young people's differing skills and aptitudes for reaching their full potential? Is not that belief in diversity and choice the hallmark of Conservative policy and a striking contrast to anything else on offer?

The Prime Minister: My hon. Friend is right about the desirability of choice and diversity being the key to raising standards in schools. I am sure that that is right. My right hon. Friend the Secretary of State for Education and Employment will set out more proposals this afternoon to achieve precisely that. That is what we want for all children—our children and everyone else's as well.

Mr. Blair: Does the Prime Minister agree that, to restore confidence in British beef, we should recognise the mistakes of the past and that contaminated meat did pass into the food chain, but that, for the future, we should take all measures that are necessary to make negligible, not just extremely small, any chance—*[Interruption.]*

Madam Speaker: Order. This is disgraceful. The House will come to order.

Mr. Blair: Thank you, Madam Speaker.

For the future, we should take whatever measures are necessary to make negligible—not just extremely small—the chance of any specified bovine offal going into any part of the food chain. What are the measures that the Prime Minister is proposing following the Cabinet meeting this morning and will they include the measures proposed by shadow Ministers, which have already won wide-ranging support throughout the industry?

The Prime Minister: The right hon. Gentleman is right about the need to take all the necessary public health measures. The reality is that we have always taken the action that was seen to be necessary and the advice that has been offered. In 1989, we took action that went beyond the advice that we had received. I have had an opportunity to look at the proposals that the Opposition made this morning. They are a mixture of motherhood and action that is already being taken, and they largely miss many of the matters that need to be dealt with. [AN HON. MEMBER: "What is wrong with them?"]

If the hon. Lady would like me to run through the eight points and explain why they are irrelevant, I should be happy to do so. I will find them. Here they are.

The Opposition call for proper enforcement of controls in slaughterhouses, yet they opposed the setting up of the Meat Hygiene Service, which was designed to ensure that they were enforced. They call for a random test of the brains of cattle. That is completely irrelevant, as we have stopped all brain products that could possibly be infected from entering the food chain. They suggest that products are labelled with ingredients; that is already happening. SEAC has already looked at the safety of mechanically recovered meat and we have already taken steps to ensure its safety.

As for the plans for a quality assurance scheme, of course we wish to ensure the quality of all beef, but there would be no question of labelling some beef as safe and allowing the sale of unsafe beef, which is what they say would mean. Their plan to ban specified bovine offal in cattle under six months overlooks the fact that SEAC specifically considered this proposal and concluded that it was unnecessary, not least because there has never been a single incidence of BSE in cattle that young. The plan for a separate—*[Interruption.]* The Opposition asked me what was wrong with their plans.

Madam Speaker: Order. The right hon. Gentleman was asked a question by an hon. Member from a sedentary position. Members must learn to listen and not bawl out from sedentary positions.

The Prime Minister: The plan for a separate food agency would mean that matters such as this would no longer be represented round the Cabinet table but would be represented in an agency. The chief medical officer already has the support that he has asked for to carry out his duties. The reality is that our examination is much more fundamental than this public relations nonsense from the Labour party. It is considering votes; we are considering the industry and the national interest.

Mr. Blair: I do not think that we have heard anything quite so pathetic as that. Let me take two of those measures—one, random testing, was proposed by the right hon. Gentleman's own committee. As for the policy in relation to abattoirs, his own scientists have said that the regulations have to be enforced. Will he confirm that, as late as last year, almost half the slaughterhouses were not up to scratch and that, although it is true that there are far fewer today, there has not yet been one completed prosecution? Is that not right?

Will the Prime Minister please, for once, stop shirking responsibility and instead take it? In particular, will he understand that, unless he can agree proposals now with the food industry, the retailers and the consumer organisations so that we present a united front, we shall never have the Government back in control of events rather than being controlled by them?

The Prime Minister: What is pathetic is this document. What is also pathetic is this wriggling change of policy after the hon. Member for Peckham (Ms Harman) and the right hon. Gentleman did everything that they could to extract maximum political advantage, at the cost, potentially, of jobs, and of the national interest, in the beef industry. On his remarks about controls in slaughterhouses, the Meat Hygiene Service has an officer—in some cases more than one officer—in each and every slaughterhouse, and every single carcass is

inspected by those hygiene officers—officers whom Opposition Members voted against when we brought the proposals before the House.

Mr. Harris: Will my right hon. Friend assure his farmers—my farmers and farmers up and down the country—that the Government will do all that they can to avert the disaster facing British industry? In short, will the Government bring forward proposals for a selective slaughter policy to take out of the food chain the meat from cows that will be culled in any case?

The Prime Minister: What needs to be done to ensure confidence both for the beef industry and for allied industries, in the interests of the farmers as well as public health, and the substantial range of matters that must be examined, are all under consideration at the moment. We must address specifically the question of market confidence: that means convincing our European partners and the beef outlets that beef is safe. The next step in that process will be an announcement by my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food later this afternoon.

However, in the interests of the industry as a whole and of public health, it is important to deal with the matters comprehensively if we are to meet the objective of restoring confidence. Work and discussion on all the matters is going ahead—even as we meet this afternoon—in this country and in Europe. We shall carry out those discussions as speedily as possible. As soon as we are able, we shall bring comprehensive proposals before the House, but it is not in the interests of the industry for us to dribble them out piecemeal: we shall deal with the whole issue because that is the only way to restore the confidence so badly damaged so unnecessarily.

Mr. Ashdown: The Prime Minister knows very well just how many jobs and how many businesses are now at risk in what is the worst crisis to hit rural Britain for three decades or more. He knows that every delay will add to that list. I therefore assure him that, if he brings forward an urgent plan of action, designed to restore public confidence and to make the British herd BSE-free as soon as possible, based on culling and other measures, we shall support him. We shall also support every action that is designed to persuade our European partners that it is not a problem just for Britain, but a Europewide problem that requires a Europewide solution.

The Prime Minister: I entirely agree with the right hon. Gentleman's latter point: it is a Europewide problem. I shall discuss the matter with our European partners in Turin tomorrow and my right hon. Friends will also discuss the matter with their European counterparts. The right hon. Gentleman is entirely right: 650,000 people are employed in the industry, which generates about £5 billion each year. That is why we must ensure that the proposal we bring forward is comprehensive and will work. I am grateful to the right hon. Gentleman for his offer of support as we do so.

Mr. Lamont: Is the Prime Minister aware that there will be total support for his comments yesterday about the European Union ban on worldwide exports of British beef which he said was unjustifiable, unjust and should be reversed? Does the Prime Minister recognise that we do not wish to be bribed, by accepting the return of some of our own money, into agreeing to something that is fundamentally wrong? Is there not a case for, if not leaving the British seat vacant at the IGC tomorrow, at least saying that there will be no progress until the ruling has been overturned?

The Prime Minister: On the basis of the scientific advice that we have received, our partners must know that the ban on British beef is totally without justification. My right hon. and learned Friend the Minister of Agriculture, Fisheries and Food is having urgent discussions to outline the measures that we are taking to ensure safety. I assure my right hon. Friend that I shall reinforce that point vigorously in Turin tomorrow. It is essential that decisions of that sort are taken by member states on the basis of rational judgments and of science, and not on any other basis—as I believe they were on this occasion. I shall certainly make our feelings clear tomorrow.

Q2. **Mr. Illsley:** To ask the Prime Minister if he will list his official engagements for Thursday 28 March. [21632]

The Prime Minister: I refer the hon. Gentleman to the reply that I gave a few moments ago.

Mr. Illsley: What message does the Prime Minister have for his so-called Euro-sceptic friends now that he is not going to Turin to talk tough to the intergovernmental conference but is going cap in hand to beg for compensation for the measures that he knows he must now take to resurrect the British beef industry, which has suffered because of his Government's total incompetence?

The Prime Minister: I do not think that the hon. Gentleman can have heard what I said a moment or so ago; if he did hear it, he patently did not understand it.

We have set out our position on the intergovernmental conference, and I shall reinforce that, precisely as we have previously informed the House, in the discussions at the IGC tomorrow, but with one addition. I shall make it clear that the recent ruling on the working time directive is wholly unjustified, that we do not accept it and that we shall be seeking in the intergovernmental conference to ensure that the Commission does not misuse article 118A in future.

Q3. **Mr. Simon Coombs:** To ask the Prime Minister if he will list his official engagements for Thursday 28 March. [21633]

The Prime Minister: I refer my hon. Friend to the reply I gave some moments ago.

Mr. Coombs: When my right hon. Friend goes to Turin, will he take the opportunity to impress on his fellow European leaders the absolute need to reduce business costs? Will he also ensure that there is no way in which the European social chapter—the European tax on jobs—is smuggled into this country by the back door or foisted on the British people by the back door despite our opt-out?

The Prime Minister: As I said a moment ago, and am happy to reaffirm, I am not prepared to see the social chapter opt-out, negotiated and agreed in good faith at Maastricht with our colleagues, undermined by an improper use of other treaty heads, and I shall demand changes in the intergovernmental conference to ensure that that cannot happen. [HON. MEMBERS: "Oh!"] The Labour party may wish to sign up to policies that will make people unemployed—Labour Members are obviously reckless of employment, as they showed earlier this week with their statements on health matters--but we care about putting people back into jobs and we shall not accept any measures that prevent jobs being created.

Business of the House

3.31 pm

Mrs. Ann Taylor (Dewsbury): May I ask the Leader of the House for details of future business?

The Lord President of the Council and Leader of the House of Commons (Mr. Tony Newton): The business for next week will be as follows.

MONDAY 1 APRIL—Opposition Day (9th allotted day). There will be a debate on the council tax on an Opposition motion.

TUESDAY 2 APRIL—Consideration in Committee of the Family Law Bill *[Lords]*, followed by consideration of any Lords amendments which may be received to the Education (Student Loans) Bill.

WEDNESDAY 3 APRIL—Until 2 o'clock, there will be debates on the motion for the Adjournment of the House, including the three-hour pre-recess debate.

In the afternoon, remaining stages of the London Regional Transport Bill, followed by motions on the Social Security (Minimum Contributions to Appropriate Personal Pension Schemes) Order, the Social Security (Reduced Rates of Class 1 Contributions) (Salary-related Contracted-out Schemes) Order and the Social Security (Reduced Rates of Class 1 Contributions and Rebates) (Money Purchase Contracted-out Schemes) Order.

That will be followed by motions on the Special Grant Report (No. 17) and the Special Grant Report (Wales).

The House will also wish to know that European Standing Committee B will meet at 10.30 am on Wednesday 3 April to consider European Community document No. 9325/95 relating to Consumer Protection: Unit Pricing.

The provisional business for the first week back after the Easter Adjournment will be as follows:

TUESDAY 16 APRIL—Second Reading of the Broadcasting Bill *[Lords]*.

WEDNESDAY 17 APRIL—Until 2 o'clock, there will be debates on the motion for the Adjournment of the House.

In the afternoon, the 10th Opposition Day, on an Opposition motion of which the subject will be announced later.

THURSDAY 18 APRIL—Remaining stages of the Channel Tunnel Rail Link Bill.

Remaining stages of the National Health Service (Residual Liabilities) Bill.

Motion on the Deregulation and Contracting Out (Northern Ireland) Order.

FRIDAY 19 APRIL—Private Members' Bills.

[Wednesday 3 April:

European Standing Committee B—European Community document: 9325/95, Consumer protection unit pricing. Relevant European Legislation Reports: HC 70-xxv (1994-95), HC 51-iii (1995-96) and HC 51-xi (1995-96).]

Mrs. Taylor: I thank the Leader of the House for that statement, especially the early notification of the business in the first week after the Easter recess, but what has happened to the much-trailed statement on sentencing policy that many people were expecting by now, especially in view of all the remarks by the Home Secretary?

Secondly, in view of the Government's defeat in the Committee considering the Community Care (Direct Payments) Bill, will the Leader of the House tell us what the Government's response will be? Will he give us an assurance that the House will have an early indication as to when the Report stage will take place? That will be a test for Ministers, so that they can demonstrate whether they are responsive to the needs of older people and people with learning difficulties, by standing by the decision taken in Committee rather than trying to reverse it on the Floor after the Bill has come back to the House.

In view of yesterday's report of the Select Committee on the Parliamentary Commissioner for Administration, supporting a freedom of information Act, and in view of the Government's claims about open government, will the Leader of the House provide Government time, after the Easter recess, for a debate on that subject, or will we have to wait until a Labour Government provide not only the time for a debate but legislation on the matter?

The Leader of the House will be aware that the Public Accounts Committee has, on various occasions in recent years, warned about the ill-thought-out and ill-prepared computer schemes in a number of Government Departments. Surely we should have a debate on the matter in the near future. If the report in today's *The Daily Telegraph* is well founded—that the proposed new Department of Social Security computer scheme will cost an extra £750 million, on top of an existing bill of £2.6 billion—clearly the Government have failed to respond to the Public Accounts Committee's criticisms. Expensive blunders of that kind keep occurring, with the taxpayer footing the bill.

Finally, I hope that it goes without saying that the Leader of the House will guarantee that, if there is any statement to be made, any change of policy or any significant future development on the bovine spongiform encephalopathy front, the House will be kept fully informed.

Mr. Newton: I thank the hon. Lady for her opening kind words. On sentencing policy, my right hon. and learned Friend the Home Secretary anticipates making a statement to the House before the recess. On the Community Care (Direct Payments) Bill, I have no doubt that my right hon. and hon. Friends will give appropriate consideration to any proceedings in Committee. I shall communicate with the House about the Report stage as and when appropriate.

The hon. Lady's next two questions concerned reports from Select Committees, including the Public Accounts Committee. At the moment, I have no plans to provide time for debate in Government time, but there are well understood opportunities for debates on Select Committee reports—which, no doubt, the Chairman of the Liaison Committee and others will consider. For my part, the Government will respond to Select Committee reports in the appropriate way and at the appropriate time.

Finally, I merely observe that the Government have already arranged—in the course of barely a week—a total of four statements and one debate in relation to BSE. I think that that is an assurance of our good faith in keeping in touch with the House on the matter.

Mrs. Jacqui Lait (Hastings and Rye): Will my right hon. Friend have a look at the timetable and provide some time for a debate on the Audit Commission's report on local authority performances, so that we have an opportunity to examine those performances, particularly in places such as East Sussex, which consistently performs on the wrong side of average?

Mr. Newton: It occurs to me that the debate on the council tax—which is next Monday's business; albeit not Government business—might provide an opportunity for my hon. Friend to make the point that she wishes.

Mr. A. J. Beith (Berwick–upon–Tweed): Does the Leader of the House realise that the House has not yet debated the Europol convention on European police co-operation, which has been signed by this country, but has not yet been ratified? Does he recognise that the important work that is being carried out by the police unit in The Hague against international criminals and drug traffickers will be hampered as long as ratification is delayed by the Government's concerns about the European Court of Justice? I believe that that matter ought to be debated.

Mr. Newton: I take note of the right hon. Gentleman's request.

Mr. Bob Dunn (Dartford): Will the Leader of the House undertake to provide an urgent and early debate on local government anarchy in central London, given that Lambeth council is now owed more than £100 million in uncollected council taxes, thus proving that socialism in action is not a soundbite, not a vision, but a nightmare?

Mr. Newton: I express the hope, Madam Speaker, that my hon. Friend will catch your eye on Monday to elaborate his views on the matter.

Mr. Tam Dalyell (Linlithgow): Does the Leader of the House know that the report of the Intelligence and Security Committee was first promised for 3.30 this afternoon? Now it is not to be issued until 4 o'clock. Does that mean that it is worth reading? If it is worth reading, is it not worth debating, perhaps in the week that we come back? If he cannot promise that, how about a debate on this morning's report by the Health and Safety Executive on the parlous state of the Forth bridge in my constituency?

Mr. Newton: I note the hon. Gentleman's perfectly proper—or perfectly understandable—constituency point. On his first point, I cannot promise a debate in the first week back, having announced the business for that week. Although I always consider requests, I would rather do so when the report has actually been published.

Mr. John Butcher (Coventry, South–West): May we have a debate shortly to unravel a mystery? Informed opinion in the manufacturing sector is telling us clearly that British engineers now have a spectacular opportunity to wipe the floor with their competitors across Europe, but the public at large do not seem aware of that opportunity. The signs of success are now remorseless. May we have a debate to help to preserve the competitiveness of British industry in the teeth of policies that may be introduced to destroy that competitiveness and load employment costs on the backs of our employers?

Mr. Newton: My hon. Friend makes an important point that is relevant to many debates, and I hope that he will have opportunities to raise the matter again. I take the opportunity to congratulate his part of the country on securing the new Jaguar X200 project.

Mr. Ken Livingstone (Brent, East): Will the Minister tell the House that he does not intend the six EC VAT directives to be carried by the House simply by a Statutory Instrument? From 1 May, those directives will impose VAT on admission charges to all major zoos in Britain. That will damage attendance and reduce the work that our zoos do for endangered species. Given that, from Bristol to Edinburgh to Belfast, hon. Members have constituency interests, may we have an undertaking that before VAT is imposed on zoo admission charges on 1 May, there will be a full debate, in which all hon. Members who have a constituency interest can take part?

Mr. Newton: I note the hon. Gentleman's representations, but I have no plans for departing from normal procedures for dealing with such matters.

Mr. Edward Leigh (Gainsborough and Horncastle): With regard to the Family Law Bill, to be discussed next Tuesday, although I thank my right hon. Friends for helping us to draft amendments, it has been a rush. May I protest at the speed at which the Committee of the whole House is sitting—just a week after considering the Bill on Second Reading? On previous occasions—notably the reform of the law on homosexuality—there was a gap of some months. Similarly, many weeks passed after the Bill was considered in the House of Lords, so that constituents could voice their concerns to Members of Parliament and there could be a proper public debate on the most important piece of social legislation for a decade. Is it necessary to have the Committee of the whole House quite so quickly after Second Reading?

Mr. Newton: My hon. Friend, to whom I am grateful for his kind remarks about the assistance that he has received from my right hon. and hon. Friends, will be aware that procedures in another place are somewhat different from those here, not least in the handling of matters in Committee. In my view at least, it is sensible that certain issues should be discussed by the whole House before the rest of the Bill receives more detailed and minute consideration in Committee. The big issues should be discussed and settled first. Although the Bill received Second Reading only at the beginning of this week, there has been a huge amount of time to consider the Bill, which has been around and well known to everybody for many months.

Mr. Doug Hoyle (Warrington, North): Has the Leader of the House noted the 1,700 redundancies announced by United Utilities? They follow the 800 previously announced, making 2,500 in all. That, coupled with the sale of three companies, including North Western Electricity's shops, will mean a further 4,400 jobs being put at risk. Does he not realise that that is partly due to the Government's failure to refer the takeover of public utilities to the Monopolies and Mergers Commission? Will the right hon. Gentleman consult the President of the Board of Trade, to see whether we can have an early debate on this company's asset-stripping methods?

Mr. Newton: I shall ensure that the hon. Gentleman's remarks are drawn to the attention of my right hon. Friend the President of the Board of Trade, which is what I imagine he would like me to do.

Mr. John Whittingdale (Colchester, South and Maldon): Will my right hon. Friend find time to debate an issue of great concern to my constituents and to his—the decision of Essex county council to withdraw its grant from parish councils for civic amenity sites? Is he aware that that decision is likely to lead to the closure of the Asheldham site in my constituency? As a consequence, there will be fly-tipping all over the Dengie peninsula.

Mr. Newton: Like my hon. Friend, whose constituency borders mine, I certainly regret any action that would tend to diminish the success of recycling in many parts of Essex and bring about the consequences to which he refers.

Rev. Martin Smyth (Belfast, South): I, too, am concerned about the haste with which the Family Law Bill is to be debated next Tuesday. As the right hon. Gentleman has announced the business for the week after Easter, can he say when he hopes to announce a debate on the Northern Ireland election law Bill, so that we can debate it in good time for the elections?

Does the right hon. Gentleman share the concern of many in Northern Ireland at the fact that directions have been given to a large minority party there not to contest the election? What sort of signal for democracy does that send out?

Mr. Newton: The Bill is still in preparation, so it would be rash to schedule a debate on legislation that is not yet ready to put before the House. We are trying to get it ready as soon as possible; when it is ready, I shall arrange for a debate as soon as possible thereafter.

Mr. Richard Tracey (Surbiton): Will my right hon. Friend give us an early opportunity to debate the pride of London? In such a debate, we could discuss the great success of the city as the business centre of Europe, and the enormous progress made in London's infrastructure. None of that would have been possible, I suspect, if, 10 years ago next week, we had not abolished the Greater London council.

Mr. Newton: We do of course from time to time look for time for a debate on London. In view of my hon. Friend's trenchant remarks, I shall of course start to look for an opportunity when he might expand on them.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will the Leader of the House undertake to look carefully at the progress of the Noise Bill, which was expected to last for only two sittings but which has suddenly sprouted large numbers of amendments tabled by Conservative Members? Will he give an undertaking that that is not a case of the time taken to discuss a Bill being extended so as to hold up the Public Interest Disclosure Bill promoted by my hon. Friend the Member for Islwyn (Mr. Touhig), which is next in the queue? That would be greatly resented.

Mr. Newton: I am not familiar with every detail of the weekly proceedings in the Committee dealing with private Members' Bills, but I have no doubt that the Noise Bill, which is an important one, merits proper probing and discussion—and, where necessary, amendment.

Mr. Jacques Arnold (Gravesham): May we have a debate on the private finance initiative? During such a debate, we could raise the interesting case of the £100 million hospital project at Darenth Park in north-west Kent, which will be of immense value to people living in that part of the world. We could also highlight the fact that four major consortia have bid to participate and build the hospital, and that two of them have been invited to go forward to tender stage.

We could also draw the attention of the House to the deliberate undermining of the hospital project by the hon. Member for Peckham (Ms Harman), who is doing so merely to score party political points, thereby endangering the hospital project, but simultaneously refusing to pledge that any future mythical Labour Government would provide the £100 million to build the hospital.

Mr. Newton: I am glad to know that my hon. Friend's constituency looks like benefiting from the gathering success of the private finance initiative. I am sure that the whole House would share his regret if playing politics inhibited the project that he mentions.

Mr. Dafydd Wigley (Caernarfon): May I press the Leader of the House further on the beef crisis? He will be aware of the devastation facing many small farmers who have spent a lifetime building up their herds. They need action now, in looking not so much at who is to blame, as at what is to be done to restore confidence. Can he assure us that, if there is not a comprehensive statement in today's debate, there will be an opportunity for one tomorrow morning? In particular, will he make sure that we do not go away for the Easter recess without the farming industry knowing definitely what is to happen to restore confidence, because the industry could not understand it if we allowed a couple of weeks to go by during which time countless companies might go to the wall?

Mr. Newton: I very much welcome the tone of the hon. Gentleman's opening remarks. He will have heard what my right hon. Friend the Prime Minister said at Prime Minister's questions, about the way in which the matter is being addressed, to seek to meet those very concerns. He will also have heard what I said to the hon. Member for Dewsbury (Mrs. Taylor) about the Government's intention to ensure that the House is kept fully and properly informed.

Mr. John Wilkinson (Ruislip–Northwood): My right hon. Friend previously precluded the possibility of regular

ministerial statements to the House on the progress of the intergovernmental conference, which begins tomorrow. Could he instead allow, during the two weeks of business that lie ahead, an early debate on early-day motion 570, on the European Court compensation ruling and the common fisheries policy?

[*That this House deplores the decision of the European Court which overrules, with retrospective effect and at great cost to the taxpayer, the Government's legislation introduced to prevent British fish quotas being caught by Spanish and other foreign owners of British registered vessels; and believes that this judgement confirms the need for the United Kingdom to give notice at the forthcoming Intergovernmental Conference of its intention to withdraw from the Common Fisheries Policy and of its determination to re-establish the supremacy of British law.*]

The early-day motion was tabled by my hon. Friends the Members for Ludlow (Mr. Gill) and for Southend, East (Sir T. Taylor) and myself, and signed by 14 other hon. Members, and is crucial to the IGC, relating as it does to British withdrawal from the common fisheries policy and the restoration of the supremacy of British law.

Mr. Newton: My hon. Friend will be aware of what has been said by my right hon. Friends on that matter, in relation to the IGC. I shall not seek to add to or elaborate on that. I do not have my words from last week in front of me, but I do not recall that they were quite in the terms that my hon. Friend attributes to them—rather, it seems to me to be quite difficult to have a statement every time any kind of meeting takes place in connection with the IGC process.

Ms Ann Coffey (Stockport): I would also like to urge the Leader of the House to consider having an urgent debate on the decision by United Utilities to cut 1,700 jobs. It is an extremely profitable company and it has been built on fixed prices that are paid by people in the region for electricity and water. It is not right for those companies to kick the people in the region in the face, by cutting their jobs and by creating job insecurity and uncertainty throughout the north-west.

Mr. Newton: I have already responded on that issue to the hon. Member for Warrington, North (Mr. Hoyle), and I shall include the hon. Lady's remarks in the information that I shall transmit to my right hon. Friend the President of the Board of Trade.

Mr. Harry Greenway (Ealing, North): Could my right hon. Friend arrange an early debate on the crippling industrial rates that are being levied on riding establishments, which are very good sources of recreation for our people and which have to compete very unfairly with non-commercial riding establishments that are often paid for out of the public purse? At the same time, could we deal with the avaricious people who seek to turn this country's attention to eating horses rather than beef? We should put a stop to any such idea immediately.

Mr. Newton: I shall certainly draw the appropriate Minister's attention to my hon. Friend's remarks, and in particular to what he said about riding establishments.

Mr. Gerald Bermingham (St. Helens, South): Will the Leader of the House consider—notwithstanding last night's vote in which the Government scraped home by merely one, and the content of that debate—allowing time for a full debate on the environment and energy-saving measures? The Leader of the House may be aware that Pilkington in my constituency has announced 1,900 job losses worldwide. That company is greatly into energy conservation, and help in that field would help it, as well as many other companies. Is not it better to help the environment while at the same time helping the economy?

Mr. Newton: It is certainly the case that, over a considerable period, Her Majesty's Government have put much effort into advancing the cause of the environment generally and into energy conservation. Another private Member's Bill on the subject is around and that may, in due course, provide an opportunity for further debate on the Floor of the House.

Mr. John Marshall (Hendon, South): May I congratulate my right hon. Friend on arranging the debate on the London Regional Transport Bill to coincide with the 10th anniversary of the demise of the Greater London council? In that debate, will it be in order to draw a distinction between the investment level then and the much higher investment level today? Will it also be in order to point out that the Northern line train project is the largest public-private finance initiative project and that it will transform conditions for many of my constituents, who from next year will travel in new trains, will see every station on the Northern line upgraded and will find that private finance has provided what the GLC failed to provide?

Mr. Newton: The question of order is of course for you, Madam Speaker, rather than for me, which you would certainly remind me of should I show signs of straying, but good points are always in order and I look forward to my hon. Friend making his good points in the debate on that transport matter.

Mr. Dennis Skinner (Bolsover): Before this Government are kicked out of office, shall we have a debate about the Government's record over the whole period since they came into power in 1979? Is it not an unfortunate coincidence that the end of 17 years of Thatcherism is characterised by mad cow disease?

Mr. Newton: From the perspective of one of the people who supported the position that led to the previous Government ending with the winter of discontent, the hon. Gentleman might be unwise to promote such a debate.

Mr. Anthony Coombs (Wyre Forest): My right hon. Friend will be aware of the Press Complaints Commission's welcome adjudication in favour of my hon. Friend the Member for Colne Valley (Mr. Riddick) and against *The Sunday Times*, but as *The Sunday Times* apparently sees fit completely to ignore the commission's recommendations in a most disgraceful way, may we have a debate on the way in which the press exercises self-regulation through the commission? Will that adjudication act as an adequate deterrent against the newspaper industry acting in that disgraceful way?

Mr. Newton: My hon. Friend will understand that, as Chairman of the Privileges Committee, which suggested

[Mr. Newton]

that the PCC should revisit that matter, I have read the PCC chairman's recent letter to me with considerable interest. I cannot promise a debate, but I take careful note of my hon. Friend's remarks.

Mr. Tony Lloyd (Stretford): If the Leader of the House intends to refer to his colleague the President of the Board of Trade the issue of United Utilities' decision to wipe out the livelihoods of another 1,700 people—on top of the 800 who have already gone—and the threat to a further 4,500 people, will he point out to him that the consequences in the north-west and in my constituency in particular will be catastrophic? Will he also point out that, almost inevitably, the public in the north-west will believe that the quality of service that they receive from a bad water company and electricity company will further deteriorate? If that is the case, surely the matter should be referred to the Monopolies and Mergers Commission, but should we not also have a debate on the results of privatisation and its deleterious effects not only on jobs, but on customer service?

Mr. Newton: I do not accept the general thrust of the hon. Gentleman's remarks about privatisation. When I consider the greatly improved performance of privatised industries, in comparison with what went before, I see no reason to accept those remarks, but I shall add his representations to those conveyed to my right hon. Friend the President of the Board of Trade.

Mr. Ian Bruce (South Dorset): May we have an urgent debate, ideally this afternoon, if not next week, about Members' access to information in the House? I thought that the information systems in the House were extremely good until I tried to find a copy of the draft report that was referred to on Monday by the hon. Member for Peckham (Ms Harman). The Library is not able to identify whether any such draft ever existed and cannot get me a copy, and the Ministry of Agriculture, Fisheries and Food cannot get me a copy either. I was therefore extremely grateful to the offices of the hon. Members for Darlington (Mr. Milburn) and for Peckham when they said that they would furnish me with a copy. Unfortunately, I have since received a telephone message from the office of the hon. Member for Darlington, saying, "Apologies. Cannot find the 1978 draft report." Not only is the information not available through the normal channels, but it would appear that it is being stolen from hon. Members' offices.

Mr. Newton: That is a very interesting story. I am not sure that I can address the question, not least because it would appear that the deficiency is not in the House's information system, but somebody else's.

Mr. Rhodri Morgan (Cardiff, West): Is the Leader of the House aware that among the countless broken promises of the Government is one made on 7 September 1992 by the Under–Secretary of State for Wales, the hon. Member for Cardiff, North (Mr. Jones), to set up a public inquiry into child sex and physical abuse in north Wales children's homes? There has been persistent questioning on the matter this week. We have waited a long time—since 1992—for a public inquiry because the criminal trials and proceedings clearly had to be completed before it could be set up.

Now that they have, will the Government do what they promised and set up this long-overdue and urgently required public inquiry, under a judge, with powers to subpoena all those involved—the North Wales police, and people from the Welsh Office social services inspectorate and Clwyd and Gwynedd county council social services departments—to find out exactly what went wrong during that horror saga of 10 and 15 years ago in north Wales?

Mr. Newton: There may have been lurking somewhere in that a request for a debate, but it sounded to me like a request for an inquiry directed at my right hon. Friend the Secretary of State for Wales. I shall ensure that that request is transmitted to him.

Dr. Robert Spink (Castle Point): May we have an early debate specifically focused on the beef-processing industry, to ensure that it, as well as farmers, benefits from any confidence and compensation package that comes forward? The industry has laid off many people and is holding vast amounts of stock. One company in my constituency told me today that it was absolutely disgusted and very angry with the Labour party for playing politics with its jobs and business.

Mr. Newton: My hon. Friend makes some important points. Although, again, the matter would be for you, Madam Speaker, I find it hard to believe that raising such matters would not be in order in the debate that I have scheduled for later today.

Mr. D. N. Campbell–Savours (Workington): May I suggest to the Leader of the House that if we are to debate the matters raised by the hon. Member for South Dorset (Mr. Bruce), the hon. Gentleman would do well to contact the Chairman of the Select Committee on Agriculture? Perhaps he could ask officials, when the Committee next takes evidence from them, about the draft document to which the hon. Gentleman referred. I think that he will find that it exists.

Mr. Ian Bruce: I have not been able to get a copy.

Mr. Campbell–Savours: The hon. Gentleman should ask the Committee Chairman to secure access to it.

Mr. Newton: I could not detect a remark directed to me at all lurking in that. I shall not intervene further in the exchanges between my hon. Friend the Member for South Dorset (Mr. Bruce) and the hon. Member for Workington (Mr. Campbell-Savours).

Madam Speaker: The Lord President is not on his own.

Mr. Roy Thomason (Bromsgrove): In view of my right hon. Friend's earlier reply, he has clearly noted the success of the Jaguar X200 project, which will create and protect many thousands of jobs in the west midlands. Does he agree that an early debate on the car manufacturing industry generally would be appropriate, especially as it is leading British industry's export drive so successfully?

Mr. Newton: I certainly wish to join my hon. Friend in congratulating the industry and welcoming that project, as I have already done. I shall bear in mind his request for a debate.

Points of Order

4.3 pm

Mrs. Ann Taylor (Dewsbury): On a point of order, Madam Speaker. I am glad that the Leader of the House is still in his place. May I raise the fact that the Intelligence and Security Committee report, which, as hon. Friend the Member for Linlithgow (Mr. Dalyell) pointed out, was due to be in the Vote Office at 3.30 pm, is apparently still not available, although we were told that it would be delayed only until 4 o'clock? That raises suspicion and causes difficulties.

Madam Speaker: I understand that it is now available; hon. Members seem already to have copies.

Mr. Robert G. Hughes (Harrow, West): On a point of order, Madam Speaker. I have been sent a mass-produced letter from the hon. Member for Sherwood (Mr. Tipping), which is printed on House of Commons notepaper. I gave him notice that I intended to raise this point of order. The letter has been sent to his constituents in House of Commons envelopes and he has even put his political office address on the back. The cost of postage alone could be as much as £10,000 if the letter has been sent to every constituent. That is a flagrant abuse, and the hon. Gentleman has not even bothered to come into the Chamber. What can we do to stop this abuse by Members?

Madam Speaker: We stop it individually by insisting that, if an offence has been committed, the Member concerned has to pay. That happens in every case. If the hon. Gentleman, who obviously has the evidence, will let the Serjeant at Arms have it, he will interview the Member concerned and will find out precisely how much notepaper, postage and so on were used. If that usage is improper, the Member will be charged, as happens in every case that is raised.

Mr. Ian Bruce (South Dorset): On a point of order, Madam Speaker. I refer to the matter that I raised during questions. I know that it is your duty—a duty that you discharge well—to look after the reputation of hon. Members and of the House. You will recall that, during the emotionally charged statement on BSE, the Government were accused of being a deregulatory Government who had done away with a draft order that the Labour party had placed before the House in 1978.

I understand that the draft order had nothing to do with the inclusion of animal parts in cattle food or their exclusion from it, and I believe that that is why it is not being made available to me. Is there anything that you can do to enable me to do my job, as a Member of Parliament, of bringing up those matters and to protect the reputation of the hon. Member for Peckham (Ms Harman), who is clearly under a great deal of pressure from both sides of the House to come clean on the matter?

Madam Speaker: We are to have a debate on the matter and the hon. Gentleman may seek to catch my eye during it. Alternatively, when the hon. Member for Peckham (Ms Harman) is making her points, he may like to attempt to intervene—he has already given obvious notice of that intention—so that she can explain where the document originated and where he may obtain a copy of it. That may be the best way in which to proceed.

Mr. D. N. Campbell-Savours (Workington): Further to that point of order, Madam Speaker.

Madam Speaker: I will take no further points of order on the matter.

Mr. Campbell-Savours *rose—*

Madam Speaker: Order. We have had exchanges on the matter both during questions on next week's business, which were totally irrelevant, and we have had points of order that were not quite as irrelevant and with which I have dealt. I hope that the next point of order is relevant.

Mr. Chris Mullin (Sunderland, South): I hope so, Madam Speaker. Further to the point of order raised by my hon. Friend the shadow Leader of the House, the Intelligence and Security Committee report has now become available. Glancing through it, it is clear that paragraphs 10, 32, 33 and 35 are the ones that the Government are anxious we should not be able to discuss. Will you, Madam Speaker, make it clear to the Leader of the House that we deprecate the way in which the report has been withheld? Will you express to him the hope that we shall eventually be able to discuss the report and those paragraphs in particular?

Madam Speaker: The document has little to do with the Speaker of the House; it is made available in the Vote Office for Members. I am sure that the hon. Gentleman has made his point, which is hardly a point of order and is hardly a point for the Leader of the House, who happens to be on the Treasury Bench and who has no doubt heard it for all that.

Orders of the Day

Finance Bill

As amended (in the Committee and in the Standing Committee), further considered.

Clause 55

TAXABLE DISPOSALS: SPECIAL PROVISIONS

Amendment made: No. 12, in page 38, line 15, leave out from beginning to end of line 29.—*[Mr. Waldegrave.]*

Clause 60

LANDFILL SITES

Amendment proposed: No. 14, in page 40, line 36, leave out

'granted under section 35 of the Environmental Protection Act 1990 (waste management licences)'

and insert

'which is a site licence for the purposes of Part II of the Environmental Protection Act 1990 (waste on land)'.—*[Mr. Waldegrave.]*

Madam Speaker: With this it will be convenient to discuss Government amendments Nos. 15 to 18.

4.8 pm

Ms Dawn Primarolo (Bristol, South): In their amendments, the Government have made minor changes to the definition of, first, landfill sites and, secondly, the landfill site operator. That was not raised in Committee, so I would be grateful if the Paymaster General will explain why it was necessary to change the definitions, and what the substantive difference is.

The Paymaster General (Mr. David Heathcoat-Amory): The group of amendments is designed to ensure that there is no room for doubt as to what is and what is not a site for the purpose of the tax. They were tabled following further legal advice on the provision in the Bill as published.

Amendment No. 14 relates to licences issued for sites in Great Britain before the Environmental Protection Act 1990 was enacted. We wish to bring in all licensed sites; hence the amendment. That is clearly in line with the purpose of the Bill, and I venture to say that it is therefore uncontroversial.

Amendment No. 15 is designed to deal with a similar problem relating to Scottish local authority sites that operate under a resolution passed before the Environmental Protection Act was enacted. Although all Scottish local authority sites will shortly be licensed, we do not wish to create a loophole and resulting distortion for such a key area of the landfill tax provision. Our purpose in the amendment was to put that beyond doubt.

Amendment agreed to.

Amendments made: No. 15, in page 40, line 39, leave out 'passed'.

No. 16, in page 41, line 4, leave out 'or'.

No. 17, in page 41, line 7, at end insert

'or

(e) a licence under any provision for the time being having effect in Northern Ireland and corresponding to section 35 of the Environmental Protection Act 1990 (waste management licences) is in force in relation to the land and authorises disposals in or on the land.'.—*[Dr. Liam Fox.]*

Clause 61

OPERATORS OF LANDFILL SITES

Amendment made: No. 18, in page 41, line 16, at end insert—

'(e) the person who is at the time concerned the holder of the licence, where section 60(e) above applies.'.—*[Dr. Liam Fox.]*

Clause 65

ORDERS AND REGULATIONS

Amendment made: No. 13, in page 43, line 32, at end insert—

'(aa) an order under section (*Exemptions: power to vary*) above which produces the result that a disposal which would otherwise not be a taxable disposal is a taxable disposal;'.—*[Dr. Liam Fox.]*

Schedule 4

LANDFILL TAX

Amendment proposed: No. 19, in page 178, line 27, leave out

'any records made in pursuance of the regulations to be preserved'

and insert

'registrable persons to preserve records of a prescribed description (whether or not the records are required to be made in pursuance of regulations)'.—*[Mr. Heathcoat-Amory.]*

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): With this we may take Government amendment No. 20.

Ms Primarolo: Amendment No. 19 allows for the preservation of documents other than those required by the landfill tax regulations. I should be grateful if the Paymaster General would explain exactly what documents he thinks require preservation and why. Amendment No. 20 limits the ability to recover overpaid tax to a period of six years from the date of the payment rather than six years from the date of the discovery of the overpayment, as is presently proposed in schedule 4, paragraph 14(5).

The original legislation mirrored the equivalent VAT provision, and I should be grateful if the Paymaster General would explain why he has changed his mind and suggested, in amendment No. 20, different regulations for overpayments.

Mr. Heathcoat-Amory: The purpose of amendment No. 19 is to provide for regulations to impose a requirement on registerable persons to make records and keep such records for up to six years. It further provides that the requirements in respect of records may be set out in a published notice.

In preparing draft regulations on the preservation of records by landfill site operators, it came to light that paragraph 2 as it stands does not enable Customs and

Excise to require the preservation of records that the operator has not been required to make under landfill tax regulations. That means that Customs and Excise cannot require someone to preserve documents that he has received or made in the normal course of business, such as waste transfer notes, invoices and the like.

Customs and Excise has the power to require the preservation of such records for other taxes and duties, and it is necessary for it to be able to carry out assurance audits on the basis of infrequent visits to traders. Amendment No. 19 is therefore designed to allow Customs and Excise to require the preservation of all relevant records for landfill tax. The hon. Lady can see that that is fully in line with the provisions made for other similar taxes, and is necessary for the orderly administration of the tax.

The hon. Lady also asked about amendment No. 20. As I said in Committee, I understand that under the Bill as presently drafted the only time limit for claims where a mistake has been made by the trader is that they must be made within six years of the date when the mistake was discovered. There is no limit, however, to how far back the claims can be made. That conflicts with the principle of legal certainty and there is no justification for it.

The amendment will bring the provisions for repayment of overpaid tax into line with the six-year time limit in paragraph 33 for customs assessments for underpayments of tax. The obligations on the taxpayer and the obligations on Customs are therefore mirrored. I mentioned that in Committee, and the amendment brings that change into effect.

Amendment agreed to.

Amendment made: No. 20, in page 185, line 19, leave out from 'paid' to end of line 25.—*[Dr. Liam Fox.]*

Amendment proposed: No. 22, in page 202, line 15, leave out from beginning to end of line 29 and insert—

'(a) material undergoes a landfill disposal,

(b) a payment falls to be made under a disposal contract relating to the material, and

(c) after the making of the contract there is a change in the tax chargeable on the landfill disposal.

(2) In such a case the amount of any payment mentioned in sub-paragraph (1)(b) above shall be adjusted, unless the disposal contract otherwise provides, so as to reflect the tax chargeable on the landfill disposal.

(3) For the purposes of this paragraph a disposal contract relating to material is a contract providing for the disposal of the material, and it is immaterial—

(a) when the contract was made;

(b) whether the contract also provides for other matters;

(c) whether the contract provides for a method of disposal and (if it does) what method it provides for.'.—[*Mr. Heathcoat-Amory.*]

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 23 and 21.

4.15 pm

Ms Primarolo: I particularly want to congratulate the Paymaster General on tabling amendment No. 22, which is the same as Opposition amendment No. 38, which we tabled in Committee. We are delighted that the right hon. Gentleman has reflected on the powerful arguments we put in Committee. Although he felt unable to be persuaded at that time, having had an opportunity to read the *Hansard* report of the Committee and discuss the matter with the Confederation of British Industry, which has also published a briefing to welcome the amendment, he has had time to reflect on the unreasonableness of the landfill provisions as originally drafted. The right hon. Gentleman has now accepted that, where contracts already exist, there can be an automatic adjustment to take account of the tax.

We are pleased that on this occasion we have been able to assist the Government in improving the legislation. We only regret that they did not take more notice of more of our amendments.

Mr. Tim Smith (Beaconsfield): My recollection is that contracts that were signed before 29 November 1994 were a matter of concern to the Building Employers Confederation. I would also like to welcome the amendments that my right hon. Friend has proposed.

Mr. Heathcoat-Amory: I thank the hon. Member for Bristol, South (Ms Primarolo) for her kind words and I reciprocate her compliments. It was necessary for us to consult widely outside the Committee before we tabled the amendment. I am happy that it satisfies all hon. Members as well as the trade bodies to which we talked.

Amendment agreed to.

Amendments made: No. 23, in page 202, line 33, at end insert—

'45A.—(1) This paragraph applies where—

(a) work is carried out under a construction contract,

(b) as a result of the work, material undergoes a landfill disposal,

(c) the contract makes no provision as to the disposal of such material, and

(d) the contract was made on or before 29th November 1994 (when the proposal to create tax was announced).

(2) In such a case the amount of any payment which falls to be made—

(a) under the construction contract, and

(b) in respect of the work,

shall be adjusted, unless the contract otherwise provides, so as to reflect the tax (if any) chargeable on the disposal.

(3) For the purposes of this paragraph a construction contract is a contract under which all or any of the following work is to be carried out—

(a) the preparation of a site;

(b) demolition;

(c) building;

(d) civil engineering.'.

No. 21, in page 202, line 36, leave out

'rent payable in respect of land provides that the amount of the rent'

and insert

'any sum payable in respect of the use of land (whether the sum is called rent or royalty or otherwise) provides that the amount of the sum'.—*[Dr. Liam Fox.]*

Clause 74

TAXATION OF LOAN RELATIONSHIPS

Mr. Mike O'Brien (North Warwickshire): I beg to move amendment No. 68, in page 47, line 34, at end insert—

'(6) In the case of a debt in respect of which only credits or debits relating to interest are required to be brought into account under the provisions of this Chapter, sub–section (5) above shall not prevent any other provision of the Corporation Tax Acts from applying in relation to amounts other than interest.'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: Government amendment No. 32.

No. 51, in schedule 8, page 218, line 12, after 'If', insert '(a)'.

No. 52, in page 218, line 14, after 'accruing,', insert

'and

(b) credits representing the full amount of the interest are not for any accounting period brought into account for the purposes of this Chapter in respect of the corresponding creditor relationship,

then'.

No. 72, in page 225, line 4, leave out sub–paragraphs (4) and (5).

No. 71, in page 225, line 10, leave out the words

', or one of the main purposes,'.

No. 53, in page 226, line 29, after

'period', insert ("the relevant period")'.

No. 54, in page 226, line 32, leave out from 'security' to end of line 35 and insert

"is available to another company at any time in that period;

(c) for that period there is a connection between the issuing company and the other company, and

(d) credits representing the full amount of the discount that is referable to that period are not for any accounting period brought into account for the purposes of this Chapter in respect of the corresponding creditor relationship.'.

No. 55, in page 226, line 38, leave out from 'that' to end of line 42 and insert

'every debit relating to the amount of the discount that is referable to the relevant period is brought into account for the accounting period in which the security is redeemed, instead of for the relevant period.

(2A) References in this paragraph to the amount of the discount that is referable to the relevant period are references to the amount relating to the difference between—

(a) the issue price of the security, and

(b) the amount payable on redemption,

which (apart from this paragraph) would for the relevant period be brought into account for the purposes of this Chapter in the case of the issuing company.'.

No. 56, in page 226, line 49, leave out 'at any time' and insert 'for the relevant period'.

No. 57, in page 227, line 1, leave out from beginning to 'one' in line 2 and insert—

'(a) there is a time in that period or in the period of two years before the beginning of that period when'.

No. 58, in page 227, line 4, leave out

'at that time, or at any time in those two years'

and insert

'there is a time in that period or in those two years when'.

Government amendments Nos. 38, 59 and 40.

Mr. O'Brien: This probing amendment is designed to clarify an issue regarding loan relationships. The changes in the Finance Bill to loan relationships will impact upon many companies throughout the country. In Committee there was considerable discussion about how great that impact would be. There were also a lot of amendments because of the need to clarify the Bill. It became clear that this was an enormously complex area of law, but the amendment focuses on one aspect that, in some ways, illustrates the overall problems that face businesses with loan relationships.

We were reassured in Committee that although this was a complex area of law, it would not cause enormous difficulties to smaller businesses because the complexities of the matter would impact mainly on larger corporations which have accountants and specialists able to deal with it. I hope that that is the case, but we have seen—as the amendment again illustrates—that there are areas of ambiguity that even a specialist might find difficult. The legislation seems to have been rushed and is often confused, and we will probably have to tidy it up in the years to come—at which time, no doubt, it will be a Labour Government who will have to do it.

Our proposal is specific. Clause 94 of the amended Bill deals, among other things, with perfectly ordinary trade debts that are interest-bearing. Such debts are within the loan relationships regime by virtue of that clause, in that the interest is brought into that regime. If the trade debts should turn out to be bad or doubtful, it appears—unfortunately—that no relief is available for the loss in respect of the debt itself. In contrast, relief is available in respect of the interest. It is at least arguable that clause 94(5) of the amended Bill will prevent the relief from being claimed as a trading deduction in the normal way for the bad debt.

The question whether the interaction of clauses 94 and 97 denies a trader any relief on bad trade debts was raised in Committee, and the Minister gave some explanation. To avoid ambiguity, however, it would be helpful if she would explain in further detail exactly what the Government are proposing, and that is why we tabled the amendment.

Mr. Tim Smith: Will the hon. Gentleman confirm that it is now Labour party policy to introduce statutory interest on the debts of companies? If so, would that be subject to this legislation? Would that not be an additional complication for small businesses?

Mr. O'Brien: The hon. Gentleman raises an interesting and important matter. I am not sure that it is directly applicable to the amendment, but as he has raised it—and as you have allowed the intervention, Mr. Deputy Speaker—I shall try to deal with it. We have received many representations from small businesses whose debts have not been paid, causing considerable cash flow problems. I am sure that the hon. Gentleman has such cases in his constituency, as I have in mine. When I go to visit small business men, I can almost guarantee that that issue will be raised, and I am sure that all hon. Members agree.

The various small business organisations have tried for a number of years to find ways of resolving the problem, and there are currently divisions of opinion within the

small business community as to how it can be dealt with. The Government have listened to some of the organisations, and the Opposition have often listened to the same ones. We have reached somewhat different conclusions about what is needed to deal with the problem, but we accept that it is enormously important.

Labour is consulting on charging interest in relation to debts above a certain threshold, particularly in so far as it benefits small businesses. That is certainly something that has been requested in a much broader way by a number of small business organisations. I am not sure that we can meet all their requests. As I said, there have been conflicts even within the small business community about how to deal with the matter. It is certainly important that we tackle the issue, which is what we are trying to do, initially through consultation. We are flagging up some ideas and we hope to get a positive consensus from the business community so that we can resolve and deal with the issues. In due course, the Conservative party may well come on board on those ideas. It is important that, as far as possible, there is that consensus.

I am conscious of the fact that one small business person's bad debt is another's extension of credit. So, when dealing with such issues, one has to be careful that in benefiting one small business one does not damage the other. That is why we are conscious that there must be a threshold—perhaps the size of the business or the debt—at which we would consider charging statutory interest. It has to be done with care and with the degree of consultation necessary.

We are starting that process now. The Labour Front-Bench team has flagged up the issue and I know that the Government Front-Bench team has also been consulting small business. As far as possible, it is important that we take it out of the argy-bargy of political debate. If we can get that sort of consensus within the business community, it will be all the better for all of us.

I am conscious, however, that other hon. Members will want to speak on amendment No. 68 and that they have various other proposals that they want to deal with during this short debate. Our amendment makes it clear that clauses 74 and 94 would deny relief for bad trade debts. Perhaps the Minister can clarify the position and provide the reassurances that we seek. If so, we might be able to end the ambiguity and doubt, which does need clearing up, and we might not need to press the amendment, which is why I flagged that up.

The Government's adherence to the Child Support Agency syndrome illustrates the problem that has faced us throughout the debate on loan relationships. The Government get a good idea—as I said in Committee, the concept of loan relationships is enormously important and there is a broad consensus of support on both sides of the House—but, as we have found so often, with self-assessment, for example, and with yesterday's amendment on taxes for transport and so forth, they fail to consult properly and rush it into legislation, thereby undermining the chances of it succeeding as well as it could.

After we finished the Committee stage of the Bill, I received a letter from the Chartered Institute of Taxation, which continues to have certain doubts about the way in which we dealt with loan relationships. We all accept that the Government and the Minister, within the time constraints that they allowed themselves, have tried to consult as much as possible. On behalf of the Opposition, I would certainly concede that.

The difficulty that the Minister and the Treasury faced was the short period that they gave themselves in which to consult. That is what has led to the difficulties and ambiguities tackled by amendment No. 68 and why we will return to the matter in years to come. That is unfortunate. I would rather that we had slightly more time to consult properly and deal with the issues. Then we might have avoided having to table late amendments to try to resolve ambiguities.

On last-minute amendments, the Government have tabled several amendments that are being taken as part of this group. Will the Economic Secretary set out exactly what each amendment proposes, so that we can be absolutely clear about it? I think that I understand what the Government are about with them, but they are there to tidy up the Bill and it is important that everything should be laid out plainly for everyone to read.

4.30 pm

Mr. Barry Legg (Milton Keynes, South–West): I join the hon. Member for Bristol, South (Ms Primarolo) in welcoming and supporting the Government's change of heart in respect of the seven amendments that I have tabled. In the debate to be found between columns 629 and 632 of the *Official Report* of the Committee, I highlighted the lack of symmetry under existing legislation on relief for interest and on deep discount securities.

My amendments relate to paragraphs 2 and 17 of schedule 8. They would cure any potential mismatches that would exist where interest is taxed as being receivable but the interest accrued by the borrower would not get relief. That is a most welcome step forward by the Government which will help many businesses with their tax affairs.

Hon. Members who were in Committee will remember that, in column 631, I related the problems that joint venture lenders sometimes have. I referred to a particular case that my hon. Friend the Economic Secretary was kind enough to say she would consider further. My amendments deal with mismatches but the House may well have to return to relief for joint venture lenders, especially as regards bad debt provisions.

The amendments relating to paragraph 17 provide that, where deep discount securities exist, relief for the discount is not deferred in the hands of the borrower when it is brought into account in the hands of the lender under corporate debt rules. They are a worthwhile tidying-up of the legislation.

Finally, I want to raise with my hon. Friend the Minister another matter relevant to schedule 8, which is the proposal of certain building societies to take advantage of the provisions of the Building Societies Act 1986 to convert themselves into public limited companies. It is vital that the new provisions on corporate debt that we are discussing create no impediment to or penalty for that process. I hope that she will be able to confirm that

[Mr. Barry Legg]

there should not be a tax problem on the transfer of the loan relationships of a building society on conversion to a limited company.

Mr. Matthew Carrington (Fulham): Amendment No. 71 would clarify the tax avoidance provisions in schedule 8. It would remove the broadening part of the schedule, the words

"or one of the main purposes".

That would remove the uncertainty in interpretation by disallowing tax relief only where the obtaining of that relief was the main purpose of the transaction. In other words, as it stands, the existing phrase could cover a wide range of activities—particularly when a company enters into an ordinary loan transaction but clearly no loan transaction has been entered into except in the circumstances where tax relief would be obtainable on the interest payable under that loan. According to a strict interpretation of the current wording, the Inland Revenue could disallow the tax relief on the interest.

The Inland Revenue could have no such intention and no reason to use the wording of the schedule to achieve that end. However, the fact that the powers exist for it to do so is causing great uncertainty in both the business and the commercial worlds. The concerns that my amendment attempts to address were raised with me by the Confederation of British Industry. It has examined the impact of the schedule and is very concerned about its potential effect on its members.

It is true that tax avoidance definitions can be drawn very widely, and it may be that the wording is drawn no more widely than existing tax avoidance provisions. However, because of the uncertainty that it creates, I suggest that the fact that it has been done before is not a particularly good reason to continue it this time. It is important that anti-avoidance legislation is clear, simple and capable of interpretation by commerce and industry with as much certainty as possible.

I think that the measure fits in quite well with the tax simplification measures about which the Inland Revenue is consulting. I hope that, in a spirit of simplification, my hon. Friend will accept my amendment—or, at the very least, reassure me, business and commerce that the Inland Revenue does not intend to interpret the present wording of schedule 8 in such a broad way as to attack perfectly legitimate commercial transactions that, by their very nature, have a tax element.

Mr. Douglas French (Gloucester): I shall speak to amendment No. 72 standing in my name which deletes sub-paragraphs (4) and (5) of paragraph 13 of schedule 8. This amendment also relates to loan relationships and it addresses a matter which is of particular concern to the leasing industry—indeed, it was raised with me by the Finance and Leasing Association and by a number of its member firms.

As they stand, the sub-paragraphs introduce a tax anti-avoidance provision that is very broad and uncertain in its application. Sub-paragraph (5) uses, and sub-paragraph (6) defines, a tax advantage. The definition of "tax advantage" is borrowed from the Taxes Act 1988 and I submit that it is not applicable in this different context. When it is used in other places, it forms part of the rules that are designed to deal with dividend stripping and similar transactions in the securities industry. They are accepted as being broad and complex and, for that reason, provision is made for a pre-transaction clearance procedure and for a special appellate body—the tribunal—which is set up to hear appeals from the special commissioners by way of a rehearing before the normal appeal by way of a case stated to the High Court. That is thought necessary in the context of the securities industry, but the Finance Bill makes no similar safeguards in the context of the leasing industry.

Sub-paragraph (4) prohibits an interest deduction if

"the main purpose, or one of the main purposes"

of the loan or related transaction is the securing of a tax advantage as defined. This creates uncertainty, because it is very difficult to define a "main" purpose. If it is so difficult to define "main" purpose and no clearance procedure is provided for in the rest of the Bill, it is certain to inhibit the type of loan transactions in which members of the Finance and Leasing Association become involved.

The subsection also covers a tax advantage obtained by any person—not only one of the parties to the loan relationship or related transaction.

Although a lease is considered not to be a loan relationship in the definition contained in clause 75, there is frequently a loan relationship between a leasing company's parent and the leasing company to enable the lease to be financed. For example, a bank will provide finance to its leasing company to purchase assets to be leased.

The industry fears that, as one of the purposes of a lease is to make best use of capital allowances, interest on the parent company loan might be refused as a deduction to the leasing company on tax avoidance grounds.

To put it another way, under the subsections it can be argued that the purpose of the loan relationship is partly to enable the leasing company to claim capital allowances. The benefit of the capital allowances passes, by way of reduced charges, to the business that makes use of the equipment. The obtaining of the allowances for the benefit of the end user might be regarded as one of the "main purposes" of the loan relationship. If that were so, the leasing company would be denied a tax deduction in respect of the interest payments made to its parent.

That is not the end of the matter. If these paragraphs were enacted, banks and leasing companies would undoubtedly endeavour to protect themselves against such a possibility by including tax warranties and an indemnity in the contract with the end user. In that way, the economic burden of these anti-avoidance provisions would be borne by bona fide businesses doing their best for the British economy and with no direct connection with, and possibly no knowledge of, the basis of the original loan relationship. That cannot be intended.

This is a matter of very deep concern to the leasing industry, which is too important an industry to have its legitimate activities curtailed because a clause is capable of being prayed in aid to such potentially damaging effect.

Mr. Mike O'Brien: I am grateful to the hon. Gentleman because he raises an interesting and important point. Will he tell us a little more about what consultation

was undertaken by the Government about these important matters with the leasing industry, and about the results of that consultation?

Mr. French: My contribution is based on discussions that I had personally with the director general of the Finance and Leasing Association, with his tax adviser, and with other leasing companies, including Lloyds Leasing, and RoyScot in Cheltenham near my constituency. They all use the same argument, and I am convinced that there is great merit in it. They tell me that representations have been made, as they are in the usual course of any Finance Bill, to the Treasury and to the Inland Revenue, and they are therefore very hopeful that some of the points that I am articulating on their behalf will be well received and that some response will be forthcoming from the Minister.

Mr. Carrington: I think my hon. Friend is making a point similar to the one that I made before, but in the specific context of the leasing industry. The difficulty, as I understand it, is that the Inland Revenue has been in the habit of having its anti-avoidance provision drawn very broadly and then not applying it except when it believed that there was a genuine abuse. The point that my hon. Friend and I are making is that, in simplifying the tax regime, it would be better if the Inland Revenue were more specific about the type of avoidance it is attacking rather than taking general powers to itself.

Mr. French: I accept that point. The leasing industry does not wish to be exposed to the risk of actions being brought against it purely because the sub-paragraphs are couched as broadly as they are. The industry would prefer a more precise definition so that, in undertaking any transactions, it can be certain that it is complying with the law as it stands—as it would wish to do—and does not have to inhibit its business on the outside chance that something it does may be interpreted, possibly on a maverick basis, unexpectedly by the Inland Revenue as contravening the Finance Bill.

4.45 pm

The leasing industry is an important industry, and the importance of ensuring that it has a satisfactory tax regime should not be underestimated, especially in view of the important role that the leasing industry increasingly plays in the private finance initiative. This is a matter of great importance to most members of the Finance and Leasing Association.

I hope that, in her reply, the Minister will recognise the important role played by leasing firms and acknowledge that the need to ensure that there is no tax avoidance should be balanced with the need to ensure that legislation is not drafted so broadly that it unnecessarily inhibits legitimate business activity.

Mr. Tim Smith: I have a great deal of sympathy with what my hon. Friends the Members for Gloucester (Mr. French) and for Fulham (Mr. Carrington) say, because they are both worried about the broad way in which the anti-avoidance provisions are drawn.

I raised that matter in Committee. I know that my hon. Friend the Economic Secretary gave it some attention, and I am hopeful that she might be able to say something reassuring on the record in due course.

The hon. Member for North Warwickshire (Mr. O'Brien) complained that several Government amendments had been introduced at very short notice—indeed, on Monday. I notice that his amendment was also tabled on Monday, so we had no advantage over the Opposition.

The Economic Secretary to the Treasury (Mrs. Angela Knight): I shall try to answer the points that have been made to me.

I start with the amendment tabled by the hon. Member for North Warwickshire (Mr. O'Brien). He should keep in mind the three basic principles that I repeated in Committee several times—that the tax should recognise all debits and credits, calculated according to recognised accounting methods, and the figures should follow those produced in the accounts wherever they are acceptable. That covers the points that he made.

Subsection (5) of what is now clause 74 is intended to give reassurance that, if a loan relationship is fully within the new rules, these are comprehensive and cover all aspects of that loan relationship, but clearly, where only the interest element of the loan relationship or interest on a debt that is not a loan relationship is within the new rules, those rules can apply only to that interest. Any other elements of the debt, such as capital gains or losses, are automatically dealt with under the appropriate separate legislation.

The point that the hon. Member for North Warwickshire made related to interest on late payment of a trade debt. Supposing that a company sold some widgets to another company for which the second company had not paid and interest was charged on that debt as a trade debt, the interest would be dealt with under the chapter II regime; the trade debt would be dealt with as a trade debt as it is at the moment. That is the principle behind current legislation; that is the principle that will be followed with the chapter II rules. Indeed, it fits in with what is now clause 94. The existing rules include all forms of interest, however they arise; the new rules cover only interest arising on loan relationships. Clause 94 sweeps up other interest not arising from loan relationships, such as interest on compensation awards and on overdue trade debts.

One of the difficulties with the amendment moved by the hon. Member for North Warwickshire is that it creates ambiguity. I accept that he is trying to put clarity into the situation, but the amendment would create an ambiguity. For example, there are many true loan relationships that are and should be fully within the new rules, whereas in practice the only debits and credits that are required to be brought into account under the new rules relate to interest. Most straightforward loans from a bank are likely to fall into this category.

As the hon. Gentleman knows, the vast majority of companies in this country have straightforward loans from banks. Therefore, they already account on an accruals basis, they are already taxed on an accruals basis and they fall within this legislation—they do not have to make any changes because the methods by which they already account and are taxed are fully covered. If he were to press his amendment and if it were part of the legislation, it would create a picture of companies shopping around old and new legislation.

I suggest to him that the first thing that would happen is that a couple of lawyers would look at the legislation and say that the points in his amendment were covered by

[Mrs. Angela Knight]

the clause before it was amended. They would seek to see why we had put a legal tautology into the Bill, and that would result in us opening up an ambiguous situation that is currently covered. The way in which it has been set out in the clause as it stands is not unusual, has not attracted much attention and better sets out the position that we are trying to ensure by this chapter and by these rules. I urge the hon. Gentleman not to push his amendment any further.

I turn now to the amendments tabled by my hon. Friend the Member for Milton Keynes, South-West (Mr. Legg)—that is, amendments Nos. 51 to 58. He made many of these points in Committee and, on reflection, I believe that what he proposes is correct. His amendments refer to anti-avoidance measures in schedule 8, and the part of the schedule to which the amendments refer is tax relief on interest on loans between connected companies.

In effect, my hon. Friend is seeking to change the rules as they are set out in the schedule to cover what is perhaps commercial reality. He is seeking to ensure that where two companies are connected, they are accounting on an accruals basis, with only the odd exception. The lender company A is being taxed on the interest that it is accounting as receiving, even though it has not received it. I believe that my hon. Friend's amendments—both in relation to interest and the other more complicated set of amendments—are acceptable. I urge my hon. Friends to agree with the amendments.

Mr. Mike O'Brien: I am interested in the fact that the Minister is accepting the amendments proposed by her hon. Friend the Member for Milton Keynes, South-West (Mr. Legg) and I entirely accept that. Did the Inland Revenue have any part in drafting the amendments? Did it approve them? The suspicion might arise in the minds of some more suspicious than I that these were Government amendments that Ministers felt—because of the level of embarrassment with these things over loan relationships—they might prefer in a Back Bencher's name. However, I am sure that that is not so.

Mrs. Knight: This was discussed at some length in Committee and I then discussed it further with my hon. Friend. I felt that he put a good case in Committee. We have ensured that the amendments that have been drafted are legally correct—that is a perfectly sensible route to take. My hon. Friend highlighted these points in Committee and showed what could be the commercial consequence if we retained the tighter anti-avoidance provisions for companies that come within the chapter 2 provisions, and there could be some difficulties.

As I have said so many times during the course of the Bill, where a good case is put to us—by whomever it might be—we would be remiss if we did not accept it as being good and accurate, and did not accept the amendments accordingly or, as I have done, place them where we felt it was right to do so. My hon. Friend made a point about joint venture lenders. As I said to him earlier, we believe that the provisions will work satisfactorily.

My hon. Friend also raised the issue of building societies and their concern when they were converting to public companies. I assure my hon. Friend that Inland Revenue officials and I are aware of the building societies' concerns and are in correspondence with their representatives regarding conversions and takeovers. Our current understanding of the position is that there should not be a problem. It appears that the relevant transactions can be structured so as to avoid any difficulties. Although we cannot give reassurances about hypothetical situations, if real problems emerge in the future we will be happy to consider them. I hope that my hon. Friend finds that response satisfactory.

The next points were raised by my hon. Friends the Members for Fulham (Mr. Carrington) and for Gloucester (Mr. French). I hope that they do not mind me saying that their points are variations on the same theme. The Government are aware of concerns that have been raised by my hon. Friends and by others regarding the particular anti-avoidance provisions in paragraph 13. This paragraph was amended significantly in Standing Committee but, because of the concerns that my hon. Friends and others have raised, I take the opportunity to allay some of the fears that have been expressed about the anti-avoidance rules.

Paragraph 13 of the schedule disallows tax deductions to the extent that tax avoidance is the main motive behind a loan relationship. We have been told of concerns that this could be interpreted as preventing companies from getting tax relief for legitimate financing arrangements. I am happy to offer a reassurance that this is not the intention of the legislation. The paragraph denies tax deductions on loans that are for the purpose of activities outside the charge to corporation tax. Among other things, this will ensure that United Kingdom branches of overseas companies do not get tax relief for borrowings that are for overseas activities outside the United Kingdom tax net.

We have been asked whether financing—which, for example, is to acquire shares in companies, whether in the United Kingdom or overseas, or is to pay dividends—would be affected by the paragraph. In general terms, the answer is no, but the paragraph might bite if the financing were structured in an artificial way.

It has been suggested that structuring a company's legitimate activities to attract a tax relief could bring financing within this paragraph—some have gone so far as to suggest that the paragraph might deny any tax deduction for borrowing costs. These suggestions are clearly nonsense. A large part of what the new rules are about is ensuring that companies get tax relief for the cost of their borrowing.

One specific point has been put to me by my hon. Friend the Member for Gloucester—that is, borrowing by a finance leasing company to acquire assets where this is more tax efficient than the lessee investing in the assets direct. Again, I am happy to offer a reassurance. Where a company is choosing between different ways of arranging its commercial affairs, it is acceptable for it to choose the course that gives a favourable tax outcome. Where paragraph 13 will come into play is where tax avoidance is the object, or one of the main objects, of the exercise.

Companies that enter into schemes with the primary aim of avoiding tax will inevitable be aware of that. The transactions we are aiming at are not ones which companies stumble into inadvertently. As one top tax adviser said recently, companies will know when they are into serious tax avoidance; apart from anything else, they are likely to be paying fat fees for clever tax advice and there will commonly be wads of documentation.

The last thing I want to do, however, is set out a list of so-called acceptable or unacceptable activities. Borrowing for commercial purposes can be structured in a highly artificial way in order to avoid tax. If we said that borrowing for certain types of activity would always be okay, tax advisers would quickly take advantage and devise artificial financial arrangements simply to avoid tax. Provided that companies are funding commercial activities or investments in a commercial way, they should have nothing to fear. If they opt for artificial, tax-driven arrangements, they may find themselves caught.

It is clear that a balance must be struck between meeting the concerns that have been raised and weakening the provision in those instances where it needs to apply, but I can assure my hon. Friends that we shall keep the matter under review.

5 pm

I now turn briefly to the Government amendments. Amendment No. 32 would make a minor change to the provision for debt contracts and options. The hon. Member for North Warwickshire wanted an explanation. Let me give him a brief explanation of the amendment, which results from a drafting error.

Without the amendment, payments relating to contracts constructed by reference to hypothetical loan relationships could not be taken into account under the rules for derivative transactions.

Amendments Nos. 38, 59 and 40 address another issue altogether—double tax relief. The basic rule has always been that double tax relief is given in proportion to the amount of foreign interest that accrues to the company concerned. The new rules for corporate debt do not change that principle, but a number of minor and consequential amendments have been needed, including a specific provision preserving the position of non-traders under the new rules.

The amendments would enable regulations to extend to trading companies the application of the provision granting double taxation relief to non-traders. Using regulation to do that will facilitate consultation with those affected in the financial markets, so that the different authorised accounting methods available can be taken into account. It will also enable any necessary safeguards against loss of tax to be built in. I hope that the hon. Gentleman finds those explanations satisfactory.

Mr. Mike O'Brien: The amendments appear to give the Treasury the power to make regulations to extend to general insurance the rules applying to life assurance companies. Amendment No. 59 can be criticised in that it does not state sufficiently precisely what the regulations will do. Can the Minister tell us precisely what powers to regulate are being taken and what the regulations are intended to do?

Mrs. Knight: The regulations are intended to ensure that double tax relief is available to financial traders. I cannot specify precisely how they will be formulated because we need to discuss the matter with the financial traders and those involved. There is a requirement to get it right. We intend to ensure that tax relief is available and to do so in the right way.

The hon. Gentleman asked about insurance. The reason that insurance is mentioned—and there is a special mention of insurance credits—is that insurance is one of those particular industries that always has a separate mention, as he will recall from the Bill. For non-insurance companies, all overseas interest on which relief for overseas tax might be due is either a trading credit or a non-trading credit. As so often happens, there are special twists for insurance companies.

Certain non-trading credits are not covered by the existing rules for such credits in section 807(A)(3) of the Income and Corporation Taxes Act 1988. The amendments make sure that such insurance credits may also be the subject of regulations. Again we want to discuss the matter with the industry to establish exactly what rules are required so that we can be sure of getting them right. I hope that I have given the hon. Gentleman the explanation he wanted.

Mr. Mike O'Brien: We have had an interesting and informative debate. I share many of the concerns so well expressed by Conservative Members, particularly the hon. Members for Gloucester (Mr. French) and for Fulham (Mr. Carrington) about—as the hon. Gentleman for Gloucester put it—the need not to draw anti-avoidance provisions so broadly that they interfere with legitimate business dealings. That is a good lesson for us all. It also builds on the important proposals for simplification made last year by the hon. Member for Beaconsfield (Mr. Smith).

Tax legislation should be as clear as possible, and concerns were rightly expressed about the lack of clarity and the difficulties that that can create. In many ways, today's debate has demonstrated the best side of the House of Commons in that we sought to clarify ambiguities and get the legislation right. I am pleased that the Minister has adopted a positive attitude to the concerns of Conservative Back Benchers and the Opposition.

I understand what the Minister said about amendment No. 68. By and large, I accept that there may be a problem in pursuing the amendment and at the end of my remarks I shall seek the leave of the House to withdraw it.

Government amendments Nos. 38, 59 and 40—particularly amendment No. 59—demonstrate the price of rushing through measures without proper and full consultation. As has already been flagged up in the debate, it is important that we get tax legislation right and that there is full consultation with the various groups concerned.

The amendments demonstrate the price to be paid if that full consultation period is not allowed. The Government must now insert into the Finance Bill the ability to make regulations, the detail of which they have not yet worked out so they need to consult further. I accept the Minister's promise that such consultation will take place. I also accept that there is no prospect of further delay in loan relationships legislation, so the best way of proceeding is probably to put into law a provision allowing the Government to make regulations after full consultation has taken place, so that we can clear up these matters.

Giving the Government powers to make regulations is not the best way to address these issues, but in the circumstances, it is perhaps understandable. That said, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 95

FINANCIAL INSTRUMENTS

Amendment made: No. 32, in page 67, line 41, at end insert 'or (6)'.—*[Mrs. Angela Knight.]*

Clause 156

LIMITS ON RELIEF FOR EXPENSES

Amendment proposed: No. 33, in page 113, line 41, after '1996,' insert—

'(iia) any amount which in pursuance of a claim under paragraph 4(3) of that Schedule is carried back to that period and (in accordance with paragraph 4(5) of that Schedule) applied in reducing profits of the company for that period,'.—*[Mrs. Angela Knight.]*

Mr. Alistair Darling (Edinburgh, Central): I was wondering whether the Economic Secretary might say a little more. Rather than formally proposing the amendment, will she tell us why the Government have chosen that particular form of words. Are we now dealing with amendment No. 33?

The Financial Secretary to the Treasury (Mr. Michael Jack): I thought that we were still on the amendments grouped with amendment Nos. 68 and 32. We have not yet decided them.

Mr. Deputy Speaker: We are on amendment No. 33.

Mr. Darling: I can understand the Financial Secretary's confusion: sometimes procedure is a great mystery, even to those of us who have served on Finance Committees for many years. When I rose to my feet to remonstrate with the Economic Secretary, who attempted to get amendment No. 33 agreed to formally, I said that I thought it might be helpful if the Government set out what the amendment is meant to achieve. If the Financial Secretary, who has now found the relevant briefing note, could tell us what the amendment is designed to do, I should be profoundly grateful.

Mr. Jack: The amendment is a straightforward and simple addition to what was added subsequently to clause 156 in Committee. The subsequent legislation allowed insurance companies carry-back facilities in respect of loan relationships. This amendment inserts that into the taxation procedures of life insurance companies.

Mr. Darling: I am grateful to the Minister. I know that we had an agreement to allow some amendments to pass formally, but this one gave rise to a query on the part of those advising us. It is helpful when Ministers set out what amendments are meant to achieve.

I did not mean to embarrass the Financial Secretary. If I succeeded in doing so, I apologise.

Amendment agreed to.

Amendment made: No. 34, in page 114, line 27, after '(5)' insert

'Subject to paragraph 4(10A) to (10C) of Schedule 10 to the Finance Act 1996,'.—*[Mr. Jack.]*

Clause 174

BUSINESS PROPERTY RELIEF

Amendment proposed: No. 60, in page 137, line 28, at end insert—

'( ) In section 107(4) (replacement of property with unquoted shares), for the words from the beginning to "such shares" there shall be substituted—

"(4) Without prejudice to subsection (1) above, where any shares falling within section 105(1)(bb) above which are".'.—*[Mr. Jack.]*

Mr. Mike O'Brien: I picked up the Government's press release on this matter. Paragraph 4 states:

"Due to a technical defect, the current proposals in the Bill would have had the effect of withdrawing the replacement facility now available to controlling holdings. This was not the intention. Under the amendments both the existing facilities will be made available to all unquoted holdings regardless of their size."

I do not want to be churlish, but our general complaint throughout proceedings on the Bill has concerned the facts that the Government have had to submit amendments at the last moment, and that there have been problems to do with technical drafting, with lack of consultation, and with various failures on the part of the Government's system to get the Bill right.

There seems to be too much rush in the Government's approach. This will probably be my last opportunity to raise that concern, but it is valid, and the Government must take account of it. If they have to introduce another Finance Bill, I hope that they will acknowledge the anxieties that we have expressed throughout consideration of the Bill—through loan relationships, self-assessment and various aspects of inheritance tax.

I accept that technical defects will always come to light once a Bill has been published. We would hope that they would be as few as possible. In this case, there have been far too many mistakes. It is clear that the Government are not properly using the time running up to the Budget to work out precisely what they are doing. It is incumbent on Ministers to assure the House, even though they may not accept all our criticisms, that they understand our concern when Bills are brought before the House and are then subjected to last-minute, multiple amendments.

The omission under consideration, corrected by an amendment designed to reinstate a relief that was inadvertently omitted from clause 174, is a good case in point. I hope that the Minister will assure us that what I have said will be remembered. I offer those remarks in a helpful spirit, not to make a party political point. I hope that the Minister will give us the assurance that things will be done a bit better next time.

Mr. Jack: To err occasionally is a human failing, but Report stage offers us the opportunity to put human failings right. We have duly taken advantage of that on this occasion. I am always the first to apologise if anyone has made a mistake, because I make mistakes and I realise that I am a human being with that frailty.

The hon. Gentleman misunderstood the purpose of the amendment. It is not a question of having made a mistake; it is just that, when drafting the clause, we based the whole test of what is a qualifying asset for the business property relief on one of two two-year tests. Having

realised that we had restricted the basis on which assets can qualify for this 100 per cent. relief, as defined in clause 174, we sought not just to return to the status quo ante but to go a stage further, to enable those affected by the clause to have two two-year tests. So, we have improved the legislation. I take what the hon. Gentleman said in the spirit in which he delivered his remarks. While even we Conservatives remain human beings, we shall do our best to try to get it right in future.

Amendment agreed to.

Clause 192

MODIFICATION OF THE AGRICULTURE ACT 1993

Amendments made: No. 7, in page 155, line 47, at end insert—

'(4A) Paragraph 1 of Schedule 2 to the Agriculture Act 1993 (tax continuity with successor bodies) shall have effect, and be deemed to have had effect, in relation to any relevant transfer after 31st December 1995 to a society registered under the Industrial and Provident Societies Act 1965 of—

(a) a trade, or part of a trade, of a milk marketing board, or

(b) any property, rights or liabilities of such a board,

as it has effect in relation to any transfer under section 11 of that Act to a qualifying body.'.

No. 8, in page 156, line 6, leave out from first 'of' to 'is' in line 7 and insert

'subsections (4A) and (5) above a transfer of anything to a society registered under the Industrial and Provident Societies Act 1965'.

No. 9, in page 156, line 10, leave out 'the board' and insert 'a milk marketing board'.

No. 10, in page 156, line 16, leave out from 'transfer' to end of line 18.—*[Mr. Jack.]*

Amendments made: No. 50, a new schedule—

Mixing of rebated oil—

The following is the Schedule which shall be inserted after Schedule 2 to the Hydrocarbon Oil Duties Act 1979—

"SCHEDULE 2A

MIXING OF REBATED OIL

PART I

LIGHT OIL

Converting unleaded petrol into leaded petrol

1.—(1) A mixture which is leaded petrol is produced in contravention of this paragraph if such a mixture is produced by—

(a) adding lead to unleaded petrol in respect of which a rebate has been allowed under subsection (1) of section 13A(1) of this Act at the rate given by subsection (1A)(a) of that section;

(b) adding lead to unleaded petrol in respect of which a rebate has been allowed under subsection (1) of that section at the rate given by subsection (1A)(b) of that section; or

(c) adding lead to a mixture of unleaded petrol of a description mentioned in paragraph (a) above and unleaded petrol of a description mentioned in paragraph (b) above.

(2) In sub–paragraph (1) above the reference to adding lead to unleaded petrol includes a reference to adding leaded petrol to unleaded petrol.

(3) This paragraph is subject to any direction given under paragraph 3 below.

Adding octane enhancers to low octane unleaded petrol

2.—(1) A mixture which is super–unleaded petrol is produced in contravention of this paragraph if such a mixture is produced by adding an octane enhancer to unleaded petrol in respect of which a rebate has been allowed under subsection (1) of section 13A of this Act at the rate given by subsection (1A)(b) of that section.

(2) For the purposes of sub–paragraph (1) above 'super–unleaded petrol' means unleaded petrol—

(a) whose research octane number is not less than 96; and

(b) whose motor octane number is not less than 86.

(3) Subsection (1C) of section 13A applies for the purposes of this paragraph as it applies for the purposes of that section.

(4) This paragraph is subject to any direction given under paragraph 3 below.

Power to create exceptions

3. The Commissioners may give a direction that, in such description of circumstances as may be specified in the direction, a mixture is not produced in contravention of paragraph 1 above or (as the case may be) paragraph 2 above.

PART II

HEAVY OIL

Mixing partially rebated heavy oil with unrebated heavy oil

4. A mixture of heavy oils is produced in contravention of this paragraph if such a mixture is produced by mixing—

(a) gas oil in respect of which a rebate has been allowed under section 11(1)(b) of this Act; and

(b) heavy oil in respect of which, on its delivery for home use, a declaration was made that it was intended for use as fuel for a road vehicle.

Mixing fully rebated heavy oil with unrebated heavy oil

5. A mixture of heavy oils is produced in contravention of this paragraph if such a mixture is produced by mixing—

(a) heavy oil which is neither fuel oil nor gas oil and in respect of which a rebate has been allowed under section 11(1)(c) of this Act; and

(b) heavy oil in respect of which, on its delivery for home use, a declaration was made that it was intended for use as fuel for a road vehicle.

Mixing fully rebated heavy oil with partially rebated heavy oil

6. A mixture of heavy oils is produced in contravention of this paragraph if such a mixture is produced by mixing—

(a) heavy oil which is neither fuel oil nor gas oil and in respect of which a rebate has been allowed under section 11(1)(c) of this Act; and

(b) gas oil in respect of which a rebate has been allowed under section 11(1)(b) of this Act with heavy oil.

Complex mixtures of heavy oils

7. A mixture of heavy oils is produced in contravention of this paragraph if such a mixture is produced in contravention of more than one paragraph of paragraphs 4 to 6 above.

PART III

RATES OF DUTY, ETC.

Rate for mixtures of light oil

8.—(1) Subject to paragraph 10 below, duty under section 20AAA(1) of this Act shall be charged at the following rates.

(2) In the case of a mixture produced in contravention of paragraph 1 above, the rate is the rate for light oil in force at the time that the mixture is produced.

(3) In the case of a mixture produced in contravention of paragraph 2 above, the rate is the rate produced by deducting from the rate for light oil in force at the time the mixture is produced the rate of rebate which at that time is in force under section 13A(1A)(a) of this Act.

(4) In this paragraph 'the rate for light oil' means the rate given in the case of light oil by section 6(1) of this Act.

Rate for mixtures of heavy oil

9.—(1) Subject to paragraph 10 below, duty charged under subsection (2) of section 20AAA of this Act shall be charged at the rate for heavy oil in force at the time when the mixture is supplied as mentioned in that subsection.

(2) In this paragraph 'the rate for heavy oil' means the rate given in the case of heavy oil by section 6(1) of this Act.

Credit for duty paid on ingredients of mixture

10. Where duty is charged under section 20AAA of this Act in respect of any mixture, the amount of duty produced by applying paragraph 8 or 9 above shall be reduced by the amount of any duty under section 6 of this Act which the Commissioners are satisfied has been paid in respect of any ingredient of the mixture.

Interpretation

11. In this Schedule—

'fuel oil' and 'gas oil' have the same meanings as in section 11 of this Act;

'leaded petrol' and 'unleaded petrol' shall be construed in accordance with section 13A of this Act."'— *[Mr. Jack.]*

Brought up, read the First and Second time, and added to the Bill.

No. 65, a new schedule—

Life assurance business losses—

Expenses of management

1. In section 76 of the Taxes Act 1988 (expenses of management: insurance companies) in subsection (1) (which applies section 75 of that Act with specified exceptions) before paragraph (a) there shall be inserted—

"(aa) where the whole or any part of a loss arising to the company in respect of its life assurance business in an accounting period is set off under section 393A or 403(1), there shall be deducted from the amount treated as the expenses of management for that period an amount equal to so much of the loss as, in the aggregate, is so set off, reduced by the amounts by which any losses for that period under section 436, 439B or 441 fall to be reduced under section 434A(2)(b); and

(ab) section 75(1) shall have effect with the substitution for "in computing profits apart from this section" of—

"(a) in computing income for the purposes of Schedule A, or

(b) by virtue of section 121(3) in computing income from the letting of rights to work minerals in the United Kingdom"; and".

Computation of losses and limitation on relief

2.—(1) In relation to accounting periods beginning on or after 1st January 1996 and ending after 31st March 1996, section 434A of the Taxes Act 1988 (life assurance business: computation of losses and limitation on relief) shall be amended as follows—

(a) for subsection (2) there shall be substituted the subsection (2) set out in sub–paragraph (2) below; and

(b) in subsection (2A) (which is inserted by paragraph 23(2) of Schedule 13 to this Act) for "(2)(c)" there shall be substituted "(2)(a)(ii)".

(2) The subsection (2) set out in this sub–paragraph is as follows—

"(2) Where for any accounting period the loss arising to an insurance company from its life assurance business falls to be computed in accordance with the provisions of this Act applicable to Case I of Schedule D—

(a) the loss resulting from the computation shall be reduced (but not below nil) by the aggregate of—

(i) the aggregate amount treated as a charge on income in computing for the period, otherwise than in accordance with those provisions, the profits or losses of the company's life assurance business; and

(ii) any relevant non–trading deficit for that period on the company's debtor relationships; and

(b) if the whole or any part of that loss as so reduced is set off—

(i) under section 393A, or

(ii) under section 403(1),

any losses for that period under section 436, 439B or 441 shall be reduced to nil, unless the aggregate of those losses exceeds the total of the amounts set off as mentioned in sub–paragraphs (i) and (ii) above, in which case each of those losses shall be reduced by an amount which bears to that total the proportion which the loss in question bears to that aggregate."

(3) In relation to accounting periods beginning on or after 1st January 1996 and ending on or before 31st March 1996, for subsection (2) of section 434A of the Taxes Act 1988 there shall be substituted the subsection (2) set out in sub–paragraph (2) above, but with the following amendments to paragraph (a), that is to say—

(a) in the words preceding sub–paragraph (i), the words "the aggregate of" shall be omitted;

(b) in sub–paragraph (i), for "aggregate amount treated as a charge on income" there shall be substituted "amount of interest and annuities treated as charges on income"; and

(c) sub–paragraph (ii) shall be omitted.

Spreading of relief for acquisition expenses

3.—(1) In section 86 of the Finance Act 1989 (spreading of relief for acquisition expenses) in subsection (1), for the words from "less any such repayments" to the end there shall be substituted—

"reduced by the items specified in subsection (1A) below."

(2) After that subsection there shall be inserted—

"(1A) Those items are—

(a) the appropriate portion of any deduction falling to be made under paragraph (aa) of subsection (1) of section 76 of the Taxes Act 1988 for the period in question;

(b) any such repayments or refunds falling within paragraph (c) of that subsection as are received in that period;

(c) any reinsurance commissions falling within paragraph (ca) of that subsection.

(1B) For the purposes of paragraph (a) of subsection (1A) above, "the appropriate portion" of the deduction there mentioned is the amount which bears to the whole of that deduction the proportion which the acquisition expenses, without making the reduction required by subsection (1) above, would bear to the whole of the expenses of management, without making the deductions required by paragraphs (aa), (a), (c) and (ca) of section 76(1) of the Taxes Act 1988."

Ascertainment of losses

4. In section 83 of the Finance Act 1989 (receipts to be brought into account) for subsection (3) (ascertainment of losses) there shall be substituted—

"(3) In ascertaining whether or to what extent a company has incurred a loss in respect of that business in a case where an amount is added to the company's long term business fund as part of or in connection with—

(a) a transfer of business to the company, or

(b) a demutualisation of the company not involving a transfer of business,

that amount shall (subject to subsection (4) below) be taken into account, for the period for which it is brought into account, as an increase in value of the assets of that fund within subsection (2)(b) above.

(4) Subsection (3) above does not apply where, or to the extent that, the amount concerned—

(a) would fall to be taken into account as a receipt apart from this section,

(b) is taken into account under subsection (2) above otherwise than by virtue of subsection (3) above, or

(c) is specifically exempted from tax.

(5) Any amount which is to be taken into account pursuant to subsection (3) above for a period of account shall be so taken into account—

(a) after the making of any reduction under subsection (6) of section 83AA below in relation to that period, but

(b) before the making of any reduction under subsection (3) of that section in relation to an accounting period of the company ending in or with that period.

(6) In subsection (3) above "transfer of business" means—

(a) a transfer of the whole or part of the long term business of an insurance company in accordance with a scheme sanctioned by a court under Part I of Schedule 2C to the Insurance Companies Act 1982;

(b) a qualifying overseas transfer, within the meaning of paragraph 4A of Schedule 19AC to the Taxes Act 1988; or

(c) the making of a contract of reinsurance which, in whole or in part, constitutes or forms part of a total reinsurance by the reinsured, unless the reinsurer under the contract falls within section 439A of the Taxes Act 1988 (pure reinsurance).

(7) For the purposes of subsection (3)(a) above, a transfer of business falling within subsection (6)(c) above shall be treated as a transfer of business to the company which is the reinsurer under the contract of reinsurance.

(8) In this section—

"add", in relation to an amount and a company's long term business fund, includes transfer (whether from other assets of the company or otherwise);

"demutualisation" means the conversion, under the law of any territory, of a company which has been carrying on insurance business without having a share capital into a company with a share capital, without any change of legal personality;

"total reinsurance" means the reinsurance (whether effected by a single contract of reinsurance or by two or more such contracts, taken together, whether or not made with the same reinsurer) of the whole, or substantially the whole, of the reinsured's risk—

(a) under policies of a particular description issued in respect of insurances made in the course of carrying on life assurance business before the making of the contract of reinsurance (or, in a case where there are two or more contracts of reinsurance, the last of them); or

(b) under contracts of a particular description so made."

Application of surplus in reduction of certain losses

5. After section 83 of the Finance Act 1989 there shall be inserted—

"Amounts added to long term business fund of a company in excess of that company's loss

83AA.—(1) If one or more relevant amounts are brought into account for a period of account of a company and either—

(a) the aggregate of those amounts exceeds the loss which, after the making of any reduction under subsection (6) below but before any application of section 83(3) above in relation to that period, would have arisen to the company in that period in respect of its life assurance business, or

(b) no such loss would have so arisen,

the surplus for that period shall be applied in accordance with the following provisions of this section and section 83AB below.

(2) In this section—

"relevant amount" means so much of any amount which is added to the long term business fund of a company as mentioned in subsection (3) of section 83 above as does not fall within any of the paragraphs of subsection (4) of that section;

"surplus", in relation to a period of account of a company, means (subject to section 83AB(2) below)—

(a) if the aggregate of the relevant amounts brought into account for that period exceeds the amount of any loss which, after the making of any reduction under subsection (6) below but before any application of section 83(3) above in relation to that period, would have arisen to the company in that period in respect of its life assurance business, the amount of the excess; or

(b) if no such loss would have so arisen, the aggregate of the relevant amounts brought into account for that period.

(3) Where, apart from section 83AB(2) below, there is a surplus for a period of account of a company for which there are brought into account one or more relevant amounts which were added to the company's long term business fund as part of, or in connection with, a particular transfer of business, the appropriate portion of the surplus for that period shall be treated as reducing (but not below nil) so much of any loss arising to the transferor company in the relevant accounting period as, on a just and reasonable apportionment of the loss, is referable to the business which is the subject of that particular transfer.

(4) For the purposes of subsection (3) above, the appropriate portion of the surplus for a period of account of a company is, in the case of any particular transfer of business, the amount which bears to that surplus (apart from any additions by virtue of section 83AB(2) below) the proportion which A bears to B, where—

A is the aggregate of such of the relevant amounts added to the company's long term business fund as part of, or in connection with, that particular transfer of business as are brought into account for that period, and

B is the aggregate of the relevant amounts brought into account for that period.

(5) Any reduction pursuant to subsection (3) above of the loss arising to the transferor company in the relevant accounting period shall be made after—

(a) the making of any reduction under subsection (6) below, and

(b) any application of section 83(3) above,

in relation to the period of account of that company in which falls the date of the particular transfer of business in question.

(6) Any loss arising to a company in respect of its life assurance business in a period of account subsequent to one for which there is a surplus shall be reduced (but not below nil) by so much of that surplus as cannot be applied—

(a) under subsection (3) above;

(b) under this subsection, in the reduction of a loss arising to the company in an earlier period of account; or

(c) under section 83AB below, in relation to a transfer of business from the company in that or any earlier period of account.

(7) Any reduction pursuant to subsection (6) above of a loss arising to a company in a period of account shall be made—

(a) before any application of section 83(3) above in relation to that period, and

(b) if the company is also the transferor company in relation to a particular transfer of business, before the making of any reduction under subsection (3) above in

relation to that one of its accounting periods which is the relevant accounting period in relation to that transfer.

(8) A surplus in respect of an earlier period of account shall be applied under subsection (6) above before a surplus in respect of a later period of account.

(9) All such adjustments to the liability to tax of any person shall be made, whether by assessment or otherwise, as may be required to give effect to this section.

(10) In this section—

"add" has the same meaning as in section 83 above;

"the relevant accounting period" means the accounting period of the transferor company which—

(a) ends on the date of the transfer of business mentioned in subsection (3) above, or

(b) if that transfer of business falls within section 83(6)(c) above and no accounting period of the transferor company ends on that date, ends next after that date;

"transfer of business" has the same meaning as in section 83(3) above;

"the transferor company" means the company from which the transfer of business mentioned in subsection (3) above is effected.

(11) A transfer of business falling within section 83(6)(c) above shall be treated for the purposes of this section as a transfer of business from the company which is the reinsured under the contract of reinsurance.

Treatment of surplus where there is a subsequent transfer of business from the company etc

83AB.—(1) If an amount is added to the long term business fund of a company as part of or in connection with a transfer of business to the company, or a demutualisation of the company not involving a transfer of business, and—

(a) there is a surplus for the period of account of the company for which that amount is brought into account,

(b) at any time after the transfer of business or demutualisation, there is a transfer of business from the company (the "subsequent transfer"), and

(c) at the end of the relevant period of account there remains at least some of the surplus mentioned in paragraph (a) above which cannot be applied—

(i) under subsection (3) of section 83AA above,

(ii) under subsection (6) of that section, in the reduction of a loss arising to the company in an earlier period of account, or

(iii) under this section, in relation to an earlier subsequent transfer,

so much of the surplus falling within paragraph (c) above as, on a just and reasonable apportionment, is referable to business which is the subject of the subsequent transfer shall be applied under this section.

(2) An amount of surplus which is to be applied under this section shall be so applied by being treated as an amount of surplus (additional to any other amounts of surplus) for the period of account of the transferee company which last precedes the period of account of that company in which the subsequent transfer is effected, whether or not there is in fact any such preceding period of account.

(3) If, in a case where an amount is treated under subsection (2) above as an amount of surplus for a period of account of a company, the period is not one for which there is brought into account an amount added to the company's long term business fund in connection with the subsequent transfer, subsection (1) above shall have effect in relation to any transfer of business from the company subsequent to that transfer as if an amount had been so added and had been brought into account for that period.

(4) Any question as to what is a just and reasonable apportionment in any case for the purposes of subsection (1) above shall be determined by the Special Commissioners who shall determine the question in the same manner as they determine appeals; but any person affected by the apportionment shall be entitled to appear and be heard or make representations in writing.

(5) A surplus in respect of an earlier period of account shall be applied under this section before a surplus in respect of a later period of account.

(6) All such adjustments to the liability to tax of any person shall be made, whether by assessment or otherwise, as may be required to give effect to this section.

(7) In this section—

"add" has the same meaning as in section 83 above;

"demutualisation" has the same meaning as in section 83 above;

"the relevant period of account" means the period of account of the company from which the subsequent transfer is effected which consists of or includes the accounting period of that company which—

(a) ends with the day on which the subsequent transfer is effected; or

(b) if the subsequent transfer is a transfer of business falling within section 83(6)(c) above and no accounting period of the company ends on that day, ends next after that day;

"surplus" has the same meaning as in section 83AA above;

"transfer of business" has the same meaning as in section 83(3) above;

"transferee company" means the company to which the subsequent transfer of business is effected.

(8) Where it is necessary for any purpose of this section to identify the time at which a demutualisation of a company takes place, that time shall be taken to be the time when the company first issues shares.

(9) A transfer of business falling within section 83(6)(c) above shall be treated for the purposes of this section as a transfer of business from the company which is the reinsured under the contract of reinsurance to the company which is the reinsurer under that contract."

Meaning of "brought into account" in sections 83AA and 83AB

6.—(1) In section 83A of the Finance Act 1989, in subsection (1) (meaning of "brought into account" in section 83)—

(a) for "In section 83" there shall be substituted "In sections 83 to 83AB"; and

(b) for "that section" there shall be substituted "those sections".

(2) In subsection (2) of that section (the accounts which are recognised for the purposes of that section) for "that section" there shall be substituted "those sections".

Enactments disapplying section 83(3) of the Finance Act 1989

7.—(1) The following provisions of the Taxes Act 1988 (each of which provides for section 83(3) of the Finance Act 1989 not to apply in certain cases) shall cease to have effect—

(a) section 436(3)(aa);

(b) section 439B(3)(b); and

(c) section 441(4)(aa).

(2) In consequence of sub-paragraph (1)(b) and (c) above, the word "and" shall be added at the end of section 439B(3)(a) and section 441(4)(a) of the Taxes Act 1988.

Overseas life insurance companies

8.—(1) Schedule 8A to the Finance Act 1989 (modifications of sections 83 and 89 in relation to overseas life insurance companies) shall be amended in accordance with the following provisions of this paragraph.

(2) In the Heading "Modifications of sections 83 and 89 in relation to overseas life insurance companies" after "83" there shall be inserted "to 83A".

(3) In paragraph 1(1), for "sections 83 and 83A" there shall be substituted "sections 83 to 83A".

(4) In paragraph 1A, in sub–paragraph (4)—

(a) for the words from "being transferred" to "added to that fund" there shall be substituted "being added to the company's long term business fund"; and

(b) in the second sentence, for "a transfer" and "transferred" there shall be substituted respectively "an addition" and "added".

(5) After that sub–paragraph there shall be added—

"(5) Any reference in section 83AA(2), (3) or (4) or 83AB(1) or (3) to an amount being added to the relevant company's long term business fund shall be construed in accordance with sub–paragraph (4) above."

(6) In paragraph 1C(4), for "transfer" there shall be substituted "addition".

Transitional provisions

9.—(1) In the application of section 83AA or 83AB of the Finance Act 1989 in a case where one or more relevant amounts added to a company's long term business fund on or before 25th March 1996 are brought into account for a period of account beginning on or after 1st January 1996—

(a) the amount of any loss which, before any application of section 83(3) of that Act in relation to that period, would have arisen to the company in that period shall be treated as reduced (but not below nil) by the aggregate of those relevant amounts; and

(b) except as provided by paragraph (a) above, those relevant amounts shall be disregarded.

(2) In the application of sub–paragraph (1) above in relation to an overseas life insurance company, any reference to an amount added to a company's long term business fund shall be taken as a reference to any assets which became assets of the long term business fund of an overseas life insurance company used or held for the purposes of the company's United Kingdom branch or agency, having immediately previously been—

(a) held by the company otherwise than as assets of that fund, or

(b) used or held otherwise than for those purposes.

(3) If the relevant accounting period mentioned in subsection (3) of section 83AA of the Finance Act 1989 is a period beginning before 1st January 1996, only the appropriate portion of the eligible loss shall be reduced pursuant to that subsection; and for the purposes of this sub–paragraph—

(a) "the eligible loss" means so much of the loss arising to the transferor company in the relevant accounting period as, on a just and reasonable apportionment of the loss for the purposes of that subsection, is referable to the business which is the subject of the particular transfer of business in question; and

(b) "the appropriate portion" of the eligible loss is the amount which bears to the eligible loss the proportion which A bears to B where—

A is the number of days in the relevant accounting period which fall on or after 1st January 1996; and

B is the total number of days in the relevant accounting period.

(4) Paragraph 10(2) below shall not prevent—

(a) an amount of surplus for a period of account of a company beginning on or after 1st January 1996, or

(b) an amount of surplus for any period of account of a company which, by virtue of the operation of this sub–paragraph, derives from an amount of surplus falling within paragraph (a) above,

from being treated by virtue of section 83AB of the Finance Act 1989 as an amount of surplus for the period of account of another company last preceding its earliest period of account ending on or after 1st January 1996 (whenever beginning) or from being applied accordingly under section 83AA(6) or 83AB of that Act.

(5) In this paragraph—

"add" has the same meaning as in section 83 of the Finance Act 1989;

"brought into account" has the same meaning as it has in sections 83 to 83AB of that Act by virtue of section 83A of that Act;

"relevant amount" has the same meaning as in section 83AA of that Act;

"surplus" has the same meaning as in sections 83AA and 83AB of that Act.

Commencement

10.—(1) Subject to paragraph 2(1) and (3) above, paragraphs 1 to 3 above have effect in relation to accounting periods beginning on or after 1st January 1996.

(2) Subject to paragraph 9 above, paragraphs 4 to 8 above have effect in relation to periods of account beginning on or after 1st January 1996.'.—*[Mr. Jack.]*

Brought up, read the First and Second time, and added to the Bill.

No. 63, a new schedule—

Roll–over relief in respect of ships—

Preliminary

1. The Capital Allowances Act 1990 shall be amended as follows.

Amendment of provisions relating to roll–over relief in respect of ships

2.—(1) In subsection (3) of section 33A (relief limited to expenditure on new shipping incurred or to be incurred by the shipowner), for paragraph (b) there shall be substituted the following paragraph—

"(b) the amount of any expenditure incurred or to be incurred by qualifying persons in the period of six years beginning with the day on which the event mentioned in subsection (1)(b) above occurs, so far as that expenditure is, or (when incurred) will be, expenditure to which an addition made under this section in respect of that event may be attributed in accordance with subsection (5) below;".

(2) In subsection (4) of that section (relief not to apply where expenditure on new shipping not incurred by the shipowner within six years), for the words from the beginning of paragraph (b) onwards there shall be substituted the following—

"(b) circumstances arise in which the whole or any part of the addition ceases (otherwise than by being attributed) to be an amount that may be attributed, in accordance with subsection (5) below, to expenditure on new shipping incurred by qualifying persons in the period of six years mentioned in subsection (3)(b) above,

the shipowner shall be assumed not to have been entitled to so much of the addition as will not be so attributed."

(3) For subsection (5) of that section (attribution of relief to expenditure on new shipping) there shall be substituted the following subsections—

"(5) Subject to subsection (5A) below and to section 33D(6), where—

(a) an addition is made under this section to the shipowner's qualifying expenditure for the relevant period in respect of his actual trade, and

(b) expenditure on new shipping is incurred by a qualifying person in the period of six years mentioned in subsection (3)(b) above,

the shipowner may, by notice to an officer of the Board, attribute to that expenditure so much of the addition as is equal to so much of the expenditure as is not already the subject of an attribution under this subsection.

(5A) A notice under subsection (5) above shall not have effect in a case where the shipowner and the qualifying person to whose expenditure the notice relates are not the same person unless that person joins with the shipowner in the giving of that notice."

(4) After subsection (7) of that section there shall be inserted the following subsection—

"(8) In this section and the following provisions of this Chapter references to a qualifying person, in relation to any expenditure, are references to—

(a) the shipowner; and

(b) where the shipowner is a company, any company which, at the time when the expenditure is or is to be incurred, is or (as the case may be) would be a member of the same group of companies as the shipowner;

and for the purposes of this subsection two companies are members of the same group of companies at any time if, at that time, they are treated as members of the same group of companies for the purposes of Chapter IV of Part X of the principal Act (group relief)."

3.—(1) In subsection (1) of section 33C (re–imposition of deferred charge)—

(a) in paragraph (b), for "the shipowner" there shall be substituted "a qualifying person"; and

(b) for paragraph (c) there shall be substituted the following paragraph—

"(c) the expenditure is expenditure the whole or any part of which is expenditure to which the whole or any part of the addition is attributed in accordance with section 33A(5)."

(2) In subsection (2) of that section—

(a) the words "to be", in the first place where they occur, shall be omitted; and

(b) in paragraph (b), for "the shipowner" there shall be substituted "the qualifying person in question".

4.—(1) In section 33D (definition of expenditure on new shipping), in subsection (1)—

(a) in paragraph (a), for "the shipowner's actual trade" there shall be substituted "a trade carried on by the person who incurs that expenditure"; and

(b) in paragraph (b), for "the shipowner" there shall be substituted "that person".

(2) In subsection (2) of that section—

(a) in paragraph (a), for "the shipowner" there shall be substituted "the person who incurred the expenditure"; and

(b) in paragraph (c)(ii), for "the shipowner" there shall be substituted "the person who incurred the expenditure".

(3) After subsection (2) of that section there shall be inserted the following subsections—

"(2A) Subject to subsection (2B) below, expenditure incurred by a qualifying person other than the shipowner on the provision of a ship shall not be, and shall be deemed never to have been, expenditure on new shipping if—

(a) at any time after the time when the ship first belongs to that person in consequence of that expenditure, it ceases to belong to that person without having been brought into use for the purposes of a trade of that person;

(b) the ship is brought into use for the purposes of a trade of that person and an event falling within section 24(6)(c) occurs with respect to the ship before the end of the period of three years beginning with the time when it is first so brought into use; or

(c) there is a time falling—

(i) after the expenditure is incurred, and

(ii) where the ship is brought into use for the purposes of a trade of that person, before the end of the period of three years beginning with the time when it is first so brought into use,

when the shipowner and that person do not fall to be treated as members of the same group of companies for the purposes of Chapter IV of Part X of the principal Act (group relief).

(2B) Subsection (2A) above shall not apply by virtue of paragraph (a) or (b) of that subsection in any case if the event by virtue of which the case falls within that paragraph is, or is the result of—

(a) the total loss of the ship; or

(b) damage to the ship that puts it in a condition in which it is impossible, or not commercially worthwhile, for the repair required for restoring it to its previous use to be undertaken;

and that subsection shall have effect, where anything falling within paragraph (a) or (b) above occurs, as if times falling after the occurrence of the total loss or, as the case may be, after the occurrence of the damage were to be disregarded for the purposes of paragraph (c) of that subsection."

(4) In subsection (4) of that section—

(a) in paragraphs (a) and (b), for the words "the shipowner", in each place where they occur, there shall be substituted "the person who incurred the expenditure"; and

(b) in paragraph (c)(i), for "the shipowner's actual trade" there shall be substituted "a trade carried on by the person who incurred that expenditure".

(5) In subsection (6) of that section, for "by the shipowner" there shall be substituted "by a qualifying person".

(6) In subsection (7) of that section—

(a) for "any trade previously carried on by the shipowner" there shall be substituted "the shipowner's actual trade"; and

(b) in paragraph (a), for the words "by the persons for the time being carrying on that trade" there shall be substituted "for the purposes of that trade by the persons for the time being carrying it on".

(7) For subsection (8) of that section there shall be substituted the following subsection—

"(8) For the purposes of this section a person is connected with another person at any time if, at that time—

(a) he is, within the terms of section 839 of the principal Act, connected either with that other person or with a person who is connected with that other person by virtue of paragraph (b) below; or

(b) he is carrying on a trade previously carried on by that other person in a case in which the only changes in the persons engaged in carrying on that trade between—

(i) the time when it was previously carried on by that other person, and

(ii) the time in question,

are changes in respect of which the trade is to be treated by virtue of section 113(2) or 343(2) of the principal Act as not having been discontinued;

and the persons who shall be taken for the purposes of this section, in relation to expenditure incurred by a person who is not the shipowner, to be connected at any time with the person by whom the expenditure is or has been incurred shall include every person who at that time is connected (in accordance with the preceding provisions of this subsection) with the shipowner."

5.—(1) In section 33E (definition of a qualifying ship), after subsection (8) there shall be inserted the following subsection—

"(9) Subsections (5), (6) and (8) above shall have effect for the purposes of section 33D in relation to any ship on the provision of which expenditure is incurred on or after the

passing of the Finance Act 1996 as if the references in those subsections to the shipowner included references to the person incurring that expenditure."

6.—(1) In section 33F (procedural provisions), in subsection (4)—

(a) for "An attribution made for the purposes of section 33A(5) or 33C" there shall be substituted "Subject to subsection (4A) below, an attribution in accordance with section 33A(5)"; and

(b) for "the person giving the notice" there shall be substituted "the shipowner".

(2) After that subsection there shall be inserted the following subsection—

"(4A) A notice by the shipowner under subsection (4) above shall not have effect in a case where the shipowner and the qualifying person to whose expenditure the notice relates are not the same person unless that person joins with the shipowner in the giving of that notice."

Commencement

7.—(1) Subject to sub–paragraph (2) below this Schedule shall have effect in relation to any case in which the event mentioned in section 33A(1)(b) occurs on or after the day on which this Act is passed.

(2) Subject to sub–paragraph (3) below, this sub–paragraph shall not apply for the purposes of claims, assessments and adjustments made on or after the day on which this Act is passed but before such day as the Treasury may by order appoint.

(3) Sub–paragraph (2) above shall not prevent the making on or after the day appointed under that sub–paragraph of any claims, assessments or adjustments in respect of the application of this Schedule, in accordance with sub–paragraph (1) above, in relation to times before that day; and nothing in any provision relating to the period within which any claim or assessment must be made shall prevent any such claim, assessment or adjustment from being made by reference to this Schedule if it is made no more than twelve months after the day so appointed.'.—*[Mr. Jack.]*

Brought up, read the First and Second time, and added to the Bill.

Schedule 5

TAXATION OF SAVINGS AT THE LOWER RATE

Amendment proposed: No. 1, in page 209, line 24, leave out 'or'.—*[Mr. Jack.]*

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 2 and 3.

5.15 pm

Mr. Tim Smith: The amendments deal with an issue that I raised in the Standing Committee, which had to do with the 20p tax on savings and the concern that I raised on behalf of the Association of British Insurers that savings in insurance products should be treated in the same way as others and attract the 20p rate.

I thank my hon. Friend for making the change.

Amendment agreed to.

Amendments made: No. 2, in page 209, line 26, at end insert

'or

(c) the policy holders' share of the company's relevant profits is more than the company's BLAGAB profits,'.

No. 3, in page 209, line 41, leave out 'all its relevant' and insert 'its BLAGAB'.—*[Mr. Jack.]*

Schedule 8

LOAN RELATIONSHIPS: SPECIAL COMPUTATIONAL PROVISIONS

Amendments made: No. 51, in page 218, line 12, after 'If', insert—

'(a)'.

No. 52, in page 218, line 14, after 'accruing,', insert

'and

(b) credits representing the full amount of the interest are not for any accounting period brought into account for the purposes of this Chapter in respect of the corresponding creditor relationship,

then'.

No. 53, in page 226, line 29, after 'period', insert ("the relevant period")'.

No. 54, in page 226, line 32, leave out from 'security' to end of line 35 and insert

"is available to another company at any time in that period;

(c) for that period there is a connection between the issuing company and the other company, and

(d) credits representing the full amount of the discount that is referable to that period are not for any accounting period brought into account for the purposes of this Chapter in respect of the corresponding creditor relationship.'.

No. 55, in page 226, line 38, leave out from 'that' to end of line 42 and insert

'every debit relating to the amount of the discount that is referable to the relevant period is brought into account for the accounting period in which the security is redeemed, instead of for the relevant period.

(2A) References in this paragraph to the amount of the discount that is referable to the relevant period are references to the amount relating to the difference between—

(a) the issue price of the security, and

(b) the amount payable on redemption,

which (apart from this paragraph) would for the relevant period be brought into account for the purposes of this Chapter in the case of the issuing company.'.

No. 56, in page 226, line 49, leave out 'at any time' and insert 'for the relevant period'.

No. 57, in page 227, line 1, leave out from beginning to 'one' in line 2 and insert—

'(a) there is a time in that period or in the period of two years before the beginning of that period when'.

No. 58, in page 227, line 4, leave out

'at that time, or at any time in those two years'

and insert

'there is a time in that period or in those two years when'.—*[Mr. Jack.]*

Schedule 10

LOAN RELATIONSHIPS: SPECIAL PROVISIONS FOR INSURERS

Amendments made: No. 35, in page 234, line 35, leave out 'sub–paragraph (5) above' and insert 'this paragraph'.

No. 36, in page 234, line 51, leave out

'the company's expenses of management deducted'

and insert

'any deductions'.

No. 37, in page 235, line 7, at end insert—

'(10A) In sub–paragraph (10) above, the references, in relation to a claim under sub–paragraph (3) above ("the relevant claim"), to deductions by virtue of section 76 of the Taxes Act 1988 for a set–off period are references to the deductions by way of management expenses that would have fallen to be made by virtue of that section for that period if—

(a) no account were taken of either—

(i) the relevant claim; or

(ii) any claim under sub–paragraph (3) above relating to a deficit for an accounting period after the deficit period;

but

(b) there were made all such adjustments required by virtue of any sum having been carried back to that set–off period—

(i) under the Corporation Tax Acts, but

(ii) otherwise than in pursuance of the relevant claim or of any other such claim as is mentioned in paragraph (a) above.

(10B) Where—

(a) in pursuance of a claim under sub–paragraph (3) above any amount is set–off against the eligible profit of a company for any set–off period, and

(b) there is a section 76(5) amount for that period which is attributable to that claim,

that section 76(5) amount shall not be carried forward by virtue of section 75(3) of the Taxes Act 1988 but, if that set–off period is the first or second set–off period, sub–paragraph (10C) below shall apply to that amount instead.

(10C) Where this sub–paragraph applies to a section 76(5) amount for any set–off period, the amount available in accordance with sub–paragraph (5) above to be carried back from that set–off period to be set off against eligible profits of previous set–off periods (or, as the case may be, against the eligible profit of the previous set–off period) shall be treated as increased by an amount equal to the amount to which this sub–paragraph applies.

(10D) In relation to any claim under sub–paragraph (3) above, the amount which for any set–off period is, for the purposes of this paragraph, to be taken to be the section 76(5) amount attributable to that claim is the amount (if any) by which the amount specified in paragraph (a) below is exceeded by the amount specified in paragraph (b) below, that is to say—

(a) the amount that would have fallen to be carried forward by virtue of section 75(3) of the Taxes Act 1988 if the claim had not been made; and

(b) the amount which, after the making of the claim, would have fallen to be carried forward to a subsequent period by virtue of section 75(3) of that Act if sub–paragraphs (10B) and (10C) above, so far as they relate to that claim, were to be disregarded.'.—*[Mr. Jack.]*

Schedule 13

LOAN RELATIONSHIPS: MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: No. 66, in page 251, leave out lines 47 and 48 and insert—

'23.—(1) Where this Chapter has effect in relation to any accounting period in relation to which section 434A of that Act (computation of losses and limitation on relief) has effect without any of the amendments made by paragraph 2 of Schedule *(Life assurance business losses)* to this Act, subsection (2) of that section of that Act shall have effect in relation to that period with the following amendments, that is to say—'.

No. 38, in page 259, line 1, leave out 'and (4)' and insert ', (4) and (4A)'.

No. 59, in page 259, line 23, at end insert—

'(4A) The Treasury may by regulations provide for subsection (3) above to apply—

(a) in the case of trading credits as well as in the case of non–trading credits;

(b) in the case of any credit ("an insurance credit") in the case of which, by virtue of subsection (4) above, it would not otherwise apply.

(4B) Regulations under subsection (4A) above may—

(a) provide for subsection (3) above to apply in the case of a trading credit or an insurance credit only if the circumstances are such as may be described in the regulations;

(b) provide for subsection (3) above to apply, in cases where it applies by virtue of any such regulations, subject to such exceptions, adaptations or other modifications as may be specified in the regulations;

(c) make different provision for different cases; and

(d) contain such incidental, supplemental, consequential and transitional provision as the Treasury think fit.'.

No. 40, in page 259, line 25, at end insert

'and

'trading credit' means any credit falling to be brought into account for the purposes of Chapter II of Part IV of the Finance Act 1996 (loan relationships) in accordance with section 76(2) of that Act.'.'.—*[Mr. Jack.]*

Schedule 21

SELF–ASSESSMENT: APPEALS

Amendment made: No. 41, in page 338, line 9, after 'England' insert 'and Wales'.—*[Mr. Jack.]*

Schedule 38

REPEALS

Amendments made: No. 11, in page 416, line 14, leave out 'Section 21 (2)(b).'.

No. 67, in page 431, line 9, at end insert—

'(22A) LIFE ASSURANCE BUSINESS LOSSES

Chapter	Short title	Extent of repeal
1988 c. 1.	The Income and Corporation Taxes Act 1988.	Section 436(3)(aa). Section 439B(3)(b). Section 441(4)(aa).
1995 c. 4.	The Finance Act 1995.	In Schedule 8, paragraph 16(4) and (5).

These repeals have effect in accordance with paragraph 10(2) of Schedule *(Life assurance business losses)* to this Act.'.

No. 64, in page 433, line 34, at end insert—

'( ) CAPITAL ALLOWANCES: ROLL–OVER RELIEF IN RESPECT OF SHIPS

Chapter	Short title	Extent of repeal
1990 c. 1.	The Capital Allowances Act 1990.	In section 33C(2), the words "to be", in the first place where they occur.

No. 61, in page 434, line 36, column 3, leave out '"or (c)" and'.

No. 62, in page 434, line 40, column 3, leave out from '8' to end of line 47 and insert

', paragraphs 5 to 7.'.—*[Mr. Jack.]*

Order for Third Reading read.

5.19 pm

The Chief Secretary to the Treasury (Mr. William Waldegrave): I beg to move, That the Bill be now read the Third time.

It seems quite a long time since the Budget and it is worth reminding ourselves of the important and interesting matters in the Bill. No doubt, everything that we discussed in Committee and on Report was important, but some matters are rather spectacular. The Bill increases personal allowances by £100 more than indexation. It widens the lower rate tax bands by £700, which is £500 more than indexation. It reduces income tax on savings income to 20 per cent. for basic rate taxpayers and cuts the basic rate of tax to 24 per cent.

The elite little band of my hon. Friends who are here for Third Reading outnumber the two faithful souls on the Opposition Back Benches, and they are wholly outnumbered by the right hon. Member for Lagan Valley (Sir J. Molyneaux). It is never a surprise to see the right hon. Gentleman in his place and contributing to our debates.

This important Bill makes significant reductions in capital gains tax and inheritance tax, the threshold of which will be increased by £40,000 more than indexation up to £200,000. That means that the number of estates paying that tax will be reduced by a third. The leader of the party to which the right hon. Member for Lagan Valley belongs, the hon. Member for Upper Bann (Mr. Trimble), has come to reinforce him, and that makes the proportionate representation even more spectacular.

The Bill's income tax changes will benefit 26 million taxpayers and 14 million savers. Some 220,000 people—low earners and pensioners—will be taken out of tax altogether and more than 6 million people—a quarter of all taxpayers—will pay tax at 20 per cent. The income tax bill of a family on average earnings will be cut by about £235 a year. Those changes will start to appear in pay packets the week after next at the start of the new tax year.

As the experts on the Committee know, the Bill is not just about personal tax reductions. It modernises—I hesitate to say simplifies—the tax system in several important respects and contributes to the Government's aim of a low-tax economy for business as well as for individuals, which is making Britain the enterprise centre of Europe. I shall give one or two quick examples, which will be familiar to hon. Members who are in the Chamber. The Bill legislates for the new landfill tax which, as the Chancellor memorably said, puts a tax on rubbish to enable the tax on people to be lifted a little. That is obviously an environmentally and economically sensible tax.

The Bill completely updates the arrangements for handling corporate loan relationships. Some members of the Committee will be dreaming about that subject, or perhaps singing about it, in the months ahead. I cannot claim that that is a simple subject but it is now better legislated for.

There are new measures to encourage participation in employee share ownership schemes, especially for lower-paid staff. That builds on our achievement of helping employees to acquire a true stake in their companies by owning shares in them. The members of the Committee put in a great deal of work and have improved the Bill. Hon. Members from all parties contributed to that but I pay tribute to my hon. Friends in particular. Those who are in the Chamber tabled, and had accepted, amendments that improve the Bill in various ways. Some of those amendments were tabled on Report.

I shall mention a few of the improvements that the Committee made to the Bill. My hon. Friends, supported by some Opposition Members, made representations about the landfill tax. There were amendments to exempt dredgings from inland waterways and harbours, an issue that we debated yesterday, and to exempt naturally occurring waste from mining and quarrying operations. There were a number of other changes on definitions and on the coverage of that tax, and members of the Committee are to be congratulated on all those improvements.

I am a leading member of the House of Commons classic car club—I think that I may be the only member apart from its chairman—and I certainly pay a high subscription. Of special interest to me were the representations by Lord Montague of Beaulieu and by others. Lord Montague has pressed us more on this part of our heritage than anyone else, and made representations about historical lorries, fire engines, road rollers and other types of traction engines to which we have extended the Chancellor's exemption. That will bring a great deal of pleasure to many people and will help to conserve an important part of our national heritage.

On Report, the House debated loan relationships, which is not a subject that one enters into unadvisedly because it is complex and important. We listened to those who mentioned some flaws in the provisions and to more general comments that the anti-avoidance provisions went too far. We made some helpful changes in that area. We made further improvements in the self-assessment measures and adopted the suggestion by my hon. Friend the Member for Carshalton and Wallington (Mr. Forman) on friendly societies to allow them wider access to life insurance policies.

I have given a selection of the improvements that were made in Committee. We were ably led by my hon. Friends the Financial Secretary and the Economic Secretary and my right hon. Friend the Paymaster General, all of whom worked very hard.

The United Kingdom economy has been growing steadily for nearly four years, and the recovery over that period has been the most robust of any major European economy. Far from slipping down the world prosperity league, as the Labour party likes to claim, the United Kingdom has closed the gap on many of its competitors. Over the last European cycle, which is the proper measure, United Kingdom income per head grew as fast as that of Germany and faster than those of France, Italy or the European Union average.

The fundamentals for strong and continuous growth with low inflation remain in place. We are enjoying the longest sustained period of low inflation for almost 50 years and, of course, in the period before that statutory controls and all kinds of wartime controls were in place. The Bank of England's latest inflation forecast shows that underlying inflation in the United Kingdom is more likely than not to be somewhat below 2.5 per cent. in two years' time, which is our target.

Company profits and the health of corporate Britain have rarely been better. Profits, which are already high, rose by another 6 per cent. in 1995. Investment in plant and machinery manufacturing had a further year of strong

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[Mr. William Waldegrave]

growth, and that is very satisfactory. Research that was commissioned by the Treasury shows that our better performance in manufactured exports in the 1990s is likely to come from better quality as well as from price.

That is an encouraging trend and it is reinforced by the further good news that, although there has not been much investment in new buildings, Britain is doing well in investment in the latest manufacturing machinery. There is a good article in today's edition of the *Financial Times* about the British machine tool industry, which is a good indicator that firms are investing in the latest machinery. That is good for the future.

Labour's response to all that is a little confused, because, for an Opposition, it is always pleasant to have bad news to point to so that they can blame their opponents. It is genuinely difficult to argue that there is much wrong with the British economy now or that there will be in the foreseeable future. That was confirmed recently by Lord Desai, professor of economics at the London school of economics. He had an enjoyable exchange by remote control with the hon. Member for Oxford, East (Mr. Smith), in which Lord Desai said:

"I have talked to people and they are beginning to feel a reduction in the mortgage payment already and what happened today"—

the latest interest rate reduction—

"is going to increase that. We just have to be aware, in the Labour party, that these things are happening and it's no good denying them."

For greater clarification, he concluded:

"All I am saying is the economy is going to look very good."

That is not the place from which to attack one's opposition.

The response of the hon. Member for Oxford, East to that was a little ungracious. He did not try to attack Lord Desai's economics—he would have been unwise to do so: Lord Desai is a Labour party member who is an extremely distinguished man—so the hon. Gentleman accused him of being a peer, and said that he is "an academic economist". Using the word "academic" as an insult is not becoming for someone who represents part of my former university town, but worse than that, the hon. Gentleman said that Lord Desai is a peer, so we need not pay any attention to him.

The trouble is that it is not Lord Desai's fault that he is a peer; it is the Labour party's fault. It made him a peer, so it is jolly bad luck on the hon. Gentleman to say of Lord Desai, "Well, he's an old fogey. He's not only an academic, but he's a peer. Terrible fellow—you can't pay any attention to him." Lord Desai, not for the first time, has inconvenienced Opposition Front-Bench Members by saying something that is absolutely on the button, which is that the British economy is strong and looks as though it will remain strong and that it is unwise of the Labour party to attack it.

With its strategy of bringing tax responsibly and steadily down as it can be afforded, improving the tax system, bringing more people into the lower rate tax bands, taking many householders out of the fear of inheritance tax and simplifying and lifting capital gains tax for many people who have built small companies and want to pass them on to their family, the Bill carries forward my right hon. and learned Friend's extremely successful economic strategy, and it does so with the support of the House.

Throughout, the Labour party has taken a strong position: it has abstained. I forget who it was, but, in the middle ages, someone once refused the office of the papacy and became known as the great refuser. This year, the Labour party is the great abstainer. On almost any issue we can think of, after grave and careful thought, it abstains. That has been its position before, and probably will be again today. That is a curious position for a party represented by people such as the hon. Member for Bristol, South (Ms Primarolo), who, in my experience, likes not to abstain from things, but to fight at the front of the barricades and who has, for the time being, been suppressed.

5.32 pm

Mr. Andrew Smith (Oxford, East): No speech from the Chief Secretary to the Treasury is complete without the mandatory attack on my hon. Friend the Member for Bristol, South (Ms Primarolo). He just managed to get it in at the end. He did not, of course, give the complete story of my indirect interchange via the remote screens on "Newsnight" with Lord Desai. The point which I was making was that I had come fresh from talking to my constituents in the Blackbird Leys community centre and that I had much more confidence in what they had to say about the economy and about their being in touch with the realities of job insecurity and downward mobility under this Government than Lord Desai, in what he was quoted as saying.

As we are on the subject of people who have been appointed to their respective positions by parties on both sides of the House and as the Chief Secretary quotes Lord Desai, I will simply respond by referring to Patrick Minford, who has been appointed not as a peer but as an independent adviser to the Chancellor of the Exchequer. Mr. Minford is not simply criticising. He is saying that the Chancellor should be sacked; he is saying that the Chancellor must go. Ministers should therefore be very careful about quoting Lord Desai at us. One never knows what Patrick Minford will say next.

As for the Chief Secretary's claims about the Government's economic record, the fact is that Britain has gone from 13th to 18th in the world prosperity league. Under this Government, we have the worst record on job generation in Europe, our share of total European investment has gone down and growth has averaged just 1.9 per cent.—1.7 per cent., if we exclude oil. During the Conservative party's term in office, we have had a worse record on inflation than any country in Europe bar Italy, so we will take no lectures from the right hon. Gentleman and his friends about relative performance compared with Europe. They have nothing to be proud of and they should be apologising to this country's people for their record, not boasting about it.

On Second Reading, I said that the Bill was profoundly disappointing, even if the sins of omission were greater than those of commission. I said that it had all the hallmarks of a tired and frightened Government who have no new ideas to revitalise a sluggish economy and no vision to bring together a divided society or to embark on the training and investment revolution that Britain needs.

During the Bill's progress through the House and Committee, we have exposed the fact that this is not a Bill for jobs, investment or fairness. It does nothing to advance the opportunity for everyone to make the most

of his or her potential with a true stake in society. It does nothing to build a strong economy or a fair society, still less to recognise how the one depends on the other. As I said, however, those are sins of omission rather than of commission.

If we judge the Bill for what it contains, we apply a number of categories. There are the things that we welcomed, including the 1p tax cut, increased personal allowances, the lower savings rate and the introduction of housing investment trusts. There are the things that we supported in principle and sought, with some success, to improve in practice, including the landfill levy and the reform of loan relationships. There are the things about which we remain concerned, including the burdens of self-assessment, especially on the self-employed and small businesses. There are the things that we opposed, such as the extension of personal allowances to residents of the European Economic Area.

There were also victories. A notable victory was the Government's commitment—the Chief Secretary should not laugh at this; we were pleased that they gave this concession—to uprate in future years the blind person's allowance in line with inflation. That is a long overdue and welcome measure.

Taking it all together, it would be both contrived and churlish to pretend that there is not a good deal more in the Bill that we support than we oppose. On that basis, we shall possibly disappoint some Conservative Members and certainly disappoint their colleagues in Conservative central office, by not voting against the Bill.

Under this Government, there have been two significant developments in relation to the Bill's proceedings, aside from its contents, which give us cause for concern. We have, first, the phenomenon of the shrinking Chief Secretary. I have been considering the statistics of Chief Secretaries' contributions to Finance Bill Standing Committees. I find that, for the first decade of Conservative Government, it was normal for a Chief Secretary to notch up more than 20 contributions during those proceedings.

Peter Rees comes top in terms of contributions, with 31 during the proceedings in 1983 and 1984. When Chief Secretary, the Prime Minister managed 28 contributions in 1987-88, and the right hon. Member for Kingston upon Thames (Mr. Lamont) managed 21 in 1989-90. But since then, a decline has set in. The right hon. Member for Enfield, Southgate (Mr. Portillo) managed 13 in 1992-93 and 18 in 1993-94, but what happened then? Last year, the right hon. Member for South Thanet (Mr. Aitken) managed only seven and, this year, the present Chief Secretary made just three contributions. Perhaps he had other things on his mind.

Mr. Robert Ainsworth (Coventry, North–East): They were very short contributions.

Mr. Smith: It is interesting to note that, even as Chief Secretaries' contributions to Finance Bills' proceedings become smaller and smaller, so the Finance Bills become bigger and bigger.

That is the second serious cause for concern. Parliament has added more than 1,300 pages of primary legislation to taxes Acts in the past five years, and this evening we shall be adding a further 400 pages. It is incumbent on us all in the House—it is a genuine cross-party concern—to find ways in which the process can be simplified, legislation can be made more purposive, perhaps better expressed, and the processes of scrutiny can be improved. As taxes legislation is rewritten, as has been agreed, we will have to consider ways in which hon. Members and the public can contribute to the process.

What will the Finance Bill be remembered for? Will we remember the first cut in the basic rate of income tax for seven years? I think not. That memory will be tarnished by the Government's imposition of the equivalent—as the Chancellor of the Exchequer admitted—of a 7p rise in the basic rate, and more than 20 increases in taxation since the general election.

Will the Finance Bill be remembered as a Bill for business? After all, in his Budget speech, the Chancellor engaged in a little theatrics, trailing the income tax cut with the cut in the small companies' rate of corporation tax. Considering how much difference the cut makes to companies and given that they have realised that the VAT threshold has not been uprated in line with inflation and business rates have risen by 5 per cent. more than inflation, I do not think that the Bill will be remembered as great for business.

Could the Finance Bill be remembered as somehow, in the fantasies of Conservative Members, echoing Lord Lawson's tradition of omitting one tax every Budget? Unfortunately, it cannot, because the Government have introduced a new tax on average in almost every Budget, and certainly in every other Budget. Four new taxes have been introduced in five Finance Acts since the general election, along with 23 tax increases—from the Government who at the election promised to cut taxes year on year. The Bill will not be remembered for tax cutting. Nor will it be remembered, as I have said, as a simplifying Finance Bill.

The Finance Bill might be remembered for the fact that we have had the third or the fourth attempt at getting self-assessment right. We still have a great deal of concern, however, that self-assessment will not work in the straightforward, simple and unburdensome way that Conservative Members seem to think it will. If the Government will not, even at this late stage, reconsider our arguments for the delay of the introduction of self-assessment for a year, I would at the very least urge them to redouble their provision of advice and support, especially for the self-employed—and small businesses—who will find the introduction of new scheme very onerous, along with, according to the Red Book, the extra £850 million that they will have to pay, which we have debated before.

I suppose that the Bill might be remembered for the extensive debate on loan relationships. We believe that it was entirely desirable that that complicated area of legislation was reviewed, made consistent and codified. The way in which the matter was handled—there was late consultation, a whole flood of very late and significant amendments without the Opposition or interested parties outside the House being given the opportunity to comment properly—was wholly unsatisfactory. The experience of the House time and again is that, if we legislate in haste, we have to repair the damage later. I will be very surprised if we do not have to revisit the issues of loan relationships and—for the fourth or fifth time—self-assessment, in future Finance Bills.

[Mr. Smith]

The Finance Bill gives Conservative Members nothing to boast about. It has indeed been a dull and drab Bill, perhaps enlivened only by the number of Conservative Members on the Committee who, as we heard from the Chief Secretary, are members of the classic car club, which left a certain mark on the Bill. The Bill has not, and the Government have not, addressed the issues of substance that affect the wealth, unity, fairness and quality of life of our nation. The Bill is characteristic of the Government who produced it.

We shall not oppose Third Reading, not because the Bill is what we would have wanted but because its contents include the measures I mentioned earlier, which we support. We do not oppose for the sake of it and we shall not vote tonight. We and the country look forward to the day when we have the chance to introduce a Bill that the country really needs—the Finance Bill of a Labour Government.

5.45 pm

Mr. David Hunt (Wirral, West): I congratulate my right hon. and learned Friend the Chancellor of the Exchequer on his Budget and the Bill. I applaud the leadership of my right hon. Friend the Chief Secretary in Committee, and I praise the speeches of my hon. Friend the Economic Secretary, my right hon. Friend the Paymaster General, and in particular, my hon. Friend the Financial Secretary. Committee proceedings, Report and Third Reading have been very good. The Finance Bill is impressive and will do much to sustain a non-inflationary period of growth that will underpin the creation of jobs by businesses and our reputation as the enterprise centre of Europe, which I applaud.

I thought that the speech of the hon. Member for Oxford, East (Mr. Smith) was very inadequate. I realise that he has so little to say. Indeed, in Committee we waited time after time to hear the Opposition's policies. We waited for an inflation target, a growth prediction, some form of alternative economic policy, but came there none. They have therefore been a rather irrelevant Opposition, but happy, smiling, very nice and courteous. I suppose that I cannot criticise them for their personalities and character, but really in politics one has to have a little more. The cosmetics are starting to crumbling and the make-up on new Labour and the Leader of the Opposition is melting.

I do not know whether, Mr. Deputy Speaker, you have had the chance to see the headline in today's edition of the *Evening Standard*. It says "Blair Hit by Two Revolts". The article says that the Leader of the Opposition

"was dealt a wounding double blow today when 50 backbench MPs defied him over a single currency and unions branded his flagship training scheme a 'nonsense'."

We can add a great deal to that. The Opposition are beginning to learn that they cannot just keep opposing and opposing. They have to have some alternative strategy. The Bill represents an agenda for the future creation of jobs.

When I stepped down from the Cabinet last year, I said that my prime objective was more and better jobs in my area of Wirral. Indeed, unemployment in my constituency fell from 3,215 in February 1993 to 2,947 this time last year, and the latest figures show a further fall to 2,776. Over the last year, unemployment has fallen by 6 per cent. and over the past three years by 14 per cent., but it is still unacceptably high. The Finance Bill will create the right conditions for a continuing fall in unemployment.

One thing which was said in Committee was wholly wrong—that the social protocol does not apply to small businesses. I am afraid that I shouted from a sedentary position, "Nonsense!" I should have liked to quote verbatim from the protocol. If it had any affect on the Bill's provisions, it would do much to destroy jobs in the small and medium-sized business sector. It would destroy jobs generally, as would a statutory minimum wage. Therefore the only real policies that we have had from the Opposition would destroy jobs. That is why I shall continue strongly to defend my right hon. and learned Friend's Budget, which will do much to restore employment in my constituency.

5.49 pm

Mr. Malcolm Bruce (Gordon): I apologise to the Chief Secretary for not having been here at the start of the debate. The House will understand when I say that I was detained by dealing with the crisis in the beef industry which deeply affects my constituency. The right hon. Member for Wirral, West (Mr. Hunt) says that he wants to promote jobs. I have lost 100 jobs today and I have hundreds more hanging by a thread. Although I believe that we urgently need some definite policies from the Government, I shall not detain the House on that matter now.

The right hon. Member for Wirral, West said that, if one wished to oppose, one had to have an alternative strategy. The Liberal Democrats do not agree fundamentally with everything that the Government have done—quite the reverse. There are aspects of Government policy that we broadly support, but we have areas of disagreement. We have spelt them out and have said that we would prefer to promote a different strategy.

I point out, especially to the Chancellor of the Exchequer, that this Third Reading debate comes at a time when the strategy on which the Bill and the Budget are based has moved fundamentally against him. The situation is not as happy as the one that he set out at the time of the Budget. It appears, for example, that the borrowing outturn will be even higher and even more adverse than was originally forecast; the forecast itself was a big upsurge compared with the original forecast. Some of us had little belief that a policy based on a growth outturn of 3 per cent. was likely to deliver 3 per cent., and that likelihood is even less today.

It was interesting that the hon. Member for Oxford, East (Mr. Smith) said that the Labour party supported the 1p cut in income tax. I thought that Labour Members abstained on the issue; they now apparently wish that they had voted in favour of the cut. I remind the House that the Liberal Democrats voted against the cut and we do not apologise for having done so.

Mr. Andrew Smith: Did the Liberal Democrats vote against the cut in Committee? If not, why not?

Mr. Bruce: We did not because we had made our position clear on Second Reading. To have repeated votes when one knows the outcome wastes the time of Committees and of the House. The hon. Gentleman's intervention is rather silly.

We believed that money should be invested in education, and we were prepared to say what our priorities were; there was a perfectly legitimate political difference there. The Government have a different view and they have pursued a different strategy. Nevertheless, the simple economic justification for the 1p income tax cut looks even weaker now than we believed it was when it was introduced.

The Chancellor knows that much of my argument with him is a result of my belief that we need to get borrowing under control and that, if we have alternative priorities, we must put them within that framework. Even on the Government's economic analysis, a 1p cut in income tax was not justified at the time of the Budget and was driven by political and not economic reasons. I at least appreciate the fact that the Chancellor resisted deeper cuts, which would have left his Government more exposed and more embarrassed now.

The current crisis in the beef industry adds a further dimension which alters yet again the implications for borrowing and taxation. I do not blame the Government for not anticipating the crisis at the time of the Budget, but I hope that they will recognise that, if a revision of the Budget strategy is required in the national interest, both to ensure that consumers get the encouragement and reassurance they need and to ensure that the industry survives, a substantial amount will be needed to achieve that objective.

The Prime Minister said during Question Time today that the beef industry employs 650,000 people and has a turnover of £5 billion a year. Every day the Government delay getting the industry moving again, jobs are at risk. I said that I had lost 100 jobs today in my constituency. The companies have said that some of those jobs will not be re-created, but that some of them are lay-offs. However, hundreds more jobs hang by a thread, and that situation is repeated across the country. It is very important that the Government come up with a clear confidence-building package. If there are serious implications for the financial calculations on which the Budget has been based, the Government must be honest enough to say so; they will get support from the Liberal Democrats.

I hope that the Government will not stand firm for tax cuts at all costs, regardless of the requirements not only of education but of consumer safety and reconstruction of an industry. Governments can often be knocked off course. If this Government put tax cuts ahead of the deeper and wider national interest, they will reap the consequences, because people recognise that the crisis requires some definite action.

The Liberal Democrats have set out an alternative strategy. In Committee, we identified a number of concerns, especially the future of our whisky industry, the impact of the tax cuts on charities and problems for the disabled and small businesses. Regrettably, we did not get the reaction from Government that we would have wished, but at least the issues were aired. Those who looked at the voting record will see that we took a completely independent line and made our judgment on the individual issues. On a number of occasions, we voted with the Government, and on others we voted with the Labour party, on the merits of the argument.

I do not believe that on Third Reading the Bill has been improved by the background circumstances. I do not suggest that we should vote against it and I believe that there is a lot in it that needs to be done. We have supported the Government, particularly in their wish to go ahead with self-assessment. I do not doubt for a minute that the Labour party thinks that it is on to something that is an alternative to the poll tax. A major change is bound to cause concern, disruption and confusion.

However, having embarked on the change and having got people prepared for it, it would not be in anybody's interest to abandon it at this late stage. Although I have no doubt that political mileage can be made out of having tried to delay or oppose the change, I believe that, once such a decision has been made, it is better to get the new system into place, to sort out the problems and to get it working. We have supported the change, in principle, from the outset.

The Government may well have to announce to the House substantial revision of their Budget strategy in the coming weeks and months. We will not oppose the Bill, but we place on record our criticism of the fundamental basis of the Government's analysis and economic policy, as it is our right to do.

5.57 pm

Mr. Christopher Gill (Ludlow): In view of the importance of the next debate and in deference to the Government Whips, I shall make but a brief contribution on Third Reading. It is customary on these occasions for a Back Bencher to pay a tribute of thanks to the members of the Finance Bill Committee for their hard work and diligence in bringing the Bill to the House for Report and Third Reading.

It is also customary on Third Reading for the hon. Member for Ludlow to say a few words about capital taxation. I thought that this year, we would make a little more progress than we have done. I am grateful for the progress that has been made, but when I heard my right hon. Friend the Prime Minister say, last July, that he intended to abolish inheritance tax and capital gains tax, my heart leaped. On so many occasions in the past, I have said that there is absolutely no justification for those two taxes in a capitalist society and that they should not be perpetuated by a Government comprised of Conservative Members who believe that the reduction and abolition of taxes stimulate wealth creation and lead to greater revenue for the Exchequer in the long run.

I draw the attention of the House, as is my wont, to the figures for capital gains tax and inheritance tax. For 1994-95, the most recent full tax year, capital gains tax was worth £900 million to the Treasury, a figure exceeded only by the cost of the reliefs and allowances against capital gains tax, which totalled £965 million. Similarly, inheritance tax raised £1.4 billion for the Treasury, after allowing for reliefs and allowances of £365 million.

The effect of the Government's tax cutting in the past has always been to stimulate additional revenue. What I deplore about the continuation of capital taxes is the enormous amount of time, effort and resource deployed by some of the best brains in the country to try to avoid those taxes and get round them. I also greatly resent the way in which capital taxes tie up financial decisions that would otherwise be made on purely commercial and economic grounds.

The House would be surprised if I sat down without pointing out that, were it not for the massive contribution that this country makes to the European Community, we

[Mr. Christopher Gill]

could abolish not only capital gains tax and inheritance tax but air passenger duty, insurance premium tax, landfill tax and even stamp duty, too. Would not that be something to sing about as we face an election in the coming year?

6 pm

Mr. Paddy Tipping (Sherwood): This is the first year in which I have had a real involvement with the passage of the Finance Bill. I spoke in the Budget debate, I was on the Standing Committee and I am here to the end. This is virgin territory for me—although I had better be careful how I say that.

Let me give the House an impression of how I found the experience. First, I was astounded by the length of the Bill. Secondly, although I am well educated and relatively articulate, I found working through that Bill extremely hard. I believe that the whole process needs to be simplified. It could be made easier if amendments were not tabled at a very late stage. I appreciate that that is sometimes necessary, but it has certainly made life more difficult. Moreover, legislation passed in haste often has to be revisited. I am already conscious of a whole range of outstanding issues that need to be revisited through amendments to the law, and of many matters that Ministers will consider at a later date.

Having said that, I thank my hon. Friends on the Front Bench for their tolerance and for helping to educate me. By the way, that does not amount to a promise that I shall ever do it all again—I am getting my retaliation in first.

One result of my time on the Standing Committee is that I have begun to take a real interest in bingo, and have visited several bingo halls. I have not yet become an addict, but I have come to appreciate what an important role bingo plays. The whole face of gambling has been changed by the national lottery. The Finance Bill accepts that fact, and there have been changes in the football pools and in the duty on betting on racing, but nothing has been done for bingo. Bingo is a populist subject, and I know that future Finance Bills will have to deal with it.

For the benefit of my Front-Bench colleagues, I simply add that for bingo callers, No. 10 is now "Blair's lair".

6.3 pm

Mr. Tim Smith: The hon. Member for Oxford, East (Mr. Smith) rattled off a series of criticisms of the Government's economic achievements. Indeed, he rattled them off so quickly so that it was impossible to intervene, so I now want to pick up one point from his speech. He complained about the Government's record on job creation.

If there is one measure by which people judge the success or otherwise of a Government's economic policy, it is probably job creation. The Department for Education and Employment has published an excellent book called simply "Jobs".

Mr. Andrew Smith: I have read it.

Mr. Smith: I am glad to hear that. If the hon. Gentleman has read the book, he will know that this country has a larger proportion of the adult population in work than any other member of the European Union. He will also know that we have lower unemployment than the average—indeed, we have the lowest unemployment of any of the major members of the EU. In fact, we are on a par with Germany, but the difference between the two countries is the fact that our unemployment is falling while Germany's is rising.

Why is that happening? If the hon. Gentleman looks at another table in the book, he will see what the on-costs are for every £100 of the direct costs of employing someone, such as wages and salaries. The on-costs are £18 in the United Kingdom, £36 in France and £44 in Germany. Yet the Labour party wants to add even more to payroll costs, directly through the minimum wage and indirectly by introducing the social chapter.

It is easy to complain about the Finance Bill on the ground that it does not somehow encapsulate a great strategy. However, what it does is add to what has already been done. The process is incremental. For example, the rate of corporation tax is a significant factor when people are deciding whether to invest in the United Kingdom. What was the rate in 1979? It was 52 per cent. What is it today? It is 33 per cent. What was the standard rate of income tax 17 years ago? It was 33 per cent. What is that rate today? It is 24 per cent., with a target of 20 per cent.

I welcome the fact that the Bill contains incremental changes that have led to substantial reductions in direct taxation. It also contains many other measures that I think were welcome. We had a good Committee stage, and I shall finish by thanking my hon. Friends the Treasury Ministers.

First, I thank my hon. Friend the Economic Secretary, who dealt so conscientiously with the complex area of loan relationships. Then I thank my right hon. Friend the Paymaster General, who piloted through a completely new tax, the landfill tax. I believe that we now have that about right. My hon. Friend the Financial Secretary dealt with a wide range of income tax matters, and looked with an open mind on several proposals made by hon. Members on both sides of the Committee. I also thank my good friend the doctor—the Lord Commissioner to the Treasury, my hon. Friend the Member for Woodspring (Dr. Fox)—who kept us all in order. I thank all of them for their efforts; the Bill has been improved as a consequence.

6.6 pm

Ms Primarolo: The hon. Member for Beaconsfield (Mr. Smith) admitted that he agreed with us that the Budget did not have a strategy. I shall return to that subject, but first I thank my hon. Friend the Member for Sherwood (Mr. Tipping), and agree with him about the length and complexity of the Bill. I think that at times all members of the Committee struggled to get to grips with the intention of many of its clauses. Indeed, the Economic Secretary to the Treasury agreed to allow Opposition Front-Bench spokesmen additional briefings with the civil servants to try to ensure that everything was correct. I am grateful for that.

We greatly valued the contributions by my hon. Friend the Member for Sherwood. We are pleased that he is so interested in bingo, and hope that he will maintain his interest in Finance Bills, so that he will be an active Member on our side when we are in government, pushing forward Labour's proposals.

The right hon. Member for Wirral, West (Mr. Hunt) said that the Budget was about further job creation. I should remind him of the Government's record in that respect: 1.2 million fewer people are in work today than when the Prime Minister took office; 8 million people have had at least one spell of unemployment since the general election. Unemployment under the present Government has doubled, and male unemployment in the United Kingdom is higher than the European average. According to labour market trends, fewer people are in work now than at the time of the general election.

When we consider the Government's claims to have created new jobs, we see that the facts do not live up to the rhetoric. Among major European countries, since 1979 the UK has had the worst record on job creation. If we consider the situation elsewhere, we see that employment in Japan has grown 18 times faster than it has in the United Kingdom; it has grown 21 times faster in the United States than here.

On the Government's figures, the annual financial cost of unemployment to the taxpayer is more than £20 billion, and that figure does not include the human misery and insecurity that are attached to it. This Budget does nothing to address those facts. On an interest that the Chief Secretary shares with me, he will note that the Bank of England has today added to the continuing insecurity by announcing the closure of its regional branches in Bristol, Manchester, Newcastle and Birmingham. That means that 150 jobs will go. The Bank of England said in its letter to its employees in those cities:

"I understand that you will be disappointed with our decision."

The Chief Secretary referred to the landfill tax. We welcome that tax, but we made it clear in Committee that it needs a great deal of improvement. He referred to the 1p tax cut. What he forgot to mention is that, since the Conservatives were returned to office in the 1992 general election, there has been the equivalent of a 7p increase in tax. So taxes are 7p up and 1p down, and they expect to be congratulated.

The Chief Secretary, worse still, forgot to mention the forced rise—an average of 8 per cent.—in council taxes. In the city that he and I represent, the increase has been 12.5 per cent. He forgot to mention increased charges in prescriptions, bus fares and public services. He forgot to mention that, at the most recent Treasury Question Time, he admitted that living standards in this country had fallen in the previous 12 months, yet the Budget does nothing to address that fact.

The right hon. Gentleman forgot to mention cuts in the energy conservation programme, and that 200,000 homes that would have had insulation and greater energy efficiency will not be insulated. The Government cut the budget for that programme by £30 million. He forgot to mention—as the Government are apparently interested in job creation—that they cut the community action programme, cutting 40,000 jobs for vulnerable, unemployed people desperately seeking work.

The Finance Bill fails to match up to the challenges facing this country: jobs, investment and fairness. It does nothing for long-term investment. It does nothing to address the central problem: we still have 2.2 million people unemployed, and others suffering huge insecurity at work, which is having a detrimental effect on the housing market.

When the Chief Secretary mentioned inheritance tax, he did not mention the 25,000 housing repossessions in the first half of 1995 or the 1.7 million home owners trapped in negative equity. He did not mention that personal debt is still three times higher than it was in 1979 or that, in 1994, we had the lowest inward investment for eight years. He did not mention that Britain is bottom of the league for investment as a share of GDP, and that it has the worst balance of trade figures for more than three years and the lowest share of world trade in a century.

Britain is 14th in the European Union in balance of trade figures. The Financial Secretary will not mention, because he does not like the facts, that Britain has fallen from 13th to 18th in the world prosperity league.

We judge the Government on what they have done for jobs, investment opportunities and fairness, and they have failed on each account. The statistics blow apart their pathetic claim to be making Britain the enterprise centre of Europe. They need to be reminded that one in five non-pensionable households have no one in work—trapped in isolation, without hope and without a job. This Budget does nothing for those people.

Britain needs a strategy to increase productivity, and profitable long-term investment to secure sustainable growth, rising living standards and a quality of life and public services for the future. There is no such investment in the Bill.

The Government are stumbling from one crisis to another. Their only function is to survive. They are treating this country as if they were a company holding a closing-down sale, in which they are trying to sell off everything in sight. They are bankrupt of ideas, they are incompetent, and it is time that they gave the country the chance to judge them on their record. Their record means that they will be thrown out of office, and that the next Finance Bill will be a Labour Finance Bill.

6.15 pm

Mr. Jack: The speech of the hon. Member for Bristol, South (Ms Primarolo) was a tired speech, from a tired Opposition. We ran Opposition Members hard in this Finance Bill, and they are now staggering exhausted from the Chamber because of the excellence of our arguments.

I thank my hon. Friends the Members for Ludlow (Mr. Gill) and for Beaconsfield (Mr. Smith) and my right hon. Friend the Member for Wirral, West (Mr. Hunt) for their kind words and felicitations to my right hon. and hon. Friends and myself on how we dealt with the Bill. We enjoyed working with them on it. We also enjoyed the speech of the hon. Member for Sherwood (Mr. Tipping), who has taken such an interest in bingo, except that my bingo hall's call for No. 10 is "Major's there", and they all shout, "And he's going to stay there for a long time."

The hon. Member for Bristol, South concluded the proceedings for the Opposition by chastising us on jobs. I am sorry that she has not, while preparing her lengthy oration today, had an opportunity to read my remarks of yesterday in more detail, when I put on record the excellence of what we have done in the sphere of job creation and work, and how our policies in the Finance Bill will deliver even more.

I have posted a copy of "The UK at Work: Key Facts" to the hon. Member for Oxford, East (Mr. Smith), and I shall do the same for the hon. Member for Bristol, South. To save her a little reading time, however, I shall remind her that

[Mr. Jack]

"Workforce in employment has increased by 2.0 million since March 1983.

1.3 million more self-employed than in 1979.

UK unemployment is lower than EC average . . . Spain (22.2 per cent.), Ireland (14.67 per cent.), France (11.6 per cent.) and Italy (12.6 per cent.)"

I am glad that we are down towards the bottom of the European unemployment league. That is a proud record of fact that the Government will stand on and defend in any court that the hon. Lady chooses.

If we are as bad as the hon. Lady said, how does she account for the fact that we are No. 1 for inward investment in Europe? That investment is still growing, and it will be sustained by this Finance Bill. The Bill makes into law a Budget for confident growth, for the long-term prosperity of this country.

My right hon. Friend the Member for Wirral, West pointed out one of the missing facts about Labour in relation to the Finance Bill. Its performance was lamentable. One year ago, my right hon. Friend the then Financial Secretary asked Labour Members these questions:

"Will they spend more or less than a Conservative Government? Will they tax more or less than a Conservative Government? Will they borrow more or less than a Conservative Government?"—[*Official Report*, 4 April 1995; Vol. 257, c. 1616.]

Labour Members have had a year to think of answers to those questions, and they have failed so to do. We teased that fact out in the debate on this Finance Bill.

I thought that we might soon be able to get those answers, because the right hon. Member for Sedgefield (Mr. Blair) is to hold a ballot on his party's manifesto. As a result, 365,000 party members will be consulted on all the Labour party policies, but when it comes to tax and spending, what will those members decide on? Nothing, because those facts and figures will be missing, just as they were during the Opposition's deliberations on the Finance Bill.

The Opposition's policy on the Finance Bill was, "When in doubt, ask the Government for a report. We don't have any ideas, but we'd love to have some assistance from the quality side of the House with the facts." They proposed reports on Customs and Excise simplification, lower taxation of savings vehicles, charitable events, the environment, shipping and employment. They were all a substitute for any ideas of their own. Their paucity of contribution was lamentable.

When the Opposition did contribute, what did they do with their time? They did not scrutinise any of the Bill's content on stamp duty. No, they saved their allocation of time to spend well over an hour and a quarter arguing about a simple and beneficial change to keep Britain's motoring heritage on our roads. Such were the Opposition's priorities in Committee. Instead of putting to the test of debate their proposals for a 10p tax and a windfall tax, they evaporated against the searing heat of debate from my right hon. and hon. Friends. I am delighted that the Opposition have now seen the error of their ways.

The Finance Bill dealt adequately with self-assessment and revealed the depth of our preparations for it. On fairness, the Bill took three more steps towards the introduction of the 20p tax. The Bill's efforts to improve investment are borne out by the most recent survey conducted by the Confederation of British Industry, which showed investment intentions up 9 per cent. in January. We have more than adequately justified our record on jobs.

As for the Opposition's false accusation about the tax decrease being equivalent to 1p down and 7p up, let us remember the dishonesty of the Opposition when they published their previous borrowing policies. They disguised tax increases to the tune of 10p on the basic rate. The Opposition failed to address that policy proposal. We have addressed the issue of the £850 million in the Red Book. There will be no double tax hit as a result of self-assessment, which will be well administered when it is introduced.

The Opposition failed in all their attempts to convince the Government of any of their ideas—in fact, they put few ideas before us.

The Finance Bill takes forward the long-term strategy of my right hon. and learned Friend the Chancellor for the prosperity and growth of the country. The country will be well rewarded when the House passes the Bill into law tonight.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation).

Sheriff Court (Scotland)

That the draft Sheriffdoms (Alteration of Boundaries) Order 1996, which was laid before this House on 8th March, be approved.—*[Dr. Liam Fox.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 101(6) (Standing Committees on Delegated Legislation).

Terms and Conditions of Employment

That the draft Employment Protection (Continuity of Employment of National Health Service Employees) (Modification) Order 1996, which was laid before this House on 8th March, be approved.—*[Dr. Liam Fox.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 102(9) (European Standing Committees).

Border Controls

That this House takes note of European Community Document No. 9674/95, relating to controls at the internal frontiers of the Community; agrees that the United Kingdom's frontier controls on the movement of persons are essential for controlling immigration and to help combat terrorism, drug trafficking and other serious crime; agrees that the Government should take whatever steps are necessary to ensure the maintenance of controls at the United Kingdom's frontiers with other member states of the European Union; and therefore supports the Government's opposition to the Commission's proposals.—*[Dr. Liam Fox.]*

Question agreed to.

Bovine Spongiform Encephalopathy

Motion made, and Question proposed, That this House do now adjourn.—*[Dr. Liam Fox.]*

Mr. Deputy Speaker (Sir Geoffrey Lofthouse): Before I call the Minister, I must inform the House that Madam Speaker has placed a 10-minute limit on the speeches of all Back Benchers.

6.22 pm

The Minister of Agriculture, Fisheries and Food (Mr. Douglas Hogg): On 20 March, my right hon. Friend the Secretary of State for Health and I came to the House to inform right hon. and hon. Members of the latest advice that we had received from the Spongiform Encephalopathy Advisory Committee regarding bovine spongiform encephalopathy in cattle and its possible link with Creutzfeldt-Jakob disease in humans.

Our statements addressed three issues: first, the possible relationship between BSE and CJD; secondly, the assessment of the safety of British beef; and, thirdly, the steps that we propose to take further to ensure the safety of British beef.

I would summarise what my right hon. Friend and I said as follows. First, the most likely explanation of the 10 tragic cases of CJD was exposure to beef before 1989. Secondly, in order to reinforce the already very tough restrictions on the disposal of offal, certain additional steps should be taken—for example, a requirement that all meat from older cattle should be deboned and a ban on the feeding of mammalian feed to all farm animals. Thirdly, provided the controls were vigorously implemented and enforced, the risk of eating British beef was extremely small: or, to use normal language, British beef was safe.

Last weekend SEAC met again and on Monday it presented further advice to Government. That further advice was reflected in two further statements that my right hon. Friend and I made on 25 March.

The substance of the further advice that we received was that, first, SEAC confirmed its previous opinion regarding the relationship between CJD and BSE. Secondly, it reaffirmed its opinion that, provided the controls were rigorously adhered to, the risks involved in eating beef were very low. Lastly, in its opinion, the risks to children were no greater than the risks to others. In addition, SEAC made some further recommendations regarding the disposal of offal, which we accept.

I should like to stand back from the detail to take a broad view. We must ensure that we have the best available scientific advice, which is why we appointed SEAC, an independent committee of experts unsurpassed in their specialty. I pay tribute to the committee for the unstinting and clear way in which it has performed its duties.

The Government accept that the most likely cause of CJD among the 10 identified cases is exposure to BSE before 1989. We agree entirely with the view that, provided the very tight controls now in place are fully implemented the risks of eating British beef today are extremely small: or, to use ordinary language, British beef is safe.

Mr. Mike O'Brien (North Warwickshire): Farmers in my constituency have written to me today because they have heard what the Minister has said, as have many consumers, and there is still a crisis of confidence in British beef. How does he respond to the advice from the farmers of north Warwickshire, who say that the National Farmers Union's proposal for certain slaughtering should be adopted?

Mr. Hogg: If the hon. Gentleman will forgive me, I will not respond, because I am about to tackle that issue and related ones.

It is clear that consumer confidence has been damaged and that has led to a collapse in the market. The difficulties have been aggravated by the European Union ban imposed on British exports of beef and beef products, which we believe to be unjustified on the facts, in logic and to have no sound basis in law.

Mr. Nigel Spearing (Newham, South) *rose—*

Mr. Hogg: If the hon. Gentleman will forgive me, I want to make a little progress.

As I have said, the collapse in confidence has caused great damage to the market. That clearly threatens the livelihoods of thousands of farmers and of others in related industries.

We need to convince the public of what most informed people believe and what is stated by SEAC: that, provided the relevant controls are rigorously adhered to, the risk of eating British beef is extremely small: or, in other words, it is safe.

I am determined to ensure that the existing specified bovine offal controls are implemented in full. Right hon. and hon. Members will know that, regrettably, lapses have occurred in the past. I have told the House on several occasions how seriously I take those lapses. That is why I called in the slaughterhouse operators on more than one occasion last year, and my hon. Friend the Parliamentary Secretary has done likewise.

Furthermore, as soon as we had SEAC's recommendations on 20 March, we issued instructions to the Meat Hygiene Service to ensure that the controls are implemented yet more rigorously. I am pleased to say that the audits show a vast improvement. SEAC has recently said that, in its view, implementation is now satisfactory, but we shall certainly remain vigilant.

Now that we have received the two reports from SEAC, we must proceed as speedily as we can to implement its recommendations. This will involve the laying of orders, some of which must be the subject of consultation. Indeed, it is right that there should be consultation; we are talking about important issues of public health so the details must be right. We are also talking about the livelihoods of people engaged in the relevant industries.

I am pursuing the following timetable. Orders are being laid today that will have the effect of banning, with effect from tomorrow, the manufacture of feeding stuffs for farm animals using mammalian meat and bonemeal, and extending SBO controls to cover heads and lymph glands. As a temporary measure, I am also banning the sale of meat from newly slaughtered cattle aged over 30 months. This measure will apply until we have in place a procedure for licensing and supervising deboning plans, as recommended by SEAC. I am under a legal obligation to consult on the order introducing those procedures and

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on a proposed ban on the use of bonemeal in agricultural fertilisers. Despite that statutory obligation to consult, I am proceeding rapidly. The consultation document has been issued, and I intend to make the relevant legislation in the week beginning 15 April.

The steps that I have set out are recommended by SEAC. It is important to see how we can further reinforce market confidence and what steps we can take to achieve the lifting of the ban imposed by the European Union.

Mr. Spearing: Will the Minister enlighten the House—if he knows—about which article of the treaty the veterinary committee, the Commission or any Council official is claiming validates the ban on exports to third countries that have not banned those imports?

Mr. Hogg: The decision of the Commission referred to at least four directives, but it would not be helpful if I were just to read out the directives.

Mr. Patrick Nicholls (Teignbridge): My right hon. and learned Friend will appreciate that consumers can simply walk away from consuming beef if they want to, but for beef farmers the devastation may be total. Will he assure the rural community that, if and when compensation is settled, consideration will be given to the people whose lives, for the most part, have been ruined in a way from which they will probably never be able to recover?

Mr. Hogg: My hon. Friend correctly states the gravity of the situation, and I do not wish to leave the House under any misapprehension. The Government are fully aware of the gravity of the situation facing the agriculture industry, and we will do all that we properly can to address that crisis. I will make comment specifically on what we can do now, and I will add some general observations on what we may do subsequently.

Mr. Dafydd Wigley (Caernarfon): If I understood the Minister correctly, he said a moment ago that no animal over 30 months old would be killed and put into the food chain. If so, what mechanism is he proposing for farmers who would normally sell those animals to ensure that they retain some of their expected income? Will there be intervention buying? If so, how do the Government propose to dispose of the animals? Does he foresee that happening quickly?

Mr. Hogg: The order to which I have referred has the effect of preventing cattle over the age of 30 months from entering the food chain, but the hon. Gentleman should remember SEAC's recommendation that animals over that age could come into the food chain provided they did so in a deboned state, the deboning taking place in premises approved for that purpose. The order, which has the prohibitory effect referred to by the hon. Gentleman, is temporary in character and will cover the situation until such time as we can put in place the licensing regime that will enable farmers to sell cattle over the age of 30 months, the meat being in a deboned state. But the meat must be deboned in approved premises, and we are consulting on that.

Sir Michael Spicer (South Worcestershire): Will my right hon. and learned Friend give way?

Mr. Charles Hendry (High Peak) : Will my right hon. and learned Friend give way?

Mr. Hogg: I shall give way to my hon. Friend the Member for South Worcestershire (Sir M. Spicer) first.

Sir Michael Spicer: I am not certain from my right hon. and learned Friend's comments whether the Government believe that the Commission's ban on exports to third countries is or is not illegal. If it is illegal, will the Government make representations at the highest possible levels in Turin this weekend?

Mr. Hogg: I have said that I think that the ban, and the directives on which it was based, has a questionable basis in law, and there are serious arguments to be addressed on its legal aspects. But the truth is that it takes time to get an adjudication on such a matter, and time is what we do not have. My right hon. Friend the Prime Minister will certainly raise the matter in Turin in the most vigorous terms, and I am going to Brussels tomorrow—my officials are there today—to see whether we can agree some measures that may help to restore consumer and market confidence.

Mr. Hendry: May I refer my right hon. and learned Friend back to the temporary ban on the slaughter of animals aged over 30 months? Is he aware that this is the most expensive time of year for many farmers—the rent is due and they must pay for the next quarter's feedstuffs, among other things? Farmers have no choice but to send their cattle for slaughter at this time of year. What comfort can he give farmers who have to sell at this time of year, but now find that they cannot do so?

Mr. Hogg: My hon. Friend makes an important point, and I have tried to convey the gravity that the Government attach to the market and financial security of the agricultural community. I have a number of things to say about supporting the agricultural community, but I feel that the best thing would be to make some progress. What I say may help my hon. Friend—I certainly would like to think that it will.

I have explained the steps that I have put in place to implement SEAC's recommendations, and I said that I hoped to make the relevant legislation in the week beginning 15 April. The steps that I have taken are those recommended by SEAC, but clearly we must explore what more we can do to reinforce market confidence and what steps we can take to achieve the lifting of the ban imposed by the EU.

To restore consumer confidence and to obtain a lifting of the European ban, we may have to take steps that go beyond those that are strictly necessary on scientific grounds. Officials from my Department are in Brussels today to discuss with Commission officials our thoughts on how best to reassure the market and lift the European Union ban. I will go to Brussels tomorrow to meet Commissioner Fischler, and we shall prepare the ground for the emergency Agriculture Council that has been called for next Monday.

We will also discuss with the industry how best we can collectively restore the confidence of the British consumer. As I have already said, that may involve taking measures beyond those required by the scientific evidence.

Of course, to re-establish consumer confidence is also to re-establish the market, but there is an immediate problem to be tackled. To address the most immediate issues, I have two announcements to make today.

The first concerns the problem of the renderers, which is important because, if renderers cannot operate, the slaughterhouse system will seize up and it will be impossible for farmers to sell their beef. Therefore, the Government will make available transitional aid of around £1.5 million per week to help the rendering industry adjust to the changes.

Although, in the longer term, ruminant protein will not be incorporated in feed rations for farm animals, I am confident that a new and different commercial relationship will be established between renderers, slaughterhouses and farmers. What I am announcing is essentially temporary assistance.

The second announcement relates to the immediate problem of the young bull calves, for which there is not a market at present. I told the House on 25 March that a European Union market support scheme existed, which could be used to provide aid for the slaughter of young male calves from dairy herds.

I am announcing today that we shall avail ourselves of that scheme, providing a premium of slightly more than £100 per head on all such calves slaughtered before reaching 10 days of age. That will be reviewed as the market position improves. I estimate that it will be worth some £50 million year to UK farmers. Pending parliamentary approval, which will be sought in a supplementary estimate, the necessary expenditure will be met by repayable advances from the contingency fund.

The circumstances that I have described today have serious implications for businesses and communities involved in this industry. Therefore, my right hon. Friend the Prime Minister has asked my right hon. Friend the Lord President to examine the consequences with appropriate parliamentary and other ministerial colleagues, which will enable us to make appropriate recommendations.

My Department has made it a top priority to seek to ensure that livestock payments reach producers as quickly as possible. I am pleased to be able to announce that livestock farmers will receive an extra £35 million in their final headage payments this year. We shall do everything we can to ensure that as many payments as possible are made by the end of next month.

Mr. Tony Marlow (Northampton, North): My right hon. and learned Friend mentioned the scheme for calves and a figure slightly higher than £100. As he knows, bull calves can be worth anything between £50 and £350. How will the scheme work as regards the range of quality in bull calves and how will it operate to ensure that it pans out fairly between farmers?

Mr. Hogg: The detail should be explored in greater detail later. I am trying to deal with the main concerns that hon. Members have expressed.

I recognise that, if the market remains depressed, those measures will not be sufficient in themselves. In my statement on 24 March I referred to the common agricultural policy's mechanisms for market support—in particular, intervention purchases of steer beef and the possibility of aid for the slaughter of older animals.

Small quantities of beef have been offered to the intervention board this week and I shall press the Commissioner hard tomorrow for those quantities to be accepted. We have also impressed on the Commission the need for a scheme to remove older animals from the market. I am glad to say that the initial response was reasonably positive. I shall certainly pursue the matter tomorrow.

Mr. Michael Stephen (Shoreham): If the European Union ban on British beef exports turns out to be illegal, as we believe it to be, will my right hon. and learned Friend ensure that compensation for the enormous damage done to British farmers is paid not by the British taxpayer but by the 14 European Governments who supported the ban? If they will not pay, will he give the House an undertaking that he will deduct that amount from our next payment to Europe?

Hon. Members: Hear, hear.

Mr. Hogg: My hon. Friend's suggestion has a great deal of support in the House.

Mr. Alex Salmond (Banff and Buchan): The Minister was dealing with intervention buying. Can we be clear that he is saying that he will remove the blockages in the system, which make widespread intervention buying impossible under the present circumstances? Will he give the House a commitment that he will deal with the problem on the scale that will be required, not just for farmers—although that problem is very serious—but for abattoirs, where stores are building up? Does he understand that he has to remove those blockages if anything is to be left when consumer confidence returns?

Mr. Hogg: The hon. Gentleman is right to refer to the blockage associated with the intervention scheme and to draw attention to the possibility of enlarging the categories capable of coming into intervention. Those are precisely the sort of issues that officials have been discussing in Brussels, and they are issues that I expect to raise with Commission officials and the Commissioner tomorrow.

Mr. Cynog Dafis (Ceredigion and Pembroke, North): Will the Minister elaborate a little on whether intervention will apply to carcases that are in slaughterhouses, which are causing an enormous cash flow problem as slaughterhouses have had to pay for animals at high prices and are not able to get rid of them? Will he express his appreciation of the importance of abattoirs, including smaller and medium-sized abattoirs, for the local economy, particularly those in areas where there is no oversupply of such institutions?

Mr. Hogg: I am not sure of the accurate answer to the hon. Gentleman's question about whether intervention can be applied to carcases or only to live steers. My right

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hon. Friend the Secretary of State for Health—trespassing off his normal responsibilities—might want to reply to that question, on advice, when he replies to the debate.

Mr. William Ross (East Londonderry): Is the right hon. and learned Gentleman aware that a lot of beef went from Northern Ireland to Europe but was sent straight back again? It is sitting in stores in Northern Ireland, which are almost jammed solid. What will happen to the intervention, if any, for Northern Ireland? Where will it go and how does he expect abattoir owners to survive? They have already paid for that stock and have no money left for anything else. That problem must be dealt with; otherwise, there will be no beef and abattoir industries left.

Mr. Hogg: The hon. Gentleman asks two important questions. The first relates to the ultimate destination of any meat that may be in warehouses or slaughterhouses and the ultimate destination of any meat that comes into intervention. In a sense, that depends on the state of consumer confidence—and thus market confidence—at the appropriate time. Obviously, there are a number of possibilities. Either the meat can be sold for human consumption or it cannot. Everything will depend on the state of the market when the meat leaves storage or intervention facilities.

Sir Patrick Cormack (South Staffordshire) *rose—*

Mr. Hogg: I would like to deal with this question, after which I will give way.

On abattoir owners, I have already told the House that my right hon. Friend the Prime Minister is very aware of the ramifications that the crisis could have, not only for farmers—although very importantly for them—but for people across the spectrum of industry and the rural community. He has asked my right hon. Friend the Lord President of the Council and other ministerial colleagues to address those problems with a view to making any proposals that may seem appropriate.

Sir Patrick Cormack: Does my right hon. and learned Friend agree that, to restore confidence, both at home and abroad, we must soon reach the stage where the only beef on sale is from BSE-free herds and that people know that? Is he working towards that end?

Mr. Hogg: There are some problems of definition about how to address that question. My hon. Friend raises the basic question of how to restore consumer confidence, which would lead to a restoration of market confidence. That may involve measures that go beyond those already outlined, which, in our judgment, are all that are required by the scientific evidence. However, that is not to say that we may not have to explore further measures. I will give way to my right hon. Friend the Member for Conwy (Sir W. Roberts), after which I will make some progress.

Sir Wyn Roberts (Conwy): While I appreciate the immediate and medium-term steps that my right hon. and learned Friend is taking, I am concerned, as was my hon. Friend the Member for South Staffordshire (Sir P. Cormack), about the restoration of confidence, which will not happen until we have eradicated BSE from the entire national herd. Has my right hon. and learned Friend given consideration to the measures necessary to achieve that end?

Mr. Hogg: Yes, indeed we have. My right hon. Friend will remember the SEAC recommendations that were the subject of the statement on 20 March and its recommendations that dealt with the use of ruminant protein in feed rations for farm animals. He will recall that I have announced today an order prohibiting the incorporation of mammalian protein into feed rations for all farm animals. That is believed to be a most effective way of reducing the incidence of BSE. That is not to say that it will be the only thing that we do, because we clearly have to consider proposals from elsewhere and we will. But that is an important step designed to achieve precisely the objective that my right hon. Friend has identified.

Mr. Bill Walker (North Tayside): The National Farmers Union of Scotland will be delighted with my right hon. and learned Friend's proposals on intervention because it recognises that agriculture depends on a credit system. Unless we can unclog the finance, as well as the carcasses at the abattoirs, we will not remove the problem. His speech will be welcomed by the National Farmers Union of Scotland.

Mr. Hogg: I am awfully glad that I gave way to my hon. Friend.

Mr. John Greenway (Ryedale): I appreciate the line that my right hon. and learned Friend is taking. I have two questions on intervention. Will all cattle that will go to market, or would have gone to market, be included in any intervention arrangements? How quickly does he expect those arrangements to be in place? The news from North Yorkshire is that, unless they are in place in three or four days, the market will completely collapse and many farmers and other related business will face ruin.

Mr. Hogg: My hon. Friend is right to emphasise the urgency of the position. He will know that the intervention system is intended for young steers and not, if I may put it like this, for the elderly dairy cow. The elderly dairy cow, or any other elderly cow that might become destined for the beef market, is a problem that we may have to address in other ways that will not strictly be under the intervention scheme that he has in mind. I will discuss this and related problems in the course of my meeting with Commissioner Fischler tomorrow.

I very much welcomed Commissioner Fischler's statement that he would consider means of assisting farmers to overcome the present crisis. As I have said, officials from my Department are in Brussels to discuss with the Commission how best to restore market confidence. I propose to follow up those talks tomorrow. Part of those discussions will include the financial support that may be necessary as a result of the present market turmoil and of any additional measures on which we may agree. We look to the European Union to play its part in resolving this crisis.

This is a short debate and many hon. Members wish to participate. I have tried to address the main concerns that I know trouble the House.

Several hon. Members *rose—*

Mr. Hogg: I give way to my right hon. Friend.

Mr. Tom King (Bridgwater): Does my right hon. and learned Friend agree that everyone recognises the critical importance of his visit to Brussels and of securing agreement to the lifting of the ban in recognition of the measures that we are taking? That may take a little time; meanwhile, the urgency of the financial situation is manifest for businesses and farms. Will he lend his support to the loudest call possible to banks and other financial institutions to recognise the seriousness of the situation, which farmers and companies have not brought on themselves by their inadequacy, and exercise the maximum restraint?

Mr. Hogg: My right hon. Friend has expressed the sense of the House very clearly and I endorse what he has said.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): I was going to ask exactly the same question. Will the Lord President of the Council's committee deal with that as a matter of urgency on behalf of the Government? After all, the banks have made reasonable profits in recent years and must exercise tolerance and restraint in the interest of the entire rural economy.

Mr. Hogg: I am sure that my right hon. Friend the Lord President of the Council was pleased to have the right hon. Gentleman's endorsement.

Dame Elaine Kellett-Bowman (Lancaster): Does my right hon. and learned Friend accept that earlier it was suggested that the next meeting of the vets would be in six weeks' time? That is an awfully long time. Could it not be brought forward to two weeks' time?

Mr. Hogg: It is a long time, but what I discuss, and what I may agree, with the Commissioner tomorrow may make it possible to have an earlier meeting. That is something to be explored when we see how the discussions are going.

Mr. Ian Bruce (South Dorset): My right hon. and learned Friend will know that I have been trying for four days to get hold of copies of documents referred to by the hon. Member for Peckham (Ms Harman) on food processing and regulation. Is he aware that the documents to which she referred when she accused the Government of being deregulatory dealt not with the way in which food would be processed but only with testing for salmonella?

Even more serious, the document makes it clear that that proposal did not come from the Labour party in the first place but from the Government of my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath). The Labour party took no action during the whole of its period in government to consider food processing, and it was left to this Government to bring it in.

Mr. Deputy Speaker (Mr. Michael Morris): Order. Interventions should be short.

Mr. Hogg: My hon. Friend makes an important point and clearly has read, as other hon. Members may not have, the report of Sir Richard Southwood, which was published in February 1989. In paragraph 4.28 on page 11, the House will find a careful analysis of the probable causes of the outbreak of BSE.

My hon. Friend is right to say that it had nothing to do with deregulation. The first regulation was imposed in 1981. There was no regulation in the 1970s: the Conservative Government were the first to impose one. There were draft proposals, but, as my hon. Friend said, they had to do with salmonella. In any event, the temperatures contemplated in the draft regulations were wholly irrelevant to BSE, because they would not have deactivated it.

Sir Roger Moate (Faversham): Before concluding, will my right hon. and learned Friend say a little more about his discussions in Brussels? It is obviously right and proper and necessary for him to discuss a number of measures with the European Commission, assuming that that will contribute to lifting the ban. Will he say whether the discussions that he will have about the intervention system and other measures that we intend to put in place will contribute to the lifting of the ban? If he does not secure agreement about the new intervention arrangements, will he confirm that we shall proceed regardless?

Mr. Hogg: I think that the House agrees that we have two principal objectives. The first, and most important, is the need to restore consumer confidence. If we can do that, the market will recover. Secondly, there is a clear relationship between consumer confidence, market confidence and lifting the ban. Tomorrow I shall explore with Commissioner Fischler the sorts of steps that we propose to take that would, in our opinion, help to restore consumer and market confidence and assist in lifting the ban.

Mr. George Walden (Buckingham): Will my right hon. and learned Friend give way?

Mr. Hogg: I think that it will assist the House if I draw the themes together.

Hon. Members feel very deeply for those who have developed CJD, and for their families. The Government accept that the most likely explanation of CJD in the 10 cases that have been referred to is exposure to BSE before 1989. We are confident that, because of the controls that are now in place and because of our determination to see that they are implemented fully, the risk involved in eating British beef is extremely small: or, otherwise put, British beef is safe.

We now need to put in place a comprehensive programme to rebuild consumer confidence. That involves ensuring that controls are implemented fully. It may also involve taking measures beyond those that are strictly justified on scientific grounds. We are discussing with Brussels how best to reassure the market, and we shall discuss the same matter with representatives of British industry.

I have announced two specific measures to address immediate financial problems. If the market remains depressed, we would expect to see the support mechanisms provided under the common agricultural policy come into operation. We stand ready to make

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further proposals to the House. Above all, the future of that essential part of British agriculture depends on the restoration of public confidence. Our solid and firmly founded conviction is that, for the reasons that I have already given to the House, British beef is safe and can be eaten with confidence. I believe that that opinion can be safely put to the British people.

7.3 pm

Dr. Gavin Strang (Edinburgh, East): On Wednesday of last week, the Secretary of State for Health reported to the House that the Spongiform Encephalopathy Advisory Committee—SEAC—had advised the Government that bovine spongiform encephalopathy was the most likely explanation for an apparently new strain of Creuzfeldt-Jakob disease. We are all aware of the gravity of that announcement. The crisis that followed has affected confidence among consumers and within the European Union. It is a crisis over the safety of our beef and a crisis affecting thousands of jobs. The Government's task is to rebuild that confidence.

Clearly, the Government's first priority must be to keep the BSE agent out of our food. Only when consumers and our European counterparts are satisfied that the necessary measures are in place and are enforced properly will they be confident that British beef is as safe to eat as any other beef in Europe.

Mr. Marlow: I am grateful to the hon. Gentleman for giving way: he has been much more responsible than many of his colleagues in responding to the problem. If the measures with regard to beef hygiene and the slaughterhouses are carried out and if the new recommendations in the orders put forward by my right hon. and learned Friend are implemented effectively, does he agree that—given that BSE is endemic and is under-reported in other European countries—British beef will be the safest, as well as the best, in Europe?

Dr. Strang: I agree—if the implication of the hon. Gentleman's intervention is that our aim must be to make our beef the safest in Europe and among the safest in the world. There may have been some under-reporting of BSE cases in cattle in Europe—I cannot claim to be an authority on that subject. However, in my judgment and that of all the experts in the United Kingdom and in Europe, the incidence of BSE is a much bigger problem in the United Kingdom than in any other European Union member state.

I must advise the Minister that even the Government's most ardent supporters cannot claim that the Government's record will help them in their task of restoring confidence. The necessary measures were not put in place promptly in the past. BSE was first identified in November 1986. It was 20 months before the Government made farmers destroy all cattle showing the signs of BSE. It was not until June 1989—two and a half years after discovering BSE—that the Government announced that they planned to stop the parts of cattle that carried the most BSE agents from entering our foods. It was another five months before the ban was implemented in England and Wales and seven months before it was implemented in Scotland and in Northern Ireland.

Farmers did not receive full compensation for the slaughter of cattle suspected of carrying BSE until February 1990. The Government have now admitted that under-compensation during the previous 18 months must have deterred farmers from declaring suspect animals. That is the Government's record: a record of delay.

Mr. Douglas Hogg: That is not correct. If the hon. Gentleman looks at the response by the Ministry of Agriculture to the Agriculture Select Committee report of February 1990, he will see that that point is addressed expressly. The fact that compensation was limited at that time did not, in the judgment of either the Select Committee or the Ministry, lead to any significant under-reporting—and probably none at all.

Dr. Strang: I do not accept that, and nor do the majority of those in the industry. If the right hon. and learned Gentleman reads and re-reads the comments by his hon. Friend the Minister with responsibility for agriculture in the Scottish Office, the Earl of Lindsay, in the other place, he will see that he acknowledged that more cattle with BSE went to the slaughterhouses as a result of under-compensation.

We are not saying that the farmers were particularly devious—although there are good and bad farmers. Looking at it from the farmers' point of view, if they had a borderline case of BSE and they knew that it would cost money—perhaps 50 per cent. of the beast's value—to keep it back from market and turn it over to the authorities, it is human nature to say that it would be okay. We must remember that most farmers at that time did not believe that there was a link between BSE and CJD.

Once regulations are in place, enforcement is crucial. In September 1995, the Meat Hygiene Service made unannounced visits to 193 slaughterhouses and found failings in the handling of specified bovine offals in 92 of them. Nearly half the abattoirs visited were flouting the rules to protect us from the BSE agent. Those abattoirs have tarnished the reputation of our many excellent abattoirs.

The Government's explanation for the fact that more than half the new cases of BSE are in animals born after the animal feed ban was imposed is that that ban was not properly adhered to. So the Government's record is not good.

As soon as BSE was identified, it had to be recognised that a link might appear between BSE and CJD. In February 1989, the Southwood committee advised the Government that the risk of transmission of BSE to humans appeared remote but could not be ruled out.

The job now is to look ahead; to turn round the current position. The Government's task is to restore confidence in British beef and beef products.

Mr. Ian Bruce: Great heat has been generated about remarks made by the hon. Member for Peckham (Ms Harman). Will the hon. Gentleman now say, because he was one of the authors of the paper in 1978, that that paper did not deal with the processing of feedstuffs, only their testing, and that testing was not instituted by the Labour Government even though it had been on the stocks for six years, and it took a Conservative Government to introduce any regulations to test the output of feedstuff manufacturers?

Dr. Strang: I shall be honest with the hon. Gentleman. I shall not go back over the history of what happened in

the period 1978 to 1980. The hon. Gentleman is aware of the Labour Government's draft regulation, but I will say the following to the hon. Gentleman, and to the Government: BSE was not known to exist then. The regulations we were discussing related to recycling. The concern then was about salmonella, and there is all the difference in the world between food poisoning and a condition in cattle that might in some circumstances result in CJD in humans. There is a general point about regulation and the need for it, but I shall concentrate on looking ahead.

Sir Colin Shepherd (Hereford) *rose—*

Dr. Strang: I have given way pretty religiously. I want to get on. Many hon. Members want to speak.

British consumers and producers have a common interest here. Hundreds of thousands of jobs are at stake. As I am sure the House is aware, the Opposition proposed to the Government a series of measures. I wrote to the Minister and laid them before him yesterday. The Minister acknowledged that he had read the letter earlier this afternoon.

I deeply sorry that the Prime Minister was so dismissive of those proposed measures this afternoon. I intend to take a little time describing those measures and answering the points that the Prime Minister made, because, although I have had the privilege of being a Member of this House for more than 25 years, I have never been so depressed and disappointed by a Prime Minister as I was this afternoon.

First, we proposed the speedy implementation and enforcement of all the measures, including the new measures that the Minister has announced, to keep the BSE agent out of our food. We referred to the State Veterinary Service and the Meat Hygiene Service. The Prime Minister said that we voted against the setting up of the Meat Hygiene Service. Anyone who understands the history of the Meat Hygiene Service knows that it was created as part of the Government's Deregulation and Contracting Out Bill, and they know that there was a genuine argument.

I do not impugn the Government's motives, but there was a genuine argument about whether it was better for the meat regulations to be enforced by local authorities or by a new national quango, the Meat Hygiene Service, and the Prime Minister should not have implied, as he did this afternoon, that the fact that we had voted against the Deregulation and Contracting Out Bill meant that we were not concerned about enforcement. On balance, we believed at that time that it would be better to leave the responsibilities with the local authorities. That does not devalue the case we were making for effective enforcement.

Secondly, we said that we believed that the introduction of a random testing programme for BSE in the brains of cattle going through slaughterhouses, as recommended in 1989 by the scientific committee set up by the Government, the Tyrrell committee, would be of great epidemiological value. What did the Prime Minister say to that? He said that it was irrelevant because

"we have stopped all brain products that could possibly be infected from entering the food chain."

If he is so confident that he has stopped it, is it really so unreasonable to ask for the implementation of a scientific recommendation made in 1989 that there should be random testing of the brains of cattle in the slaughterhouse, just to be sure?

The third proposal that the Opposition made to the Government was the publication of a full list of all products that contain bovine material. The Prime Minister's response was that this was "already happening". In fact, the Government have not published such a list. All we are saying is that we do not believe that the British people should have to rely on newspapers, helpful as they may sometimes be, for the publication of such a list.

The fourth proposal that the Opposition made to the Government was that there be a reassessment of the safety of mechanically recovered meat. The Minister assured the House on Monday that such meat had been banned in December. I knew, as I think did other hon. Members who followed these matters, that the ban that the Government had implemented related to meat that was recovered mechanically from the spinal cord. There is other mechanical recovery of beef. All we asked for was a reassessment—a reassessment dismissed by the Prime Minister.

The fifth proposal that the Opposition made to the Government was encouragement of quality assurance schemes, so that consumers know where their beef comes from, possibly with labelling of products in shops. Hon. Members who follow these matters are aware of voluntary schemes that exist throughout the United Kingdom. The Secretary of State for Scotland will be well aware of the Scottish Quality Beef and Lamb Association and similar schemes; they are purely voluntary.

The Prime Minister said that that would mean

"allowing the sale of unsafe beef".

He appeared to believe that we were suggesting that some meat would be labelled safe or BSE-free and other meat would be labelled otherwise or unlabelled. Did the Prime Minister really think that? Was it ignorance?

I am making the point that the advantage of the voluntary scheme is traceability—and any responsible Government would see the relevance and the importance of that against the background of the crisis that we face in relation to BSE in cattle throughout the United Kingdom. That is all that we were proposing—it was a long-term measure; it was not going to alter things overnight—yet it was dismissed by the Prime Minister.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): One of the things that depresses and frightens me about the debate is that many consumers, particularly mums, will be totally bewildered about the priorities of the Government and the priorities of the House of Commons. We are in danger of wiping out our entire beef industry without in any way compensating for the safety and the good health of the majority of our consumers. If we cannot urgently put something in place that is acceptable to the average customer, then, frankly, the amount of money that the Minister of Agriculture has announced for the farming community and for the butchers will be absolutely no use whatsoever.

Dr. Strang: I welcome the measures announced by the Minister of Agriculture but my hon. Friend is absolutely

[Dr. Strang]

right: if the market is not restored and if there is not some move back to confidence, the money announced by the Minister will not save us, jobs or the future of our farming.

My sixth point was the banning from human and animal food of all specified bovine offal—and, of course, I referred to cattle under six months old. The Government subsequently banned some specified offal—they banned the thymus and the intestine. However, they have not banned the brain and the spinal cord in cattle under six months old. I know that the Government's response to that is that there is no scientific recommendation asking them to so do, but I put it to them that—this was one of the Opposition's points—it was a House of Commons Select Committee that recommended that in 1990. Finally, we also made reference to our policy for an independent food standards agency—I shall not go into the detail of the point.

When the Labour party worked on these measures—I thank the agricultural organisations and the large companies that welcomed them—we did not expect the Minister to stand up and say that the Government would accept all our proposals, but we expected a dialogue, we expected a constructive response and we expected an opportunity to move forward. That is why I was deeply depressed by the Prime Minister's response to my right hon. Friend the Leader of the Opposition this afternoon.

The Minister of Agriculture is aware, as much as any of us, of the significance of Europe here, and I welcome some of the points that he made. As he knows, I have been critical of the way that the Government reacted to the French decision to halt the movement of beef and beef products when our market had collapsed and to halt the movement of cattle and calves. I have also been critical of the Minister's criticism of the European ban.

I had the opportunity to speak to the Agriculture Commissioner, Mr. Fischler, on the telephone last night. There is no doubt in my mind that the European Commission wants to help, and I think that the Minister's remarks this afternoon suggest that the Government acknowledge that and I trust that they will secure an agreed package of measures.

Mr. Nicholas Winterton (Macclesfield): Will the hon. Gentleman give way?

Dr. Strang: No, I will not give way—I would like to, but many hon. Members wish to speak in the debate.

A lot has been said about slaughtering the national herd. As some hon. Members may be aware, I was with a dairy farmer in Whittington, in the west midlands, who was the proud owner of Flo, a dairy cow with one of the best breeding records in Europe who was worth £65,000 before the crisis. The farmer, Mr. Cope, and his son have a BSE-free herd—they have never had BSE and they have not used any feed with the contaminated protein. Most vets and experts would say that that herd would never develop BSE.

I put it to the House that the extravagant statements about the complete slaughter of the national herd make no sense. *[Interruption.]* I acknowledge the Parliamentary Secretary to the Ministry of Agriculture but I am not referring to the hon. Lady or to the Minister of Agriculture. We have to put the slaughtering issue into perspective. I think that the hon. Lady is aware that the question of implementing measures that help us move towards a BSE-free herd is something that is of great importance and concern to the European Commission. We will not get European backing and funding if we are not prepared to move in that direction.

A complete slaughter of the national herd is not the way to tackle the problem—it is not practical. Do the people who put out the wild idea of a national slaughter understand that we would not produce milk or beef for many years? Perhaps it is a theoretical option, but the idea that we slaughter our herds and buy cattle from elsewhere is ridiculous. Where would we buy it? From France? From the Irish Republic? From Germany, where we know there are some BSE cases? Someone actually suggested to me that they were going to ship in the cattle from New Zealand.

That is not a practical approach. However, we are aware that a proposed scheme of selective slaughter is on the agenda. The National Farmers Union of England and Wales has proposed that cull cows—both in the dairy and beef herds—will be slaughtered and destroyed when they reach the end of their working lives. We believe that that proposal—which I believe has the support of the majority of farmers and other farming organisations in the United Kingdom—should be implemented if the Government intend to go down the road of the slaughter and destruction of some animals to reduce the risk of any cow with the BSE agent entering our slaughterhouses and its carcase entering the food chain.

Of course, we are all aware of the policy to destroy any cow that has the BSE symptoms. However, we are concerned that some cows have the BSE agent but do not display the symptoms—usually because they have not had the agent for a sufficiently long time. We believe that there is something constructive about preventing these older cows—which have a high incidence of BSE—from entering the food chain.

Sir Patrick Cormack: The hon. Gentleman is making a sensible and constructive speech. He is attempting to create a bipartisan policy, and the public expects that. Does he accept that we have our present problem, at least in part, because of the ridiculous, extravagant and hysterical statement by his hon. Friend the Member for Peckham (Ms Harman)? Can we expect a more responsible speech from her this evening?

Dr. Strang: I do not think that that was a helpful intervention. The Government have blamed Europe for our BSE, they have blamed the media for our BSE and they have blamed the Labour party for our BSE. The Secretary of State for Health—I hope that he will correct me if I am wrong—said that the people, not the cows, were mad.

I do not think that many people agree with any of those propositions. My hon. Friend was articulating the concern of many people, especially parents, about the important, historic statement on the new cases of CJD.

I was disappointed by the Prime Minister's response to our proposals, but I welcome the Minister's proposals. I welcome what he said about the renderers. It is absolutely crucial. The rendering plants are to be given

£1.5 million a week in aid. The announcement of temporary aid will certainly help. I welcome especially—although they will have to move quickly—the fact that the Government are urgently considering support for the abattoirs. The potential collapse of the abattoirs is far and away the most disturbing factor. If they do not move quickly to support them, there could be a domino effect.

I note the Minister's announcement of the calf slaughter premium—which has been long standing within European Union regulations—of £100 a bull calf. There will be many sad dairymen and farmers who are being paid £100 to kill their calves.

By and large, we welcome the measures that have been announced. We shall not nit-pick. We know the scale of the crisis—and it is a crisis. It is the biggest threat to British agriculture and all its associated industries.

Mr. A. J. Beith (Berwick-upon-Tweed): It is the biggest threat to British beef this century.

Dr. Strang: The right hon. Gentleman is quite right. It is a much bigger threat than foot and mouth disease was in the 1960s.

My overriding point to the Minister is as follows: only when the necessary measures to keep BSE from our food are in place and properly enforced will confidence in the safety of British beef return to the country and the rest of the world.

Several hon. Members *rose—*

Mr. Deputy Speaker: Madam Speaker has ruled that all Back-Bench speeches shall be restricted to 10 minutes.

7.31 pm

Mr. Christopher Gill (Ludlow): I am most grateful to be called so early in such an important debate. First, I must declare my interest as a farmer, a master butcher and a member of the Agriculture Select Committee when it inquired into BSE in 1990.

As a butcher and a farmer, I must say that the entire meat and livestock industry will be extremely disappointed in the speech of the hon. Member for Edinburgh, East (Dr. Strang). He said very little that would give comfort to that industry at this time of crisis. The hon. Gentleman said that he would do whatever he could to restore confidence in the industry but, with very few exceptions, his proposals have done very little to engender that.

By and large, I am sure that the whole House will welcome the measures introduced by my right hon. and learned Friend this evening. My only concern—this will be reflected in some parts of the House—is the time scale against which some of the measures will be implemented. At the end of the day—as my right hon. and learned Friend recognised—we are talking about the livelihoods of the hundreds and thousands of people working in the meat and livestock industry.

Let me take a moment to explain to the House how fragile the economy and finances of the meat and livestock industry are. Even before the latest outbreak of hysteria, there was great concern about the massive over-capacity in the abattoir industry, to the extent that a scheme had been proposed whereby the owners of abattoirs would put money into a kitty that could be withdrawn by those who chose to close their abattoirs. I now fear that the very much reduced throughput in our abattoirs will make it practically impossible for their owners to keep body and soul together, and they will have to close. The knock-on effect on the industry cannot be calculated accurately. It is potentially devastating. Frankly, if the abattoirs are unable to pay the auctioneers and the auctioneers cannot therefore pay the farmers, I leave the House to draw its own conclusions.

Early-day motion 677—tabled in my name last night and supported by 115 right hon. and hon. Members—mentions the safety of beef, the involvement of the European Union and the payment for consequential loss. I have no doubt that British beef is safe and nor does my right hon. and learned Friend the Minister. In 1990, no proof was submitted to the Select Committee that there was any link between BSE and CJD. There is no positive proof of that link today and the measures that the Government have taken are responsibly based on the acceptance of a remote, but yet unproven, possibility of that link.

The European Union has disgracefully ignored the scientific evidence. It has totally ignored the findings of SEAC and moved with lightning speed to impose a ban, not just in Europe but worldwide. I doubt whether many hon. Members realised that it is now within the power of the European Union to impose a ban that goes far beyond the European Union. The European Union has precipitated a public relations disaster of unparalleled proportions, and it has been aided and abetted by certain commercial undertakings which, frankly, ought to know better.

The House will be aware of the advertisement which appeared in this morning's newspapers, in which McDonald's states:

"We still believe that British beef is safe".

If McDonald's believe that British beef is safe, why in heaven's name is it not selling it? If that company believes in a market economy—presumably it does, as it is an American company; it comes from the very home of capitalism—why does it not believe in giving consumers the choice between eating British beef and eating other beef? The hypocrisy of the actions of that company defies all possible explanation.

I shall deal now with consequential loss. There must be compensation for the cattle that will be slaughtered and that will not pass into the food chain. I say to my right hon. and learned Friend the Minister that there can be no horse trading on this in Brussels and no quid pro quos. We have to make it a quite separate and distinct issue. We want compensation from the European Commission for the consequential loss suffered by the meat and livestock industry.

Mr. Dennis Skinner (Bolsover): It is not their money.

Mr. Gill: It is not their money—some of it came out of the hon. Gentleman's pocket, and probably a lot more of it came out of mine. If anybody is to pay for the mayhem caused in the industry as a result of a totally irresponsible, unwarranted and unnecessary ban on British beef, it has to be the European taxpayer. When my right hon. Friend the Prime Minister goes to Turin, he must make it quite clear to our colleagues in the European

[Mr. Gill]

Union that, if they do not pay that compensation voluntarily, it will have to be docked from the huge sum of money that we pay to Brussels each year.

Mr. Skinner: Now you are talking.

Mr. Gill: I have a lot more talking to do and I have very little time in which to do it, so I would appreciate fewer sedentary interventions from the hon. Gentleman.

We are where we are. I see absolutely no point in raking over the coals of past decisions, but that is exactly what the Opposition spokesman did for almost his whole speech. There is no point in trying to best-guess decisions made in the past. Decisions that have been made were not made with the benefit of hindsight; they were made in the light of all the circumstances and all the evidence available at the time. That is not to say that scientific knowledge does not improve or that more scientific data will not become available in future.

The hon. Member for Edinburgh, East hinted that all this was just a Government responsibility. I tell him that anyone interested in the future of the meat and livestock industry, not to mention the future of the country's whole economy, must come together to help to restore public confidence. It is no good Opposition Members taunting Ministers by asking for assurances that beef is 100 per cent. safe. Nothing on God's earth is 100 per cent. safe, as everybody knows.

No scientist worth his salt would ever say that anything was 100 per cent. safe. It is virtually impossible to prove a negative, and the Opposition should recognise that. Having recognised it, they should then be prepared to back anyone who will take a responsible view towards restoring confidence. We must work harder together to restore that confidence in a product that is as good as any product in the world, and better than most.

I want to propose a series of measures, some long-term, some short-term, some immediate. I am glad that the Minister has already dealt with my prime concern—help for the rendering industry, without which the whole meat and livestock industry would come to a grinding halt.

The Country Landowners Association has called for a scheme to ensure that all cattle culled from the dairy and beef herds are taken off the market with compensation and totally removed from the food chain. The CLA says:

"Failure to act will have a devastating effect on the livestock and related industries".

I believe that that is true. I welcome the Minister's measures, as far as they go, and I hope that he will be able to flesh them out as soon as possible.

The measures proposed by the Government are not justified by the scientific evidence—

Mr. Deputy Speaker: Order.

7.42 pm

Mr. John Home Robertson (East Lothian): I suppose that it was too much to hope that the hon. Member for Ludlow (Mr. Gill) would rise above his Euro-scepticism when debating an issue as serious as this is for the whole rural economy of the United Kingdom—but there we are.

I start by declaring my interest. I am a partner in a family farming business which includes 70 beef suckler cows on a traditional, extensively managed Scottish hill farm. We also have a little fold of six pedigree Highland cows. What is more, I represent a large number of livestock farmers—mainly upland farmers in the Lammermuir hills.

My interest is much more than financial: it is also emotional. Like any stockman or anyone who cares for cattle, I care about the cattle on my farm. I know that that goes for virtually every stockman and farmer in the land. We look after our stock; we tend them every day and in all weathers. We take a pride in producing good, healthy cattle in quality herds. My farm's cows will be calving in the coming month, and I am appalled by the idea that people may regard them as a health risk—and that the slaughter and incineration of such fine healthy animals is being considered.

The House is entitled to reflect on how we got into this problem. I am sure that I speak for many farmers when I express my personal fury at those in Government and in the feed compounding industry who cut costs by dropping standards to allow the incorporation of unsuitable and inadequately treated animal material in feed supplements. I am nauseated by the thought that some hill cow cobs on the market in the mid-1980s may have contained such material. The labels on the bags of feed never said anything about animal residues, and we should have been able to trust reputable feed manufacturers and Government regulatory bodies to ensure that there was nothing wrong with the concentrate feed we needed to supplement hay or silage in winter.

Unfortunately, and to the eternal shame of a mad, deregulatory Government, that confidence may have been misplaced. I was a Labour spokesman on agriculture from 1985 to 1990, and I well remember working with my hon. Friends the Members for South Shields (Dr. Clark) and for Caerphilly (Mr. Davies) to press for action to eradicate the menace of BSE when it was first discovered. We wanted better controls of feed and more attention given to research, both to discover to true scale of the problem and to develop ways of achieving early diagnosis. We wanted the Government to try to eradicate BSE, but the Government seemed content to contain it in the hope that it would go away.

I suggest that that Government were guilty of serious negligence in respect of that aspect of animal and human health, and they stand condemned.

Now that the crisis has broken, the situation is being further aggravated by the Government's dreadful relationship with our EU partners. All this is undeniable—but the water has flowed under the bridge, and it serves no useful purpose to wallow in recriminations. The whole country will expect this House to deal constructively with the crisis facing the 600,000 people who work in the beef industry. Our task is to restore public confidence in the quality of British beef and to reopen the export markets. The alternative is unthinkable: a deficient diet for our people, a decimated rural economy, and a countryside without grazed pastures and traditional beef herds.

My hon. Friend the Member for Edinburgh, East (Dr. Strang) set out a constructive agenda with the objective of eradicating BSE. We need the resources and the research, and we need action to establish the true nature and extent of the problem. So let us have fewer

bland reassurances from politicians of all colours. What we need are more direct explanations and advice from credible scientists. Let us resolve here and now to follow the best scientific advice with the objective of eradicating the disease. If that means selective, targeted slaughtering, so be it.

Slaughtering can be targeted. There are detailed records of cases of BSE, and all farmers are required to keep full records of stock movements. So it should not be unduly difficult to find out where cattle come from and where they have gone; and if necessary, to cull particular breeding lines.

It would be absurd and obscene, as my hon. Friend the Member for Edinburgh, East said, to indulge in slaughtering and incineration of healthy cattle as a stunt for the satisfaction of the press.

I should like to add a word of special pleading, as the Minister talked about the 30-month cut-off rule for cattle going to the prime beef market. It would be almost impossible for slow-maturing highland or Galloway cattle to be fattened in that time, so there may be a need to pay special attention to certain native breeds.

I also suggest that the Government have a duty to deal with the immediate crisis facing the 600,000 people who work in the beef industry, from high street butchers right through to the stockmen who live and work in our remotest rural areas. Livelihoods, enterprises and whole communities are facing ruin this week.

There is also an immediate animal welfare problem. If stock cannot be marketed, they still have to be fed. Many farms must be running out of hay and silage as they wait for the long-delayed spring after a long, cold, difficult winter. So I hope that the Minister will be successful in his endeavours to open up the intervention system for finished cattle. That is required within days, not weeks. I appeal to the Minister also to look at ways of permitting temporary grazing on set-aside land for store cattle in these extraordinary circumstances.

This crisis is a national disgrace. Some of the best beef cattle in the world are being regarded as a health risk, which is absurd in a country such as Scotland where the incidence of BSE is just 0.03 per cent. of the cattle population and is falling. But consumers are alarmed, the market has collapsed and a massive sector of the rural economy is facing disaster. I fear that it has to be said that Government negligence in the mid-1980s must have contributed to this situation, but the House and the whole nation will not allow the Government to shirk their responsibility now.

7.50 pm

Mr. Richard Alexander (Newark): The debate takes place against the background of the deepest sense of crisis and unease in our rural areas that I have ever known, probably greater than that during the foot and mouth crisis some 20 years ago. Setting aside for a moment the Labour party's cries that it is all the Government's fault—when does it not say that?—farmers, processors and exporters out there expect the Government and the House to come up with solutions which will preserve our rural way of life and regenerate confidence in British beef in Europe and elsewhere.

Having seen the way that the European Union has operated in the past week against the weight of scientific evidence—which it has never challenged—I am coming to the view that the two aims are not compatible. Plainly, the Government will try to persuade the EU that our measures are sufficient to restore confidence. However, we must accept that that may be a forlorn hope and that we may have to go it alone, very much along the lines that have been proposed by the National Farmers Union.

I have never in the House or elsewhere been one of the more strident anti-Europeans, yet Europe's decision, which was taken without a scintilla of evidence, has fed the growing cynicism in the House and outside about Europe and its motives towards Britain. It has performed like a trade protection agency for the farmers of France and Germany and their products. If that were not so, it would impose the same restrictions on food from those countries, which have BSE, as it is now proposing for ours. We all know that all those countries have exactly the same incidence of Creutzfeldt-Jakob disease as well.

Let this week be a dreadful warning to my right hon. Friend the Prime Minister as he goes about his duties in Turin tomorrow. The country wants no greater integration with a group which treats us like that. In the meantime, the situation continues to drift into deeper crisis. We must consider unilateral action. A wide range of options from total slaughter to selective slaughter is available and my right hon. and learned Friend the Minister of Agriculture today announced one or two interim measures. It is unfortunate that those measures had to be, because cases of BSE notified in Britain have been coming down from 1,000 a week at the height of the disease to 250 a week now. The specified bovine offal ban which was introduced in 1989 has been instrumental in reducing the figures over the past few years.

The Government's task has not been made any easier by those who are anxious to rubbish British beef. They range from some politicians to some people involved with food—all of whom should know better. The advice from the Consumers Association not to eat British beef was disgraceful—almost as disgraceful as the mealy-mouthed comments from McDonald's, which said in its press release:

> "We believe British beef is safe. However, we cannot ignore the fact that recent announcements have led to a growing loss of consumer confidence in British beef which has not been restored."

By any understanding of the British language, that means, "British beef is safe but we will lose profits if we continue to use it." Those same people are proposing to import foreign beef products.

McDonald's would have us believe—I continue from its press release—

> "we have always put our customers first".

By putting its customers first in that way it is happily signing up for beef and beef products from countries that have BSE, just as Britain does, and CJD, just as Britain does, and have a far less stringent regime of standards within the food chain. As a consumer, I shall be much more cautious about eating burgers from such food chains in future than I would have been in the past.

People are panicking about recent cases of CJD, but at yesterday's meeting of the Select Committee on Agriculture, we heard evidence from Dr. Robert Will, who is the head of the national CJD surveillance unit at Edinburgh. He said that it was quite wrong to assume that because it was not known for sure how people got CJD, it must be assumed that it was through scrapie or BSE. He continued:

[Mr. Richard Alexander]

"CJD occurs all round the world at about the same incidence in countries that are free of scrapie and free of BSE. Within an individual country they appear to occur completely at random. This has led to the proposition that CJD is not due to any environmental contamination at all but is due to a spontaneous change in the protein in the brain itself, occurring at a random event. We have no good evidence that CJD is caused in any way by cross contamination other than by very special circumstances."

Therefore on the basis of "no good evidence", our farmers are suffering and will continue to suffer and go under unless measures such as those that my right hon. and learned Friend has announced are continued and improved after he has been to Brussels this week.

A farmer in my constituency fattens 4,000 beef cattle a year for slaughter and export. He has never seen a case of BSE on his farm or elsewhere. He has never used concentrates or bone meal. For 20 years he has fed his cattle solely on vegetable waste. Just over a week ago, his cattle were worth £1,000 a head. Today, they are perhaps worthless. Such people have done nothing wrong in their professional lives as farmers. They are the backbone of England and the future of a prosperous rural community.

Intervention has been mentioned but intervention restrictions are harming or could harm farmers, such as the one that I have described. The weight limit for intervention is 370 kg and will not help the exporting beef producer, whose average beast weighs about 450 kg. Payment is often required up front by the intervention board, which takes six weeks to pay. Intervention does not take premium cattle; only average quality cattle.

If intervention is to work for the good farmer who has done nothing wrong in his professional life, some of those restrictions will have to be amended. I hope that my right hon. and learned Friend the Minister will be able to recommend some of these improvements in his final package. They will help to prevent a disaster of national proportions from which this country may never recover in the lifetimes of many of us. Today's announcements will help, and I wish my right hon. and learned Friend every success in his discussions in Brussels tomorrow.

7.59 pm

Mr. Paul Tyler (North Cornwall): This week, there has been a steady stream of job losses throughout rural Britain. In the past seven days, the livelihoods of hundreds of thousands of people have been destroyed and, tomorrow, many more will be laid off—I hope temporarily, but who knows? I wonder whether they will be encouraged by what they have heard today, especially on the evening news following Prime Minister's Question Time. I suspect that they will be further depressed.

Let me quote the statement issued by the St. Merryn Meat Co. yesterday as it announced that 149 staff would be laid off immediately and that a further 2,000 jobs were at risk. I should emphasise that the company is one of the biggest and best meat processors serving the whole of the south-west. It said:

"We would like to express our total exasperation at the Government's inept handling of the BSE crisis, the Labour Party's political point scoring, with total disregard for the livelihoods of the hundreds of thousands of employees engaged in meat processing and associated food industries which they represent."

That was reported in *The Western Morning News* this morning. That view will be echoed by many other people all over Britain tonight; indeed, I suspect that, in their hearts, many hon. Members on both sides of the House will agree with it. It was reflected in the comments earlier of the hon. Member for East Lothian (Mr. Home Robertson).

There will be plenty of time for investigations—and blame, if need be—and, clearly, the research programme will need to be redoubled to answer the major scientific questions that remain. For example, first, what progress is being made to develop reliable testing of live cattle and why was feed not effectively tested for contamination? Secondly, is maternal transmission of bovine spongiform encephalopathy—from cow to calf—really impossible? Thirdly, what about lateral transmission in the herd? Are the French right to insist on total infected herd slaughter?

Fourthly, what is the hard evidence of cross-species transmission? In particular, what is the exact position with regard to sheep? Fifthly, what is the scientific analysis of the remarkable coincidence of the use of organophosphorous warble fly treatments—OPs—on cattle in the United Kingdom at the same time as BSE developed among our national herd? Could the known effect on the central nervous system make cows more susceptible to BSE? It may not have caused BSE, but it may have triggered it.

Sixthly, what lessons are to be learned from the overall pressure, to which the farming industry has been subjected, for ever-increasing intensive methods of husbandry? What are the Government doing—what will they do at the intergovernmental conference starting tomorrow—to reassess the risks of that central strategy of the common agricultural policy?

I hope that the Government also take note of the increasing support, to which my hon. Friend the Member for Southwark and Bermondsey (Mr. Hughes) has already drawn attention this week, for our 1993 proposal for an independent food commission, answerable separately to a Secretary of State, because that is clearly relevant. I note that consumers and farmers' leaders, such as Sir Simon Gourlay, now support us on that issue.

Over the years, other people and I have put those and many related questions to Ministers. It is not just the research budget that must be re-examined; training, too, will have to be upgraded if the industry is to reorientate its efforts. Rumours in the past few days of economies in ATB Landbase could not be worse timed.

Those issues, however, require longer-term re-examination. Tonight, we must face the immediate concerns. We must look forward rather than rake over the past. My Liberal Democrat colleagues and I believe that it is time for cross-party and cross-industry consultation and action, not least because that will be essential to impress the European Commission and the other 14 European states that we are in this together.

As my right hon. Friend the Member for Yeovil (Mr. Ashdown) has repeatedly emphasised to the Prime Minister over the past seven days, we are ready to contribute constructively to the resolution of both the public health and the public confidence issues that were raised by the ministerial statements on BSE and beef.

As the hon. Members for Newark (Mr. Alexander) and for Ludlow (Mr. Gill) have said, the whole rural economy is in danger. There have been thousands of lay-offs already. Livestock farmers have been hit at their most vulnerable time of year. In the circumstances, many Liberal Democrats, in town and county halls throughout

the country, have a special responsibility for these matters, representing as we do, at all levels of government, the difficulties that rural areas have faced during the recession. It is critical that the painstaking, sustained efforts to bring back jobs to those areas are not put at risk. In the next few days, we must improve the local employment position rather than let it be further threatened by what has happened in the past week.

We believe, therefore, that investigations and recriminations can wait for another day. First, we must deal with the question of public confidence in British beef. To that end, we suggest that the Government must now announce—I do not think that it has happened yet this evening—an explicit, defined and measurable target. What is their objective? The explicit objective should be a "BSE-free" national herd—a return to the ambient and negligible levels before the mid-1980s—within an agreed timetable. It should be possible to aim for that. It cannot be left loose. Nothing less will satisfy public health concerns. Once that is established, the Spongiform Encephalopathy Advisory Committee will have to be mandated to advise on the most comprehensive means of achieving that objective, but the political objective must be here first.

As we all recognise, the market is governed by sentiment as well as by science. We welcome the positive contributions from the industry led by the National Farmers Union, but with the food industry involved as well. Their recommendations on a selective cull of older cows were made at the same time as our suggestions to the Prime Minister on Monday. There is obviously wide consensus on their necessity. A clear, clean break is necessary if we are to regain confidence in beef.

Since Monday, a huge range of organisations has specifically endorsed the thrust of our proposals. I have already referred to the NFU and to the other farming unions, with which we have worked closely. I should also mention the Country Landowners Association and the Livestock Industry Support Trust. Even more significant, in terms of restoring market confidence, is the support of the Initiative on Food Marketing because, as the House knows, that body represents the leaders of the food manufacturing, catering and retail industries. In addition, representations from the Consumers Association and the National Consumer Council point in the same direction.

I understand, but I am disappointed, that, until this evening, the Labour party has not seen fit to support this vital core proposal. I hope that what we heard earlier means that the Labour party has changed its mind. Its previous position was sad—understandable but regrettable. The industry has been disappointed by that. I hope that we can now move on.

There are various options, and exemptions must be rigorously examined, but they must all have this common aim: the elimination from the human food chain of all beef or cow meat that could possibly have been infected by contaminated feed before the 1989 ban took full effect. The precise timing and monitoring of that process can be the subject of further discussion among us all. At the same time, as the Minister clearly recognises, there must be an immediate package of measures to stabilise the market and to avoid further haemorrhaging of jobs in rural areas.

We recommend that a statement on the use to which the Government intend to put the intervention scheme for finished cattle is made urgently. Clearly, the ban announced this evening on 30-month-plus cattle, albeit temporary, increases the need for emergency action. As it is imperative to get the market moving again, it may be sensible to consider a top-up price scheme for the immediate future. That is something that the farming unions want the Government to deal with urgently.

It remains to be seen whether the aid scheme, again announced this evening, for young steers will be sufficient. I hope so, but I doubt it. Of course, stocks in intervention are low and only comparatively recent entries remain, so there is presumably no reason why purchases from abattoirs at an economic price should not be initiated as quickly as possible. The mechanism for ensuring that is surely financially viable, although clearly that will be a subject for negotiation with the European Commission. No doubt the Minister will brief us on his return from Brussels.

As for the culling and compensation scheme, clearly it will take time to work out, but we believe that it is vital to achieve a decision as fast as possible, commensurate with the essential consultation process that we would require. As carcases will have to be stripped out anyway, we would hope that payments by weight, rather than just by animal, will be possible, thereby ensuring that there can be appropriate compensation for quality stock.

Since European Union precedents—for example, swine fever in other member states—provided for up to 50 per cent. Brussels funding, surely it must be possible to obtain Commission endorsement very speedily for the proposals that we are suggesting. That could also ensure that other countries' BSE problems, to which reference has been made and which are becoming more and more apparent, will be treated without any discrimination. Our colleagues in the European Parliament pressed last night for assurances on those points, which I hope will prove to be correct. Incidentally, the collapse of beef sales, especially in France, but generally on the continent, may persuade other member states to join us more energetically to restore confidence throughout the Union.

In the longer term, we must reiterate our conviction that a substantial Government investment in a truly comprehensive UK-wide beef quality assurance scheme is now long overdue. A positive commitment could revive hope of returning public confidence generally, while forming the base for an effective marketing strategy abroad.

At the same time, we must carefully examine the case for the exemption from culling of herds in which, first, there have been no BSE cases whatever, as the hon. Member for Newark said, and, secondly, absolutely no bought-in cattle cake has been fed to them, which particularly applies to beef suckler herds. In such circumstances, surely the examination of MAFF records and farmers' audited accounts should be sufficient to provide proof. As long as the Government's compensation package is realistic, the motive to cheat will be minimal. Those herds will then provide the nucleus for the expanded beef quality assurance scheme that we require and a tightening up of any compensation arrangements.

We must all work together energetically for an early reversal of the EU ban. To rely on that happening—incidentally, while it is in place it is just being used as a good target for the Euro-sceptics—seems wildly over-optimistic, not least because its removal would not lead to an immediate resumption of any confidence or trade buying on the continent.

[Mr. Paul Tyler]

In any case, the industry in this country must regain public confidence long before the Union six-week review period is up. The Minister simply cannot afford to come back from Brussels this weekend empty handed. About two thirds of a million jobs are at risk, as the Prime Minister confirmed this afternoon in answer to my right hon. Friend the Member for Yeovil (Mr. Ashdown). The people in those jobs cannot wait months for the export ban to be lifted.

The root of the problem lies closer to home. Until everybody in the UK—consumers, food retailers and food producers—is enabled to have his or her confidence renewed, export prospects will remain dire. That is why it is our conviction that the development of an agreed package of measures, along the lines that I have set out, is urgently necessary. My right hon. and hon. Friends and I will support and work constructively with the Minister in a programme of action along the lines that I have suggested to restore consumer confidence in the market. We believe that the country deserves nothing less.

8.13 pm

Sir Colin Shepherd (Hereford): In my capacity as Chairman of the Select Committee on Catering, I should report that there appears to be no fall-off in the consumption of beef among hon. Members. That is not a moment of levity, but an important statement on how we in the House feel.

Hereford and beef are very much synonymous. I took time out today to go to Herefordshire to talk with people there because I wanted to get some first-hand feedback. I spoke to butchers, the public generally, meat processors and farmers. I have heard about all the knock-on effects and will not weary the House by repeating them. I want to tell the Labour party with all the strength that I can muster that there is massive resentment of the politicisation of the issue. Asking why it cannot be sorted out on a common-sense basis instead of it being hyped up was the common thread of what was said to me. That is very important, and I hope that the Labour party hears it.

The second point made to me concerned the strong resentment of the worldwide ban that has been imposed by the European Commission. That really hurts. People ask what confidence we have that the imported beef constitutes less risk. I have had the pleasure of serving on the council of the Royal College of Veterinary Surgeons for the past 13 years and I have the highest regard for the UK veterinary profession. I do not have quite the same regard for some of the profession's members on the European side of the channel. That does not in any way reduce my European credentials; it is just a matter of perception.

I also want to know what confidence we can have in the imported product. My hon. Friend the Member for Newark (Mr. Alexander) mentioned that important point in his discourse on McDonald's. I happen to disagree with some amount of what he says about McDonald's, but that is another matter. When my right hon. and learned Friend the Minister attends the emergency Council of Agriculture Ministers this weekend, I want him to demand a wide-ranging review of EU countries' farming practices. I do not think that they are all whiter than white. The problem is wider than the UK. We must know that we are all playing on the same field. I am also asked why we have to take imports of white veal when we do not even agree with the practices adopted in the rearing of those animals.

Confidence-building measures are what we are about tonight. The hon. Member for Edinburgh, East (Dr. Strang) remarked on the point and I agree with him on it. There are three very important areas. First, it is absolutely fundamental that farmers take scrupulous care in reporting anything worrisome. Secondly, the figures quoted about abattoir operators are alarming, and it is vital that the public should have confidence that meat is handled scrupulously in abattoirs. Thirdly, there should also be confidence in the Meat Hygiene Service inspection. Those three elements are very important, and can be implemented by the industry itself.

My right hon. and learned Friend has brought forward measures today, but there is a big gap on the question of cull cows, to which other hon. Members have referred. The package is not yet complete. Until a measure on cull cows is in place, it will be difficult to assess any increase in the underlying confidence of the market, the producers and the public. I urge my right hon. and learned Friend to press ahead on that issue as fast as he possibly can, because we need to know where we stand.

Other points that have already been raised relate to the engendering of BSE-free herds. Although not all herds have been affected, a number that are BSE-free may be so only by the grace of God. We need to develop incentives to finish beef cattle particularly on grass rather than cake. I declare a small interest, in that the Hereford breed of cattle is particularly good at finishing on grass rather than on cake compared with some of its continental successors. The breed has been under threat for some time because of its inability to put on quite the same amount of weight per day as the Charolais or the Limousin, but it is a first-class breed in terms of putting on weight on grass at the finish. It will be helpful if we can encourage finishing on grass as part of the overall package.

My right hon. and learned Friend the Minister of Agriculture, Fisheries and Food made an important announcement about renderers today. However, I have some questions on that. They need not necessarily be answered today, but I would welcome a letter. First, does the £1.5 million a week to the rendering industry take into account the volume of offal produced by the poultry industry? That is a very relevant question, as an immense amount of offal is produced as part of the poultrymeat production process. If the figure does not take that offal into account, we must rethink the matter.

Secondly, an order is being produced today for consultation. Will the consultees include the poultry industry, which is all part of the same scene? Thirdly, will the order contain provision for a review mechanism to take into account future developments in rendering, offal handling and the continuing scientific debate?

Tonight, my right hon. and learned Friend has proposed a number of confidence-building measures, but there are still gaps, and I hope that they will be addressed. I shall meet my farmers and all those involved in the meat industry in Herefordshire tomorrow. I shall listen to what they say and I shall feed back their views to my right hon. and hon. Friends in the hope that they will form part of the useful debate on restoring confidence in the meat industry.

8.21 pm

Mrs. Audrey Wise (Preston): I may technically have an indirect interest to declare, inasmuch as I am president of the Union of Shop, Distributive and Allied Workers. My overriding interest is in the health of the population and in the interests of all consumers. I do not accept that our prime objective should be the restoration of confidence in the market, because I believe that the objective must be the protection of public health. Furthermore, unless the public are assured that health is the prime objective, whatever we do with the aim of restoring confidence, we shall fail. The perception that what is being done is intended to protect public health is the first prerequisite of any reassurance or any restoration of confidence.

There has been Government ineptitude for some years. The crisis would have been far less likely to arise if there had been firmer action earlier and if there had been more humility in the face of our massive ignorance. People are tired of hearing bland statements that everything is safe and that the risks are extremely small—statements which are clearly born out of ignorance and which have had to be contradicted from time to time, most recently on 20 March.

There has been order after order after order; the chronology of events is long. Each order has made certain progress and has introduced certain regulations, but there has always been a tiny step at a time. That approach is inadequate.

I do not want there to be a panic in that all herds are assumed to be the same. I am sorry that some people feel that because there is such widespread BSE, all our herds are infected. However, I believe that any slaughter policy we institute—I believe that there will have to be such a policy—must differentiate between one herd and another. There are differences which probably result from how cattle have been cared for, reared and fed; there are different practices. That must be acknowledged, because the different practices have led to different results. It should not just be the case that cows over a certain age are slaughtered. If we are to have recognisably BSE-free herds, our objective must be to distinguish between one herd and another.

It has been said that we do not need to rake over the past. However, one person's raking over the past might be another person's learning from the past. We must learn severe lessons from the lack of enforcement of the regulations on abattoirs. Regulations that are not properly implemented and are not enforced are simply a false reassurance; we are now paying the price for all the false reassurance.

It is extraordinary that there has been such complacency about the huge failure to comply with the regulations. How can we be assured that future stronger regulations will be complied with when milder regulations have not been complied with in the past? One important way to ensure compliance would have been to treat the non-compliers with great severity. Why have there been no prosecutions? The Minister of Agriculture, Fisheries and Food has said that prosecutions would have made it a criminal matter. Exactly. It is a criminal matter not to have complied with regulations imposed on the handling of meat and meat products in the interests of public safety. If people who did not comply had been criminalised and had paid a penalty, there would have been a lot more compliance a lot sooner, and people would have a lot more confidence in future regulations. That is an important matter.

The sheer extent of BSE in the herds has astonished and worried people. The fact that, as at 23 February, there were 158,277 cases is very worrying. As at July 1993, there were 100,000 confirmed cases, which means that in the past two and a half years, and a long time after the ban on feeding ruminant remains to ruminants, there have been almost 60,000 more cases. That is why consumers do not have confidence, and who can blame them?

We need a frank acknowledgement, as some hon. Members have made, of the extent of human ignorance in this matter. We do not know for sure how the disease is transmitted and we do not even know whether it has come from scrapie. We do not know why sheep convey scrapie to lambs, and why cows do not convey BSE to calves. We cannot know whether humans will convey it to babies. It is time that we stopped just saying that everything is safe and that we admitted our great ignorance. Paradoxically, that would help to create confidence. Bland reassurance works for a time, but it then becomes utterly self-defeating. That is what has happened, and that is what is still happening.

One good thing that was not generally known until a recent parliamentary answer to one of my hon. Friends is that vaccine serum from British cattle was discontinued in 1989. The chief medical officer admitted that there was no actual evidence of risk, but he said that it seemed prudent to take that action. He thought that the industry itself would want to eliminate any theoretical risk.

That is a sensible attitude. If we wait for proof, it will be too late. Positive proof in such cases is not the same as negative proof, whereby we could all simply say, "It has all worked out well, has it not?" By the time we have positive proof of all the dangers, it will be too late, and we may face something uncontrollable.

I hope, and I think that I believe, that at this stage the situation is still controllable, and that it would be possible to have a BSE-free herd. I am not a vegetarian; I personally want to be able to have confidence about eating beef. Of course, I would have a lot more confidence in cattle fed on the things on which animals should be fed—those that eat grass and similar natural products. Those are the kind of cattle that we should have, and I think that they are more likely to be found free of BSE.

That is one reason why I do not want to say, "All herds are suspect. Slaughter them all, according to age," or simply, "Slaughter them all." I do not want that, but what I am looking for is respect for nature, which is so often missing from much of the human attitude to animals We are now seeing the consequences of that kind of carelessness—a carelessness about humanity's relationship with nature—and we cannot afford to continue with it.

I repeat my belief that our overriding objective must be the protection of human health. When we achieve that, confidence will be restored in the market—but not until then.

8.31 pm

Mrs. Ann Winterton (Congleton): I am grateful for the opportunity to speak briefly in this important debate—a debate that is exceptionally important for our

[Mrs. Ann Winterton]

countryside as well as in other ways. I must make it clear that I am attempting the double whammy tonight: I am speaking on behalf not only of myself but of my hon. Friend the Member for Macclesfield (Mr. Winterton). Our constituencies are adjacent and are both rural. Between us, we represent much of the farming community in Cheshire.

I shall begin by puncturing one or two myths propagated by the media. The first is that the interests of consumers, farmers and the meat and food industry are not synonymous. That idea is almost too ridiculous to repeat. Farmers are consumers. They are not in the business, or life style, of agriculture and farming to provide the nation with food that is not fit to eat. They are as concerned as anyone to produce the best quality food. Indeed, in our part of the world, and in our country, they do—and it is about time that somebody said that.

Secondly, I shall puncture the myth that the Ministry of Agriculture, has acted only to defend a large and important industry in this country—the conspiracy theory. That idea, too, needs knocking on the head straight away. The reality is the opposite: Ministers and officials have been open and honourable, and at all times have taken the best and latest scientific advice available in the world, let alone in the United Kingdom. It is always easy to be wise with the benefit of hindsight. How many times do we see that happening? Science is moving forward fast, but people must take decisions with the knowledge available to them at the time.

The next myth that needs to be exploded is that food can be pronounced 100 per cent. safe. What rubbish. We all know that that is not possible. All life is a balance of risks. It is safer for me to travel down to Westminster every week by aeroplane, but I do not. I travel by car more often than not. Every day of our lives when we get out of bed we take risks and assess the balance of risks. We must use those common-sense methods to assess the balance of risk with food.

Another myth is that scientists have been denied funding. Scientists have been given adequate and more than adequate funding for their needs. I suspect that if they need more and ask for it they will have it. Many scientists reported in the media have their own axes to grind, and they make all sorts of claims. I say to them, "If you have anything to put forward in the debate, put your ideas, theories and research before Professor Pattison and the other members of the Spongiform Encephalopathy Advisory Committee. Put yourselves forward and be judged by your scientific peers." I am not capable of judging whether there is any value in what such people propose; the best scientists in the country are the people to judge and assess.

The next factor is the role of the media, which has been disgraceful. We have had hype, hysteria and over-reaction, with people being interviewed for the sake of their off-beat views—rent-a-quote, in other words. People are interviewed who are obviously woefully ignorant of the issues and are very concerned. To a certain extent we are a scientifically uneducated and illiterate nation, so people are swept along with the tide and believe what is written in the newspapers, which is based on speculation and scaremongering. That is what has led to the overall crisis of confidence.

Next, blame should also be laid firmly at the feet of the European Union. The view taken by the Commission and the subsequent banning of British beef were breathtaking in their arrogance. We now know what we have always suspected—that Europe acts politically, predominantly to protect its own industry. British beef has been making inroads into European markets. What an opportunity for Europe to put a stop to those valuable exports from this country. Who would ever recommend anyone to eat Belgian beef, which is treated with clenbuterol, cortisone and angel dust? People must be really mad to do that.

The only question that the House needs to answer tonight is how to restore confidence. That is the most vital question of all, and the most difficult to answer. It is vital that the EU is made to reverse its illegal ban as a matter of urgency, and that our other export markets are reassured by the evidence that our beef is entirely wholesome. The EU has caused, aided and abetted market turmoil, and the Government must pull out all the stops to ensure that it is aware of our views.

The briefing paper from the Country Landowners Association says:

"We put a clear message to Jacques Santer that European policies should similarly be based on the best scientific evidence".

The best scientific evidence says that eating our beef is perfectly safe, and that it is perfectly good.

The Cheshire branch of the National Farmers Union brought out its policy before the national organisation of the NFU. I am delighted about that, because we always try to be one step—I was about to say "in front of the herd", but perhaps I had better not, in the circumstances. The Cheshire branch recommends the culling of what I would call the "old girls" in the dairy herd when they come to the end of their productive lives. They would not go into the food chain but would be incinerated.

The scientists who appeared before the joint Select Committees yesterday made it clear that meat from such cows caused no health hazard. Frankly, I believe them, but the whole object is to try to restore public confidence, so if such a policy does that, and is thought a worthwhile thing to do, I would support it.

I remind the House how many people "swing on a cow's tail". I heard that expression last weekend, when my hon. Friend the Member for Macclesfield and I spoke to many consumers and farmers in our constituencies to discuss these issues. The expression is absolutely true, because not only farmers but feed merchants, slaughterers and people in cattle markets and the leather trade, to name but a few, are affected by the situation. Macclesfield has an excellent abattoir, in which huge investment has been made. It is one of the best in the country, and it has been badly affected by what is happening.

This debate is vital, not only for our countryside and our farming industry but for our economy. It is essential that all political parties and responsible groups stand behind the Government and support the measures that are to be introduced to help confidence. We should give a message to our Minister of Agriculture, Fisheries and Food that, when he goes to Brussels to negotiate on behalf of this nation, whatever he does he must fight his corner hard for Britain and for British beef—the best beef in the world.

I have never eaten so much British beef as of late, and I can assure the House that, when four of our six grandsons stay with us over Easter, we shall change from

having turkey on Easter Sunday to having the biggest bit of British beef that I can get. My grandsons are aged between one and seven, and I do not have a scintilla of doubt of the wholesomeness of what we shall eat—because, of course, I shall cook it superbly.

8.40 pm

Mr. William Ross (East Londonderry): I have often heard it said that when one sells a house, the one thing that matters is location, location, location. It has become clear to everyone that when one sells beef, what matters is perception, perception, perception. If we all kept that in mind, perhaps we might have rather more light and less of the heat we have had so far.

I should like to remind hon. Members and those few people who will no doubt read my words that smoking is alleged to be responsible for 110,000 deaths every year and that alcohol is responsible for 40,000 deaths every year. Those figures are broadly agreed and are widely known among the population of the United Kingdom. People are not drinking any less alcohol, and an awfully large number of people—who know the very serious risks they run—are still smoking. Deaths from CJD are minimal, and there is still severe doubt about whether they were caused by eating meat or any meat product, yet there is mass hysteria.

I do not want to go into all the arguments about assigning responsibility for the hysteria to hon. Members or members of the press—people can draw their own conclusions—but I will say that the fear is not at all rational. Fear has arisen in people's minds because, above all things, they fear for their children and they fear brain decay. I think that most of us have had elderly relatives who slowly sank into senile dementia for one reason or another and said, "I hope I never go like that." We have an irrational fear that eating meat might cause such a condition. I do not believe it.

I would be the first to admit that it is almost impossible to prove a negative. Therefore, as many hon. Members have said in this debate, we are not dealing only with scientific evidence, because the situation has gone far beyond that. Essentially, we now need a public relations exercise and—I suggest to Ministers—an education exercise for the public and the consumer. We must repeat the facts again and again. Among the facts are that there are nearly 160,000 confirmed cases of BSE in the United Kingdom. Ministers will no doubt recall that a parliamentary answer given to me at the end of November revealed that 23 of those cattle were what could broadly be described as beef cattle. That number is so small that it is hardly worth noticing.

We must also show the consumer—the urban consumer more than the rural consumer, I think—how our beef is produced and where it comes from. It would be helpful if the Government were to make information available in every home. We could tell people that BSE is a condition of older cows, and mainly of dairy cows. I am sorry for the dairy herd that that is a fact of life, but it is a fact of life that we cannot deny.

We also need to educate the population about what beef cattle eat. The reality is that the average beef cow in this country eats grass all spring, summer and autumn. They eat grass silage all winter or hay with a relatively small amount of barley and practically no concentrate at all. They are fed as cheaply as possible. Exactly the same situation holds true for those animals' offspring that are to be slaughtered. Most of them are fattened on grass, silage and rolled barley. A certain amount of concentrate is presented, but my understanding is that it is almost invariably of vegetable origin; there is certainly no offal or protein now involved.

I believe that the public mind should draw a distinction between produce from beef cattle and from the dairy herd. Unless we create a clear understanding of that difference in the public mind, we are beating our heads against a brick wall. We have to help the public, who want to buy meat, understand exactly how it is produced, where it comes from, how it is fed and why it is safe to eat it.

Although I believe that it will be an unnecessary waste of perfectly good stock, sooner or later we will have to remove older cows and bulls from the meat trade. I say that it is unnecessary, but again it is a matter of perception. The situation is, unfortunately, being exploited, but unless people get over their fear we will have to grasp the nettle. If this fear proves as temporary as the fear of salmonella in eggs, perhaps we can get away without taking such actions. That is why the beef should be not destroyed but stored, although, as I said, the stores are becoming full.

It is an enormous job to destroy carcases on a large scale. There is no easy way to do it, and folk have to understand that. I was pleased that the hon. Member for Edinburgh, East (Dr. Strang) drew attention to the behaviour of the feed compounders, who of course wanted to use the offal. They used it, and in the long run that turned out to be the worst decision ever made in British farming, because that is what led to the current crisis.

A number of hon. Members have mentioned local and regional problems in this debate. I propose to do the same because Northern Ireland has a particular problem, which in some respects is paralleled elsewhere. The good bit is that we can trace our cattle, if not quite from the cradle to the grave, from the cradle to the slaughterhouse. We know where they come from and where they are going. There is a similar system up and running in the Irish Republic.

Mr. Salmond: And in Scotland.

Mr. Ross: Yes. We have a quality assurance scheme that can be built upon. In those circumstances, the danger of beef from a non-beef herd getting into the food chain is minimal.

We also export 80 per cent. of the beef that we produce, and 50 per cent. of our meat goes to continental Europe. I drew the Minister's attention to the fact that recently much of the exported meat was sent back. It was sent back from Holland, where supermarkets had decided to sell beef from Northern Ireland in preference to beef produced in their own country. They would take our beef again tomorrow, but their Government will not let them. That beef is back in Northern Ireland sitting in cold stores, which is appalling. As a result, the freezers are full, and all the beef producers' yards in Northern Ireland are full of cattle.

The cattle are, as we say, eating their heads off and enjoying life very much, when quite a number of them should be on the hook. That reservoir of cattle will get bigger and bigger with every passing week and the cattle

[Mr. Ross]

must be slaughtered because there will not be the feed in the silage pit or in the fields in a month or six weeks' time to keep them. Every practising farmer knows that.

Government support will be needed for the abattoirs and the freezers. It will also be badly needed to move the cattle off the farms in large numbers. Food stocks are dropping fast, which is creating a great difficulty.

We have heard some chat about Northern Ireland having separate status. I noticed in the media some crack about the Ulster Unionist population saying that they wanted all-Irish beef status. That was not true. The only party in Northern Ireland that asked for all-Ireland status was Sinn Fein. Even the SDLP did not particularly want that because it knew that it would annoy its friends in Dublin. It was a pleasure to see someone becoming a Unionist, if only to avoid annoying his friends.

I support the idea of separate regional status for all sorts of things. It was raised earlier at Question Time. We should promote what we can produce well from the various regions. It is too late to do that in this instance; it is not a way out of the present crisis. That would not be acceptable to Europe. All the United Kingdom must sink or swim together. I wish the Minister well in his war with Europe, because a war he is going to have.

In conclusion, I ask the folk of this country to realise that there is no way of having cheap food.

8.52 pm

Dame Elaine Kellett-Bowman (Lancaster): First, I must declare an interest as a farmer, albeit one who, sadly, no longer has stock. I wish I had. As a dairymaid in my youth, I loved stock, and still do.

In all my years in politics, I can recall no more depressing period than the past two weeks concerning the tragedy—I cannot call it less—of BSE and CJD. I have never spent a more depressing morning than last Friday morning at Lancaster auction.

The disaster affects not just farmers but the whole community. The impact of the crisis is so great that the health of the rural economy of substantial parts of Britain, including my own, is in peril. As one of my sensible constituents, Mrs. Gardner of Scorton, put it:

> "The whole country must recognise that farmers, producers, meat processors and abattoir workers are also parents and consumers, and this is *not* an 'us and them' situation and calls for a united front and joint action."

She signed herself:

> "Mother of five children, consumer and farmer, in that order."

How right she is.

Yesterday, I attended the joint meeting of the Select Committees on Health and Agriculture, which interrogated the Secretary of State for Health, the Minister of Agriculture, Fisheries and Food and their most senior and best-qualified advisers on health and veterinary matters as well as representatives of the CJD surveillance unit. As the Secretary of State told the Committee:

> "The best available evidence demonstrates that British beef and beef products can be safely eaten by consumers both here and around the world. The question now is a matter of consumer confidence. It is one thing to have a safe product; it is another to command confidence in the marketplace."

That is very true, and the Prime Minister reiterated those sentiments at Question Time today.

The Government have meticulously followed all the scientific advice given to them, and I share the Minister's view that British beef is perfectly safe. I certainly continue to eat it, as do all my family, who are now old enough to make their own decisions and do not just follow mum's advice.

A remarkably small number of so-called experts have managed thoroughly to alarm people both here and abroad, although they have not taken in some of the country dwellers. As a lady from Pilling put it:

> "It is a lot of media hype",

and as one of my constituents from Garstang put it:

> "It is a lot of twaddle".

I agree, but unfortunately the media hype and twaddle have had a catastrophic affect on the public mind.

I greatly sympathise with the chief medical officer, who said yesterday, rather ruefully, that the risk is extremely low, that there may be no risk at all, and that there is no evidence of a link between BSE and CJD. He went on to say that there are many thousands of scientists here and in the United States, and in other parts of the world, who are conducting research on the matter, but the media interview only three of them. We can all remember who those three are. They make a highly lucrative living by scaring the living daylights out of people, but they flatly refuse to subject their theories to analysis by their scientific peers.

As the Secretary of State for Health said yesterday, the argument moved on on Tuesday. All over the country, the market for beef has collapsed. On Friday, at Lancaster market, just 37 cull cows were put forward as against the usual number of between 150 and 200. Those cows sold were between £100 and £150 down. By Monday, instead of between 150 and 180 beef animals being traded, just five went to market, of which four were sold and the other had to be taken home. It is imperative that action is taken to reverse that collapse. Farmers cannot hold their beef animals beyond their proper maturity or they will run to fat and be downgraded. Apart from that, after a dry summer, the farmers do not have the fodder to do so.

The aim must be to restore confidence in the least wasteful way. It would be criminal, in a world short of food, to advocate a wholesale slaughter policy. However, cull cows from the dairy herd and old cows from the beef suckler herd, which have passed their useful breeding life, and are presented for slaughter, could be removed from the food chain and incinerated. I dread, however, the uproar that will ensue when the burning starts, because existing incinerators will be quite unable to cope with the influx of animals. I am old enough to remember the 1954 foot and mouth outbreak, when one could smell a herd that had been destroyed for many, many miles.

Proper compensation must be paid, and we are fully entitled to demand that the European Community, which aggravated the panic by its ban, should bear half the costs. Those measures should restore confidence, but the next meeting of the European Union vets should be brought forward from the proposed six weeks to two to reconsider that ban.

How do we gauge that confidence has been restored? As one of my colleagues half-jokingly observed last night: "If McDonald's think the measures are adequate, and resume their policy of buying British beef, the British public will follow suit."

I rather think he has a point. People who are—in my mind mistakenly—turning to foreign beef, should remember that others feed to their animals some very odd growth promoters and other things, which could well damage their health. They will stay a lot healthier if they stick to British beef.

8.57 pm

Mr. Colin Pickthall (West Lancashire): I begin by quoting from a letter that I received this afternoon from James Aspinall, a farmer in my constituency:

"I am an arable and beef farmer who farms at Gt. Altcar in West Lancashire.

Could you please ask this Douglas Hogg"—

the House will understand that I am quoting—

"why he has not put some confidence into the beef industry and ordered the slaughter of these old milk cows which can carry BSE?"

I hope that what the Minister said tonight will reassure him somewhat on that. He continued:

"I have never had BSE on my farm and feel I am being victimised with the total collapse of price at auction markets. I feel abandoned by the Government."

The two strands of the BSE problem run side by side: the scientific evidence—uncertain in some areas—of the transmission or otherwise of BSE, including its relationship to CJD, and the public perception of the risk and the reaction of the media and of Europe. Unfortunately, the two strands cannot be separated, much as the Government, and perhaps all hon. Members, would wish that all decisions on BSE were taken on scientific grounds alone.

The Minister said in opening the debate that measures may have to be taken that go beyond scientific evidence, confirming the National Consumer Council's briefing that said that it has always argued that the Government should follow the precautionary principle and take all necessary measures to protect public health. Such an approach involved taking precautionary measures "beyond available scientific evidence".

The difficulty we face has been compounded by the peculiar way in which the Government have dealt with the announcements in the past week and a half. To announce last week that a different strain of CJD had been identified caused a public panic about beef. It was followed by a weekend hugger-mugger of the relevant scientists to discuss the issue—the public knowing full well that the scientists had been working on the issue for a decade.

Over the weekend, the Minister talked on television—rightly—of not ruling out anything, including mass slaughter. Within a week, the Secretary of State for Health had announced that everything seemed to be okay as far as the scientists were concerned. While I commend Ministers on their openness with the House in the past week or so, I must say that no tactic could have been better devised to inflate public concern than the way in which the matter has been handled.

The public alarm is totally understandable. It is no use Conservative Members blaming the press, the Labour party or whomever they can find—apart from themselves—as the Prime Minister did today. Nor is it at all surprising that our European partners reacted with similar alarm to that of the British people—I would have been surprised if they had not. Had the situation been reversed, I can easily imagine the delight with which some Conservative Members would have rushed to demand a boycott and, in some senses, they have been doing that this evening. The vilification of European beef—justified or otherwise—would simply result in people in this country not eating beef at all, whether it was British, Belgian or whatever.

In common with most hon. Members, I am not a scientist. It is therefore fairly simple for the Government to tell me, and all of us, that we must rely on scientific information. Unfortunately, not all the scientists agree. Those who have been sounding alarms for many years about BSE have been brushed to one side, branded as bonkers and—in one case, at least—sacked. The Government must realise that, although they rightly have confidence in the scientists on SEAC to whom they listen, the public also listen to scientists who differ—even when their views might be apocalyptic.

Many people in this country suspect science and scientists—even more, they suspect Government. They fear cover-ups and vested interests that appear at times to control public policy-making. When the public hear hon. Members declaring loudly that British beef is totally safe or that British beef is the best in the world because they have tried beef from all other countries, or when they hear hon. Members declaring that they will eat more beef—as the hon. Member for Congleton (Mrs. Winterton) has recently done—metaphorically, they count the spoons.

Comparisons of risk with road accidents or smoking are interesting, but totally irrelevant. There is something creepily awful about suspecting the food one eats, and suspecting that it might contain a poison that one cannot see. We are talking not about consequences amounting to something like flu, but about an incurable fatal disease.

Numerous questions must be addressed, and some have been by the Minister this evening. My hon. Friend the Member for Edinburgh, East (Dr. Strang) detailed the errors of the past. I will not go through them again, but there are questions to be asked. Why did the Government reject the recommendations of the Tyrrel committee and of the Select Committee in 1990 that there should be random checks of animals at slaughter? That has been raised before this evening, and it seems to be the most obvious and simple thing that should have been done.

A distinguished farmer in my constituency, Jim Heyes from Mossborourgh farm, wrote:

"As all brains etc are removed from carcasses are they tested for BSE before disposal? . . . If not why not?"

That is a good question. He added:

"Cattle which die on the farm are normally sent to the knacker. Are brains etc removed from these carcasses?"

I do not know the answer to that. Why has the regime in slaughterhouses been so lax that, last September, 48 per cent. of them were failing to handle SBOs correctly? What work has been done into the possible consequences of that for public health? Why was Haresh Nareng's proposed test for BSE in live animals not thoroughly tried out, instead of being pushed on one side? Why has there never been any testing of slurry-treated land where BSE has been found?

The joint Select Committee was told yesterday that scientists were not sure about the zero risk of BSE in muscle and that it might be one in a million. We have to remember that we have a population of more than 50 million, so that is a substantial increase in risk.

Why do we not know the reason for the incidence of CJD being much higher among dairy farmers, not merely in this country but abroad? Why were we told that

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mechanically recovered meat was banned in December, when it was only the mechanically recovered meat from the spinal cord? Why do we not know whether infected animals—or how many—were passed into the food chain during the period of the 50 per cent. compensation? Why do we not know whether infected animals were buried during those years in the late 1980s? Why have the questions of my hon. Friend the Member for Workington (Mr. Campbell–Savours) about possible cross-infection in the mid-1990s not been answered? Perhaps they cannot be.

Those matters and many others—most vitally perhaps the fact that there is still uncertainty about transmissibility between mother and offspring—are all lodged in the public mind, and reassurance on statistical grounds will not suffice. Clearly, putting the consumers' worries to rest is not going to be easy. Distrust of beef products will probably remain as a folk memory for a long time. In restoring some confidence, so that the industry can survive and rebuild, I do not believe that the Government can overreact. The proposals for slaughter suggested by the National Farmers Union and the Country Landowners Association seem to be a minimum that would start the process of rebuilding.

The regime at slaughterhouses and on farms must be draconian, and must be seen to be so. My hon. Friend the Member for Edinburgh, East proposed a quality assurance scheme. The situation is so desperate that that must not only be the case, but we must not put aside the idea of creating a statutory beef regime to ensure that all the power of Parliament is seen to be behind that quality assurance. The public must be clearly informed about the presence of bovine products in other foodstuffs. Many of us have been astonished, however well up we might be on these matters, to find out how extensive is the use of such products, which are in all sorts of things, such as sweets and biscuits.

The penalties for ignoring or flouting the regulations must be seen by the public to be harsh and effective. Moreover, whatever action is taken, it must be taken swiftly. Every day that passes means more jobs, more confidence and more exports lost and that may lose us the co-operation and support of the European Commission, which we seem to be starting to enjoy.

There is an awful lot to learn from this episode about the wider concerns of the public—

Madam Deputy Speaker (Dame Janet Fookes): Order. I call the hon. Member for Ryedale (Mr. Greenway).

9.7 pm

Mr. John Greenway (Ryedale): One of the greatest strengths of our parliamentary system, certainly in so far as it applies to the House, is the relationship that all hon. Members enjoy with our constituencies. I dare say that every hon. Member is proud of the constituency that he or she represents. In this past nine years, I have certainly been proud to represent Ryedale and I have good cause for that pride, because those who have been to North Yorkshire know that it is one of the jewels of our countryside.

Much of my interest and concern in the affairs of Ryedale has focused in those nine years on the fortunes, welfare and interests of the agricultural community. Were any of that community able to speak in this Chamber tonight, they would want to say that the crisis that they are facing is unprecedented in their memory and, I suspect, that of their parents and grandparents, who have farmed the land for generations. Therefore, it is time for us to stop a lot of the party political bickering that has marred debate on this matter in the past seven or eight days. The electorate will be able to judge that in due course. Now we must concentrate on what measures we can take to stem the prospect of a complete collapse of the interests of many farms and other businesses that are dependent upon agriculture.

Sir Patrick Cormack: Whole communities.

Mr. Greenway: As my hon. Friend says, whole communities could be devastated.

We face the prospect of a grotesque obscenity. It is grotesque because we are likely to have to spend hundreds of millions of pounds, perhaps more than £1 billion a year, to put things right—and for what? To destroy cattle, livestock, meat and meat products that are entirely wholesome—some of the highest-quality produce anywhere in the world. We shall spend money that, whatever our views on the Budget and the need to contain public expenditure, we could have spent on the health service, education and social services.

The purpose of the debate is to ask ourselves what can and should be done to ensure that we do not suffer the catastrophe that many of us think may occur. It is abundantly clear that, while the Government have rightly followed all the scientific advice that they have received, and have done so speedily on virtually every occasion, more action that goes beyond the science is needed.

Other hon. Members have mentioned what they have discovered at their markets. Last Friday, I discovered at one of my local markets in Malton a unanimous view that, above all else, we must differentiate in the public's mind between clean beef and cow beef. Beyond peradventure, that must be the most important way to begin the difficult job of rebuilding consumer confidence.

The housewife and the consumer want to know that the meat or other beef product that they are buying or consuming in restaurants, canteens, schools and factories has come from an animal that could not have had BSE. It is difficult for us to give that guarantee, but it is much more easily given if we take cow beef out of the food chain. For that reason, I strongly support the proposals of the National Farmers Union. My right hon. and learned Friend the Minister of Agriculture, knows that, for almost a week, I have advocated that. I know how seriously he is considering it. The Country Landowners Association has also supported it.

The question is whether that proposal will work. It is no good us being convinced that it is a sensible proposition; we have to judge the expenditure on the likelihood of its success. Will it make any difference to the European Union veterinary committee? It clearly must, because there can be no real basis for the ban that has been placed on British beef and beef products against the advice of its own veterinary scientists. Will the supermarkets support the proposal? I believe that they

will. Will McDonald's and the other fast food restaurants support the move? I believe that they should. Will schools lift their bans on beef? I am sad that North Yorkshire has also succumbed and taken that ridiculous measure. Will the consumer generally be reassured? Those are the issues that Ministers have to judge. That is the objective.

It is very easy for hon. Members and for the general public to say, "Here is an easy way of resolving the problem." However, it will not be an easy solution unless the organisations agree with our decision. It may take more than tomorrow's meeting to reach agreement—I am sure that my right hon. and learned Friend knows that—in which case we must decide what we will do to support the market in the immediate future.

I intervened during my right hon. and learned Friend's speech to ask whether all cattle would be available for intervention. He replied that the cull-cow beef that we want to remove from the food chain may not be available for intervention. I am grateful for his comment that other support may be available in that case. Under our system of intervention, all the intervention boxes are not available to United Kingdom producers. Some cattle—whether they are premium cattle or those that weigh too much—are not allowed through the intervention system. They must be available for intervention as a matter of urgency.

If the European Union ban is not lifted, we shall not be able to export livestock, not just beef and beef products, to Europe. It will be utterly grotesque if veal calves are slaughtered at a cost of more than £100 each, the trade in veal calves is stopped and many businesses are ruined by that ridiculous measure.

I do not for one moment underestimate the difficulty that my right hon. and learned Friend faces in Brussels tomorrow—and I do not think that any hon. Member should do so. I hope that my right hon. and learned Friend will travel to Brussels knowing that he has the support of all hon. Members, as well as that of the farming and rural communities, in securing the results that he needs in order to restore confidence in the British beef industry.

9.16 pm

Mr. Alex Salmond (Banff and Buchan): As I came into the Chamber this evening, I learned that Cornhill and Maud—two of the historic marts in the north-east of Scotland—closed today and are never to reopen, regardless of the state of the industry. Buchan Meat, another famous name in the industry, was closed in January. Following a vigourous community campaign, we attracted a buyer, and it was due to reopen last Monday. That reopening has now been postponed for days, weeks or months—who knows? I am aware that such events are occurring not only in Scotland but in the rural communities of Northern Ireland, Wales and England. However, the north-east of Scotland is one of the heartlands of the beef industry.

The train of events is affecting farmers, processors at the marts, factory workers and butchers. It is not simply a question of compensating companies: individuals need compensation, too. Individual workers—not just individual farmers—are losing their jobs. I hope that, in summing up, the Secretary of State for Health will mention compensation for rural communities as well as for individual enterprises.

Earlier today I likened our present situation to a blocked drain. That is the reality: unless the meat can be shifted from the abattoirs, those who finish the cattle cannot sell them for slaughter and they cannot buy the stores of the hillmen who have nourished the cattle through the long winter months. The drain must be unblocked—and quickly.

It has been said this evening that we should not refer to the past too much. I shall put one idea to the House. There may be a small premium in apportioning blame, but a significant problem of feed contamination in the dairy industry, which was identified 10 years ago, has turned into a black hole that threatens to envelop the whole of the beef industry. That hardly represents a wise carrying through of official policy. The Government say that we should not be wise after the event, but they are foolish after the event. They still do not think that they have done anything wrong during the past 10 years. That is folly. A bit more humility would come well from Ministers.

We are told that Europe is to blame—that the French have done us down. I ask hon. Members to consider what would have happened if the French Agriculture Minister had said in the Assembly of the Republic, "We have a problem with our poultry industry. It is a small risk, of course, but some people have unfortunately died." The very Members of the House who blame the French would be blockading Dover to keep out French chickens, and they know it.

What policy prescription do they advocate? That we should withdraw from the European Union. Would that make the European Union buy British beef? Would that advocacy be successful? What nonsense. The responsibility for the BSE outbreak and its repercussions, not only in what foreign Governments are doing but in what the domestic public are doing, lies much closer to home than Brussels, Paris or Bonn.

Four things must be done now to stabilise the position. First, we need tough measures to enforce the regulations that have been made. The Minister of Agriculture, Fisheries and Food says that that is a problem of the past, but it is a problem of the very recent past indeed. There is a credibility problem with regard to the enforcement of regulations. I hope that we shall hear something from the Minister later about stiffer sentencing. People who break those regulations are jeopardising the livelihoods of thousands of people, and not paltry fines but gaol sentences are required.

Secondly, a selective slaughter policy should be agreed with the European Commission, to provide the basis for reopening markets at home and stabilising consumer confidence in this country. The NFU has proposed, not a compulsory cull, as I understand it, but a 30-month restriction, and after that, when animals come to the end of their useful lives, they will not go into the human food chain. There is an important distinction. I am not sure that all hon. Members fully appreciated that. If we go for a compulsory cull—which I think will be necessary for certain categories of animals—let us concentrate on the BSE-infected herds, the animals at risk, and not carry out a global cull, which will satisfy no one and will not even have the public relations value that some people advocate for it.

Thirdly, Scottish beef must be marketed as a quality product, which can be guaranteed BSE-free. I have a letter here from Professor Hugh Pennington, whom many hon. Members will know as a professor of medical microbiology at Aberdeen university, an expert in the field that we are discussing. Looking at the low incidence of BSE in Scotland, perhaps one sixth of the incidence elsewhere, cow for cow, he says:

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"Second, Scottish Quality Beef can be traced back to BSE-free herds. From the scientific point of view it would be irrational to rate the health risk from consuming this beef as higher than that run from consuming beef from any other country that had reported BSE in its own cattle—a risk that is currently considered to be negligible."

There are quality assurance schemes in Northern Ireland and Scotland, there may be some in England and I understand that a small one has started in Wales. If the Ministers do not succeed in lifting the global ban, we must get beef that is traceable as quality assured on to European markets, to try to unblock the system.

Fourthly, the Government must take global intervention measures to unblock the system. We heard some encouraging things in the Minister's opening speech, but without widespread intervention buying, the market will not recover. If the market does not recover, even if consumer confidence is restored quickly, the processors, slaughterhouses and farmers will no longer be there, because they will be redundant or out of business. Measures must be taken quickly.

I have undertaken to shorten my speech to allow others time to speak. I say finally that the Government must take action quickly, or the industry will not be there when consumer confidence returns.

9.23 pm

Sir Jim Spicer (West Dorset): I have undertaken to speak for five minutes or less, and I shall do just that.

When I farmed in Dorset, 15 or 20 years ago, I had a pedigree herd of Galloways and I then had to move across—single suckling—to a cross-bred herd. If I had been farming today, this would have been one of the most desolate days of my life. All I would say to my right hon. and learned Friend the Minister of Agriculture and my right hon. Friend the Secretary of State for Health is that, whatever measures we take to help the farming industry, for God's sake let us get on with it and give help quickly, because help is desperately needed now.

Yesterday, there was a joint meeting of the Health and Agriculture Select Committees. My hon. Friend the Member for Weston-super-Mare (Sir J. Wiggin) asked Professor Pattison:

"Would you not agree that the likelihood of BSE infected food appearing on the dinner plate is as near zero as is humanly possible?"

Professor Pattison's response was:

"I believe that is now the case."

That was not reported in the press this morning—it does not suit them to report the facts, which would have restored some confidence. If we were dealing with a rational response to such a statement, there would be no major cause for concern, and consumers—both in this country and in Europe—would be happily eating beef as a matter of course.

Sadly, we all know that in this case, the media, the Opposition and our so-called fellow members of the European Union seem to have had one aim: to stir up public fears and—in the case of the European Union—to serve their own interests, at whatever cost to our industry. We now have to face up to that lack of confidence. There is no doubt that major resources will need to be deployed and that many thousands of cows may have to be slaughtered in an attempt to restore public confidence.

I shall say a word to those who have helped to undermine that confidence. The hon. Member for Peckham (Ms Harman) has her reasons for what she has done over the past week—and I hope that she will live to regret it. We all accepted and enjoyed hearing what the leader of the Liberal Democrats has said over the past two or three days, but I wish that he had taken the same line when he was making broadcasts earlier this week and last week—his tone was quite different. I ask the Liberal Democrats to exert some influence on the leader of Dorset county council, to make certain that he does not go around undermining confidence in our beef.

The cost of the measures that we shall have to implement may be high, but it is worth bearing it in mind that, between 1979 and 1995, Government social and reconstruction grants to British Coal totalled over £6 billion. At that time, the coal industry was in decline. However, our farming industry has a future, provided that we take the steps now to reassure our farming community and to restore confidence.

It is vital that the European market is reopened as soon as possible. The total value of beef products in this country at £2.5 billion, and over £500 million goes in exports. If we do not get that market back, we shall be in serious trouble. The Government have to listen to reason and they have to do something about it.

BSE has been in rapid decline in this country and, in large measure, that is because of the actions taken in 1989. We must all hope that that downward trend continues and that within two or three years the present catastrophic situation will, in part, have been righted. The banks should help—they must stand by the industry and, if need be, my right hon. Friend the Prime Minister should write to all the clearing banks.

Next Friday—5 April—the Dorset National Farmers Union will have a meeting. It has invited all Members of Parliament, all candidates, all county councillors, all district councillors and all parish councillors. At that meeting, we must be united and have only one aim: to restore confidence in Dorset beef and food products and, through that, in the rest of the country.

9.28 pm

Mr. Jimmy Hood (Clydesdale): I thank the hon. Members who have cut their speeches short to allow me the opportunity to say something on this important subject.

I come from a good Labour constituency in the central belt of Scotland. Hon. Members seem to forget that I have one of the largest rural constituencies in the House—over 550 square miles. The Lanarkshire area secretary of the National Farmers Union told me that he has 400 members in my constituency. Therefore, I have a considerable interest in this very important subject. Obviously, I understand the plight of the farmers, but we should not lose sight of the fact that hundreds of thousands of other livelihoods are under threat. Particularly in rural constituencies such as Clydesdale, many small businesses, including family butchers and corner shops, depend considerably on a thriving rural economy and a vibrant agricultural industry.

Last weekend, I found myself appealing to my constituents to calm their response to the understandable hysteria that followed last week's announcement.

In asking them to be calm, however, I could not put my hand on my heart and advise them to eat beef after the statements in the House a few days previously.

In Scotland, we have excellent beef. I did not get where I am today without being a specific supporter. In Scotland, we have the best steak pies anywhere. I have had one or two steak pies in my time. I had one last weekend and I shall have another this weekend.

I am not trying to score political points, but, like my hon. Friend the Member for Edinburgh, East (Dr. Strang), I was disappointed and somewhat surprised when I listened to the Prime Minister today. I understand that the Prime Minister has problems and pressures, as we all do. He probably has more than most, but his reaction today went over the scale and made no contribution whatever to addressing a great problem. I do not say that in a political way, but if the Prime Minister watches the tape of today's Question Time, he may regret his response to my right hon. Friend the Leader of the Opposition.

There seems to be a certain attitude abroad within the Government. We have had scepticism and Thatcherism—now we have "not me-ism". Whenever there is a problem, the Government take the same view. They say, "It is not us," and somebody else is always to blame. Our constituents expect the Government to take responsibility. That is what the Government and Ministers are about, so when they start bobbing and weaving to escape that responsibility, politicians lose the public confidence. That loss of confidence affects not just particular Ministers, but the whole political system. It is difficult for us as politicians to address a fall in confidence when the public see politicians refusing to accept the responsibility that they accepted in the past.

We can talk about presenting a united front in our approach to the problem. I can well understand that, but the Secretary of State for Health let the genie out of the bottle last week. It would have been better had he considered talking to consumer associations, industry, traders and Opposition parties first. Some cross-party views might have helped to reduce the hysteria.

The statement let the genie out of the bottle, and over the weekend the Minister of Agriculture, Fisheries and Food suggested the possibility of selective culling. Then we were told that the Chancellor of the Exchequer came back from South Africa to veto any such proposal. I do not have to remind the House that that was followed by the ban by McDonald's, British Airways and schools, which was no help at all.

Some colleagues blame Europe for the problem. Today, the hon. Member for Northampton, North (Mr. Marlow) said that the Commission had acted illegally. As Chairman of the Select Committee on European Legislation, I can tell the House that the Commission did not act illegally: it acted quite properly under the treaties. That has been demonstrated quite clearly to our Select Committee this week. It is a fact, not a matter of conjecture.

Now we need to rally round and try to pull back from this disaster. As my hon. Friend the Member for Edinburgh, East said, we are not going to nit-pick about the Minister's proposals. I hope that they will do enough to rebuild confidence in British beef. I agree with hon. Members on both sides about British beef; in particular, Scottish beef is the best one can find anywhere. Wherever I am in the world, if I am offered Scottish beef, I am delighted to eat it.

Let us refrain from throwing brickbats and claiming that the Opposition parties caused the whole problem. If the Government had accepted responsibility from the beginning and had consulted the industry and Opposition parties, we might have been in a better position today. If, in the interests of unity, the Opposition had supported the statement by the Secretary of State for Health last Monday, where would we be today? It was only by objecting to what he said that we brought about some movement towards solving the problem. I hope that what we have heard today will begin to solve it, but the Government cannot escape their responsibility for the issue.

9.36 pm

Ms Harriet Harman (Peckham): The debate in the House tonight and the wider debate in the country has been prompted by the discovery of 10 cases of what has been identified as a new form of CJD, which is an horrific disease, always fatal. This new strain of the disease has a new neuropathology. Hitherto it has been thought unique to this country, although I understand that it has been announced today that there may be a case with the same neuropathology in France.

This disease strikes young people, unlike the form of CJD with which people are more familiar. The average age of the 10 victims is 27.

We are told by the Secretary of State for Health that the most probable cause of the disease in these 10 people was eating contaminated beef, most probably before 1989. We well understand the full horror of the disease, but scientists are still attempting to understand more about it. I acknowledge the work of the independent advisory committee, SEAC, which has tried hard to marshal and to understand the scientific evidence, but as my hon. Friend the Member for West Lancashire (Mr. Pickthall) made clear, the problem remains that more questions have still to be answered than can be answered by the scientists.

The scientists cannot tell us with any certainty whether these 10 cases will be the first and last, or whether there will be 100 cases or 10,000 cases. The issue is full of uncertainty and must be kept under review. In particular, I ask the Secretary of State for Health to ensure that the scientists keep the susceptibility of children under review, especially those with underdeveloped immune systems—children under three. Public health must be the Government's first concern.

To take the necessary action, there must be an understanding of the roots of the crisis which has been caused by confidence in the safety of British beef first having hung by a thread and then having collapsed.

From the time that BSE was discovered, the Government asserted that mad cow disease could not be transmitted to humans and cause brain disease. On 7 June 1990, the then Minister of Agriculture, said:

"the clear scientific evidence is that British beef is perfectly safe."—[*Official Report*, 7 June 1990; Vol. 173, c. 906.]

That was followed up by the Minister inviting the world to watch him feed his daughter beefburgers, thereby implying certainty, when, as my hon. Friend the Member for Clydesdale (Mr. Hood) said, there was no certainty, and concern and doubt were growing.

The problem is that trust in the Government collapsed when, having made categorical assurances for all those years, the Secretary of State for Health had to come to

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the House and announce, in the words of the Spongiform Encephalopathy Advisory Committee, that the most likely explanation at present was that these new CJD cases were linked to exposure to BSE.

Of course it is true that scientific opinion on BSE and Creuzfeldt-Jakob disease has developed considerably over the years, but as new developments have emerged the balance of scientific opinion has changed. Against the background of that growing uncertainty, the problem remained that the Government continued to argue with certainty that there was no link between BSE and CJD. It is that belief in certainty when there was none that contributed to the delay and inaction and which has now led to a crisis in public confidence.

In the debate, hon. Members set out their concerns about Government delays and the failure to regulate. The only way forward is to make beef safer and to restore consumers' confidence. That is also important for the livelihood of all those who work in the meat industry. There must be a common agreement between consumers, producers and retailers on the action that must be taken to restore public confidence. I hope that the Government will now admit that that is necessary.

For a week, the Secretary of State for Health insisted that policy must be based on scientific evidence and nothing else. I argued in the House on the Wednesday that the announcement was made and on the following Monday that only tough action that goes beyond the minimal recommendations of the scientists would have any chance of restoring public confidence. It was only yesterday, seven days later, that the Secretary of State for Health came round to agreeing when he told the joint meeting of the Agriculture and Health Select Committees:

"The issue is no longer a question of the safety of British beef. The question now is a matter of consumer confidence."

He said that the Government were considering a wide range of options over and above what was scientifically recommended. But it took seven days for a recognition of that action; seven days in which consumer uncertainty has grown and people in the meat and farming industries have faced uncertainty.

Mr. Edward Garnier (Harborough): Will the hon. Lady tell us what she proposes to do to boost consumer confidence?

Ms Harman: I will. Today we put forward an eight-point package that commands broad agreement among retailers, the hamburger chains, consumer organisations and farmers. The task is to restore public confidence: not simply to jeer at the public. Perhaps the Secretary of State for Health will finally understand the importance of making beef safer in order to restore consumer confidence.

Nobody could fail to have been moved in the past week after hearing about farmers, farm workers, slaughterhouse workers and those in the meat and food industry, seeing the collapse of consumer confidence threatening their livelihoods.

Mr. Hendry: That was helped by the hon. Lady.

Ms Harman: The hon. Gentleman says that it was helped by me, but the writing has been on the wall for many years. Before I said one word on the issue, 10,000 schools, including those in the hon. Gentleman's constituency, had taken beef off the agenda. The Government should have read the writing on the wall instead of just seeking scapegoats.

The awful position faced by farmers, farm workers and people in the meat industry was mentioned by the hon. Members for Newark (Mr. Alexander), for North Cornwall (Mr. Tyler) and for Lancaster (Dame E. Kellett-Bowman) and by my hon. Friend the Member for East Lothian (Mr. Home Robertson). The tragedy is that it has taken the Secretary of State a week to be moved to action to support farmers in the meat industry by rebuilding public confidence in beef safety.

As I said in response to an intervention by the hon. and learned Member for Harborough (Mr. Garnier), public concern about beef had been mounting for some time before last Wednesday. A third of all schools had taken beef off the menu when the Secretary of State for Health was saying that it was perfectly safe, but he did not listen to their concerns. He ignored their worries and, as a result, they could not have confidence in him and could not trust him.

After Wednesday, consumer confidence, which had been hanging by a thread, collapsed.

Mrs. Ann Winterton: I cannot sit here and listen to this for much longer. Will the hon. Lady say whether she believes beef is safe?

Hon. Members: Yes or no?

Ms Harman: Hon. Members shout, "Yes or no?" They should listen to what the scientists have said, which is that there is no certainty in this situation, but I will say that, if the Government take the eight measures that we have proposed, British beef will certainly be safer and consumer confidence more likely. The Consumers Association said that, if people want to take no risk, they should not eat beef.

There has been mounting consumer concern. On Sunday, McDonald's announced that it would no longer put British beef in its burgers. It was swiftly followed by Wimpy, Burger King, British Airways, Virgin Airways, Little Chef and Happy Eater. Even the canteen at the Department of Health has taken British beef off the menu.

As my hon. Friend the Member for West Lancashire said, it is no good blaming the consumer, as the hon. Member for Congleton (Mrs. Winterton) sought to do. Consumers will be assured only if they are given full information and see tough action.

Mrs. Ann Winterton: On a point of order, Madam Deputy Speaker. Is it right that someone should attribute a view to me that has never been expressed in the House? I have never said that the consumer should be blamed. I have made a perfectly clear, straightforward speech. I never said anything of the sort, and the hon. Lady maligns my character.

Madam Deputy Speaker: That may be a point of debate, but it is not a point of order for the occupant of the Chair.

Ms Harman: I will move on to Labour's proposals to make beef safer and to restore consumer confidence. The

first priority must be enforcement of existing rules in slaughterhouses. For many years, people who work in slaughterhouses, represented by the Union of Shop, Distributive and Allied Workers and by the Transport and General Workers Union, have been saying that the standards are not high enough, as my hon. Friend the Member for Preston (Mrs. Wise) said. In autumn last year, unannounced visits by the state veterinary service found that 48 per cent. of slaughterhouses failed to comply with safety regulations. That was reaffirmed yesterday in the Select Committee by John Pattison, chairman of SEAC.

How can the public have confidence that their meat is clean if slaughterhouses are not? As the hon. Member for Banff and Buchan (Mr. Salmond) said, in response to the failing standards in slaughterhouses, there have been no prosecutions for that flagrant breaking of the rules. All that has happened is that slaughterhouse owners have been invited into the Ministry of Agriculture for a cup of tea. Let me tell Ministers that, if McDonald's, Tesco or Sainsbury's find that their slaughterhouses have broken their rules, they do not invite them in for a cup of tea; they take their business away.

We have made other proposals. They include the introduction of a random testing programme for BSE in the brains of cattle going through slaughterhouses, not because those brains are to be eaten—the Prime Minister misunderstood the position—but so that we can trace the incidence of infection with greater accuracy. We are calling for publication by the Government of a full list of all food products that contain bovine material. People cannot choose if they do not know what they are eating. The Secretary of State for Health should help them be able to choose.

We are calling for the banning from human and animal food of all specified bovine offal, including offal from cows under the age of six months. We should look again at the safety of mechanically recovered meat. We should encourage a quality assurance scheme—so that consumers know where their beef comes from—with labelling of products in shops. That point was made by the hon. Member for North Cornwall.

We should be establishing a food standards agency—it would put an end to the sense of conflict in MAFF—which would report to both the Secretary of State for Health and the Minister of Agriculture. We should be guaranteeing the chief medical officer greater independence and the support needed to fulfil that role independently. That would make beef safer; it would restore consumer confidence. Safer food will make for safer jobs in the food industry.

9.50 pm

The Secretary of State for Health (Mr. Stephen Dorrell): The House will have heard the contrast between the speeches by the hon. Member for Peckham (Ms Harman) and her hon. Friend the shadow agriculture spokesman, the Member for Edinburgh, East (Dr. Strang). The House, the country and those whose livelihoods depend on agriculture will have drawn their own conclusions from that contrast. In the 10 minutes that are available to me at the end of this debate, I do not propose to follow the hon. Lady into the political sewers from which she has not emerged since the beginning of the argument.

Every other contributor to the debate has reflected the seriousness of the position facing the country's rural economy. That point was made by my hon. Friend the Member for Hereford (Sir C. Shepherd), who said that there would be universal disappointment in the rural community, and, indeed, among those who enjoy eating beef, at those who have sought to draw party politics into the issue. That point was also made by my hon. Friends the Members for Lancaster (Dame E. Kellett-Bowman) and for West Dorset (Sir J. Spicer), and by the hon. Member for Edinburgh, East, for which I give him full credit.

The House knows the history and is aware that the central finding of SEAC is that provided that the specified offals ban and other regulations are fully enforced—the Government have made it abundantly clear that we are fully committed to the full enforcement of those regulations—beef is, in the words of the SEAC chairman, in common parlance, safe. We heard that from the hon. Member for Edinburgh, East and would have liked to have heard it from the hon. Member for Peckham.

Against that background, the Government were right to identify clearly from the beginning that they faced two priorities. Their first and paramount priority was to ensure that the product on sale to British and foreign consumers was safe. That is a technical question and needs a technical answer. That is why I am quite certain that the Government were right to insist that we must begin dealing with the situation by looking at the science.

The result of that, and of the fact that the Government have adopted such an approach not merely in this latest episode but right through the story of the treatment of BSE, is that we now have in Britain the most intensively regulated beef industry and the best quality assurance for it that one will find in any part of Europe. That is the foundation of our claim for market confidence. We have the best assurance of any country in Europe about the quality of the beef product on sale to consumers in this country and abroad.

It is against that background that I said—the hon. Member for Peckham was right on this at least—at the Select Committee meeting yesterday, which my right hon. and learned Friend the Minister of Agriculture repeated this afternoon, that we now need to move quickly to restore market confidence in the product. I agree with all my hon. Friends who have stressed the need to move quickly.

Mr. William Cash (Stafford): Will my hon. Friend bear in mind the importance of ensuring that the banks help people who are in such dire straits?

Mr. Dorrell: My hon. Friend is right to say that there is a need for support for the entire economic structure of these industries from those who deal with them and from the Government. That is why my right hon. and learned Friend the Minister of Agriculture is going to Brussels tomorrow to make clear the British Government's desire to act to restore market confidence in British beef.

Mr. James Pawsey (Rugby and Kenilworth): Does my right hon. Friend agree that the EU ban on British beef is unfair, unjustified and unwarranted, and that it owes more to commercial considerations than it does to any medical reason?

Mr. Dorrell: My hon. Friend makes a very important point which has been made during the debate by my hon.

[Mr. Dorrell]

Friends the Members for Ludlow (Mr. Gill), for Congleton (Mrs. Winterton) and for Newark (Mr. Alexander), and by others. It is underlined by the wording of the press release put out by Commissioner Fischler, who said:

"the evidence suggests that even should there be a link to BSE and CJD the risk to human health has been eliminated or at worst reduced to a minimal level".

That is why it is the Government's view that the ban is unjustified and why my right hon. and learned Friend the Minister has made it clear that it is an objective of British policy to see that it is removed. That is also why my right hon. and learned Friend has welcomed the fact that in the same press release, Mr. Fischler stresses that the Commission is ready to assist the UK both in terms of support to stabilise the beef market and in terms of further control measures against BSE.

Mr. Salmond: Will the Minister give way?

Mr. Dorrell: My right hon. and learned Friend is going to Brussels to take forward the Government's commitment to discuss measures to support the British beef market. That is a clear commitment and my right hon. Friend will carry it forward tomorrow.

Mr. Salmond: Will the Minister give way?

Mr. Dorrell: I have only another 10 minutes and I have some other important points to make in responding to the debate. [HON. MEMBERS: "Four minutes."] I should have said four minutes. My mathematics is improving as my speech continues.

I have asked representatives of the British food retailing industry to come to the Department of Health tomorrow. Thus while my right hon. and learned Friend is conducting discussions with the Commission in Brussels which are designed to restore market confidence in the British beef industry, I shall be conducting discussions with food retailers in this country to ensure that we understand clearly the steps that are necessary to restore the confidence that every one of us wants to see restored.

Mr. James Couchman (Gillingham): I congratulate my right hon. Friend on seeing the food retailers. Would he—

Mr. Salmond: On a point of order, Madam Deputy Speaker. Is it in order for the Minister to give way successively to hon. Members who have not been here throughout the debate, but to refuse to give way to hon. Members who have been?

Madam Deputy Speaker: It is entirely at the discretion of the hon. Member who has the Floor whether he gives way or to whom he gives way.

Mr. Couchman: Will my right hon. Friend remember, while he speaks to the retailers, the food manufacturing industry, including the pie factory in my constituency which makes 60 million pies a year—a third of all British frozen pies? Will he remember that such firms also face a crisis?

Mr. Dorrell: My hon. Friend raises a key interest. He has pursued it tirelessly with both my right hon. and learned Friend and me, and I assure him that it will also be represented.

My hon. Friend the Member for Lancaster stressed the importance she places on bringing forward the meeting of European vets planned for six weeks' time. It is an objective of my right hon. and learned Friend in his discussions with the Commission to ensure that we are in a position whereby that meeting can be brought forward.

My right hon. and learned Friend also made it clear to the House in his opening speech that not only are we taking the steps necessary to rebuild the confidence of the beef consumer and reopen the market, but we are introducing in the House measures to support the restructuring of the rendering industry and to introduce a calf slaughter premium. My right hon. and learned Friend has also undertaken to examine other measures necessary to support the rural economy connected with the beef industry.

All those measures were welcomed by the hon. Member for Edinburgh, East, for which I am grateful. The hon. Member for North Cornwall (Mr. Tyler) stressed the importance of research, and I assure him that that emphasis is entirely supported by the Government.

I shall conclude with another point that the hon. Member for North Cornwall made, about the importance of building a national approach to a national problem. If that approach is diluted or upset by the conduct of narrow party political arguments—

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Women in Prison

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Brandreth.]*

10 pm

Dr. Lynne Jones (Birmingham, Selly Oak): This debate was originally due to take place on 6 March, after a scheduled one-and-a-half hour debate on the Education (School Premises) Regulations 1996. However, the motion for that debate was not moved, largely because the Minister responding to the previous debate on community care finished 10 minutes earlier than expected.

It is interesting to speculate why on that occasion the Minister took only eight minutes to reply to a five-hour debate. All I know is that there was considerable media interest in the issue of women in prison, and the feedback that I received suggested that there was considerable nervousness on that day about the spotlight being put on the Prison Service.

My sources say that a relatively quiet period for the women's prison service had been transformed in a matter of days into a crisis because expected places at Eastwood Park, which had suddenly become famous as the "battery hen" prison, did not become available. We shall probably never know whether my debate was deliberately scuppered by the Government, but at least we are now here at a reasonable time of night.

I wanted to give this subject another airing because of the continuing concern about the increase in the female prison population and the conditions in which people are housed. I hope that the Minister of State will be prepared to demonstrate an objective approach to the humanitarian and practical issues concerning female offenders.

The Minister is on record as having said that, as well as punishment, an important role for the Prison Service is the rehabilitation of offenders. I echo her comments on the BBC programme "Question Time" on 29 February, when she said that she needed to make no apology for taking out of circulation people who prey on the general public. I agree that serious and persistent offenders should be gaoled, but I hope that tonight she will acknowledge the fact that the public would be better served if fewer female petty offenders were given custodial sentences. That would give the Prison Service more scope to pursue its work in the rehabilitation of more serious offenders.

I understand that the female prison population this month is about 2,100—an increase of about 40 per cent. over the past two to three years, and more than double the numbers incarcerated 20 years ago, when it was predicted that in future fewer women would be given prison sentences.

The flippancy with which the Home Office has reacted to that huge increase is illustrated by the written answer by the other Minister of State, the right hon. Member for Penrith and The Border (Mr. Maclean), to my question asking about the increase in the number of women sent to prison, and requesting his assessment of the reasons for that increase. He wrote:

"Some 2,952 women were sentenced to immediate custody in 1994, compared with 2,158 in 1992 . . . The reason for the increase . . . is the rise in numbers sentenced to custody by the courts."—[*Official Report*, 20 April 1995; Vol. 258, c. *266.*]

One might expect from that information that we are in the midst of an epidemic of crime committed by women, but the number of convictions for indictable offences has steadily declined from 47,500 in 1987 to 39,500 in 1994. Violent offences have also gone down from a peak in 1989. The figures show not a rising tide of female crime but a greater readiness to imprison women. The result is overcrowding and inhumane treatment, as has been graphically recorded in recent months.

In December, the new chief inspector of prisons, Sir David Ramsbottom, pulled his inspection team out of Holloway. The team included a past governor of that establishment. Sir David reported that prisoners were being locked up 23 hours a day. Prisoner officers complained that they were being forced into acting like 18th-century turnkeys. Conditions were reported as extremely dirty. The Minister of State admitted that she had visited the prison six months previously.

More recently, newspaper reports emerged of "battery hen" cells, measuring 6 ft by 6 ft, or 8 ft by 8 ft—that is debatable—at Eastwood Park, which have been described by zoo managers as conditions that would drive even animals mad. I know that we can take newspaper hyperbole with a pinch of salt, and perhaps prisoners transferring from tatty dormitories at Pucklechurch might consider their brand new cells an improvement. However, is the Minister prepared to defend such conditions, when women might be locked up in their cells for 14 hours a day, and perhaps more, as at Holloway, particularly in view of forthcoming budget cuts?

Can the Minister imagine prisoners on basic regimes allowed free association on only two evenings a week, spending their time lying on their beds, their heads inches from their toilet bowls? Does she find that acceptable? A prison officer has been quoted as saying, "I feel like a concentration camp guard." Although it is acknowledged that about a third of the women moving into Eastwood Park are likely to be mentally ill or suffering from a personality disorder, and many have a history of sexual abuse, the health care centre has only 10 cells for an eventual population of 135 prisoners. It seems appropriate at this point to mention the 1991 Home Office study which showed that 56 per cent. of female sentenced inmates were mentally ill. We surely have to ask ourselves whether those women's experiences in prison are likely to help or to hinder their rehabilitation.

For example, does the indiscriminate use of restraints for prisoners who are sick or vulnerable help? I am sure that the recent furore about the unnecessary shackling of female prisoners in labour will be remembered by the Minister of State for many years to come. Just as that died down, after new guidelines were issued, another story emerged of a woman shackled by two prisoner officers throughout the funeral service for her 10-day-old baby. That woman was obviously not a security risk; she had been allowed to visit her baby in the neonatal intensive care unit at Great Ormond Street hospital without handcuffs or chains. What sort of reign of terror is the Minister presiding over that leads prison staff to abandon all sense of common decency?

The Royal College of Nursing has specifically requested that I raise that issue with the Minister. I hope that she will agree to its call for an urgent review of the use of restraints for female prisoners. It is a tragedy that high-profile escapes of dangerous male prisoners should have resulted in such inhumane treatment of women, who, as an analysis of the prison population shows, are not a danger to society.

[Dr. Lynne Jones]

Of the 2,000-plus female prisoners, only between *260 and 270 have been convicted of crimes of violence.* As many as 35 per cent. of women prisoners are first-time offenders, compared with 12 per cent. of men. Although only 11 per cent. of men convicted of theft are gaoled, the figure for women is 23 per cent.

As I have said, most of the recent increase in the female prison population is attributable, first, to the increase in the numbers of females sent to prison and, secondly, to the more recent trend of imprisoning women with convictions for theft and fraud, many of whom are in multiple debt, have dependent children and would be better and more constructively punished in the community.

Considerable concern has also been expressed at the large number of women fine defaulters who are gaoled, not because they wilfully refuse to pay but because they are poor. Since 1984, gaol for non-payment of fines has increased by 63 per cent. for women, but by only 5 per cent. for men. There is plenty of evidence that magistrates are failing in their duty to use prison only as a last resort, and even to abide by their own guidelines. Research—including that carried out by the Home Office—shows that the overwhelming majority of fine defaulters are people struggling to live on benefits. A dossier of cases compiled by Rona Epstein of Coventry university demonstrates that, despite their poverty, many fine defaulters make considerable efforts to pay off their debts but their cases receive cursory attention in the courts, with many magistrates regarding the application for deductions from benefit as creating too much paperwork.

Home Office figures show that, nationally, only about 2,000 women on income support have fines deducted from benefits. An alternative ostensibly open to magistrates is to impose a money payment supervision order, yet the use of that measure has declined dramatically. Last week, the justices' chief executive from Wolverhampton told me that the probation service was not actioning MPSOs, with the result that this was not an option for the court. Will the Minister take action to put that right? That action must include ensuring that there are adequate resources for the probation service.

As I have mentioned on many occasions in the House, the courts in England and Wales—unlike their counterparts in Scotland—do not have the option of imposing community service for fine defaulters. It is now more than a year since I raised this matter with the Home Secretary, and I was pleased to see the recent publicity revealing a change of heart from his initial dismissive attitude. I hope that the Minister will announce real progress tonight, because there is plenty of evidence that magistrates are out of touch with the realities of life for people on poverty incomes, whose numbers—unfortunately—have increased dramatically in the past decade or so.

Although there are examples of good practice within magistrates courts—I would, for example, commend the South Gloucestershire petty sessional division—magistrates frequently make unreasonable demands for sums of £5 or £10 a week from people whose total income is not much more than £50. But the House should not just take my word for it—hon. Members should listen to a quote from an affidavit from Mrs. P. M. Allen and G. W. Catteral, Esq., magistrates from Wigan, about the case of Debra Fitzmartin:

"Since the last hearing the defendant had paid only a total of £10 resulting in the 21 day term being unaffected. Mr. Rigby then informed the Bench of the contents of Debra Fitzmartin's letter before the Court today. Her written response was to ask the Court to once more grant her a further opportunity to pay, by again postponing the issue of the committal warrant. She had referred once more to her difficulties in making payments due to being a single mother coping with two children, and also that she was now pregnant and experiencing some haemorrhaging resulting in her having to attend her local hospital. She also requested that the arrears outstanding be deducted from her Income Support benefits. Mr. Rigby informed us that case law permitted a committal warrant being issued in a defendants absence provided a means inquiry had previously been held in the presence of the defendant . . . Taking everything that had been stated in open court into consideration, we were advised by the Clerk that we had to decide if there was before us a sufficient change in Debra Fitzmartin's circumstances so as to justify not issuing the committal warrant. We decided that although there had been a slight change in that she was now expecting a third child and experiencing some difficulty in that pregnancy, such did not amount to a sufficient change. We also concluded that to instruct the Local Authority to withdraw today's proceedings and arrange a deduction from her Income Support benefit was inappropriate in all the circumstances."

The magistrates ended up issuing a new warrant, committing Debra Fitzmartin to prison for a term of 21 days. This imprisonment was declared unlawful by the High Court in December 1995.

What troubles me is that no penalty, no inquiry, no retraining or no public censure is imposed on magistrates—there is absolutely nothing. They are carrying on with the same attitudes today.

Take also the case of Ann, a 25-year-old widow, whose husband committed suicide after being made redundant in January 1993. She was living on income support, with two children aged eight and six. She suffers from severe depression and has attempted suicide. At a hearing before Mold magistrates in respect of poll tax arrears, she told the court of her problems. The magistrates imposed a prison sentence of 28 days, suspended on payment of £10 a week. Not surprisingly, she found that difficult to pay, asked for deductions at source from her income support, and believed that £5 a week was being deducted. However, on 10 November 1995, she was arrested and taken to Risley prison, having been told that there had been a hearing in her absence on 3 November at which she had been committed to prison. After spending four days in gaol, she was released on bail and applied for judicial review.

A series of cases have been taken to judicial review, which shows that magistrates are breaching their powers in committing fine defaulters to gaol. Since the abandonment of the system that made magistrates take into account people's income when setting the level of fine, poor people have been expected to pay sums that are completely beyond their means and further exacerbate their already parlous financial circumstances. Despite their poverty, it is amazing that many fine defaulters make considerable efforts to pay off their debts.

Let us consider the example of a woman in Calderdale who, in June last year, was sentenced to 16 days' immediate imprisonment for poll tax default. She is a 40-year-old married woman with four young children—the youngest is one year old. Since the birth of the youngest, she has suffered from a heart condition and

general ill health, and in January 1995 had a stroke which caused paralysis. She was in a wheelchair for five months. She tried to pay off arrears, as ordered by the magistrates, but after making some payments had a stroke and entered hospital. She told the magistrates of her ill health and asked for deductions from her income support, but they committed her to prison immediately.

There is even an example of one woman who was imprisoned for a day at Risley when 74p remained outstanding from a £48 fine for theft. I have here the warrant, which clearly states the amount outstanding as 74p.

Rona Epstein's research, which I drew to the attention of the House more than a year ago, confirms that there are many unlawful committals, for example, of women with debts of less than £200, who have been gaoled for more than the prescribed seven days.

Of course, many of the sentences may be considered to be quite short, which means that, although around a third of prison receptions are for fine defaulters, the prison population of such people at any one time is quite small. Those short sentences should not, however, be dismissed as trivial in terms of their effect on people's lives. They may have devastating effects on the imprisoned debtor and her children.

It is now nearly two years since I introduced a Bill that would have removed the power of magistrates to gaol fine defaulters for culpable neglect. No one would argue against gaol as the ultimate sanction for people who have the money but wilfully refuse to pay, but I hope that I have demonstrated that many fine defaulters, particularly women, do not come into that category.

Our women's prisons are bursting at the seams, not because there are more criminals—their numbers have gone down—but because petty offenders and fine defaulters are increasingly being sent to gaol, where they will come into contact with the drug culture that pervades those institutions. According to Judge Tumim, they go in as shoplifters and come out as drug addicts. Public money is being wasted. It costs more than £500 a week to send someone to gaol and lives are thrown into disarray by the policy.

Magistrates must be given the option of passing non-custodial sentences for fine defaulters. Those who cannot pay simply because they are poor must be offered debt counselling and helped into work. Gaoling should never be the option for people who cannot afford to pay their television licence, and I know that many magistrates agree.

Let us stop sending women petty offenders to gaol and use those institutions to punish and offer effective rehabilitation for persistent and serious offenders, who really are a danger to society. Perish the thought that, at this very moment, the Home Secretary is contemplating building another women's prison. Just a fraction of the money that that would take would work wonders if spent in the community.

10.18 pm

The Minister of State, Home Office (Miss Ann Widdecombe): Although I congratulate the hon. Member for Birmingham, Selly Oak (Dr. Jones) on obtaining this debate on what should be an important subject, it was marred by her introduction and some considerable factual errors. She suggested that somehow there had been a deliberate plot to prevent her from having this debate earlier; so great was the national interest in the debate, that we had deliberately frustrated not only her previous debate but the one before and the one before that—all to prevent her from delivering a 15-minute speech. I find that unlikely, but the truth should be put on record.

The Labour Front-Bench spokesmen were not present to move their motions as they should have been, and the business of the House collapsed. I was most disappointed, because I could not respond to the hon. Lady. She said that I had visited Holloway six months before the inspection. That is amazing. I certainly would not have any locus to do so, because I was not in this office six months before the inspection. Eastwood Park opened not late but on time. The increase in the number of women prisoners is not, as I think I heard her say, 40 per cent. but 21 per cent.

I object most of all to the hon. Lady saying that I wished to avoid the spotlight falling on the Prison Service. Not at all; I welcome any opportunity for the spotlight to fall on the Prison Service and on its achievements, and especially on its achievements in the three years since it became an agency. I start my reply by again paying tribute to the amazing achievements of both management and staff in the Prison Service.

Since the Prison Service became an agency in 1993, it has had to cope with a sustained increase in the prison population. As of today, that increase stands at 24.3 per cent. Despite those pressures, by the end of December 1995, escapes were down 83 per cent. compared with the December 1992 figure. When I spoke in the House on 24 January, I reported that 96 per cent. of prisoners had 24-hour access to sanitation, compared with only 70 per cent. in March 1992. I take pleasure in telling the House that that figure has risen to 99 per cent. and will be 100 per cent. by the end of next month.

Dr. Lynne Jones: Although I commend the achievement of having sanitation in cells, I have visited Winson Green, which admittedly is not a women's prison, where I found the facilities somewhat objectionable. As I said, toilet bowls are close to beds and prisoners often have to sit next to a lavatory, which they sometimes share with another prisoner, and eat their food. That is not a high standard as we approach the 21st century.

Miss Widdecombe: It is a considerable improvement on slopping out, which in-cell sanitation has replaced. If I have time, I will return to prisoners sleeping with their heads up against lavatories. That allegation was levelled at Eastwood Park. That is untrue, because there is a screen.

I was talking about the achievements of the Prison Service, and before I reply to the main points that the hon. Lady made about Eastwood Park, the shackling of the lady who attended her baby's funeral and fine defaulters, I want to finish my remarks on the Prison Service. The hon. Lady rightly agreed with my statement on security and rehabilitation. It is worth recording that the service provides almost 300,000 more hours of purposeful activity for prisoners than when it first became an agency. That has been done while the number of prisoners spending more than 12 hours out of cell has risen from 10,400 to 18,700.

[Miss Widdecombe]

In keeping with the Prison Service goal to prepare prisoners for their return to the community, which the hon. Lady rightly said was an important goal, provision is being made for national vocational qualifications to be achieved during sentence so that prisoners have tradeable skills in the outside labour market. To the end of December 1995, prisoners had accrued between them 12,447 accredited units. In the past few years, the Prison Service has developed some excellent offending behaviour programmes and we are very confident of their quality and their worth. Although I would like to go on praising the Prison Service, I must turn to the main points that the hon. Lady raised.

First, I must comment on Eastwood Park—particularly as my right hon. Friend the Member for Northavon (Sir J. Cope) is interested in the subject. I believe that Eastwood Park is located in his constituency, and I am grateful for his presence in the Chamber tonight. The cells at Eastwood Park are exceptionally well laid out. There are screens for the toilet and for the sink. The door opens to a full 90-degree angle and the cells measure 8 ft 9 in by 6 ft 2½ in. They do not hold people for 22 hours a day, as a newspaper article alleged. The cells are bedroom cells and prisons will be out of their cells from 8.30 am and will not return to them until 7.45 pm, with just two 15-minute periods per day when there is a roll call.

The very smallest cells in the prison are below the recommended standard by only 4 in on either side. Some cells in the prison are well above the average and there are segregation facilities and good hospital care facilities. Prisoners at Eastwood Park have moved from a prison where they spent far more time in their cells. At present, no one at Eastwood Park was imprisoned for non-payment of fines. The chief inspector of prisons has conducted an unplanned spot check of Eastwood Park and his report will be published shortly. I do not expect it to be in the same lurid terms as the hon. Lady's description.

Sir John Cope (Northavon): I apologise for interrupting my hon. Friend. I have visited the prison in my constituency and I visited the facility when it was a young offenders centre. The old Pucklechurch prison was also located in my constituency and the new prison is a great improvement on that facility. It is very unfair to judge the regime at Eastwood Park in the first three weeks of its operation before it is working properly. Of course it has teething problems, but it will be a much better prison than Pucklechurch.

Miss Widdecombe: There is no doubt that it is a vast improvement on Pucklechurch. Teething problems in a newly opened prison are not exactly unusual.

I turn now to the case of the lady who was shackled while attending her baby's funeral. The hon. Lady said as a matter of fact—with amazing confidence—that the lady was not a risk. However, she failed a risk assessment which was carried out before her attendance at the funeral because of

"her attitude, behaviour and aggressive state together with an alleged assault on a member of Prison Service staff during a previous escort".

Therefore, she was considered

"too great a risk to attend the funeral without handcuffs".

It is true that the lady was not handcuffed during her visits to her baby while the baby was in hospital. That is because the room in which the baby was kept was secure: it is not because she was considered fit to be in public without restraints. It is essential that, when prison officers and governors are criticised—that is what it comes down to—we get the story absolutely right.

I turn now to the other points raised by the hon. Lady. She did not leave me a full quarter of an hour in which to reply, so if I run out of time I shall endeavour to respond to her in writing regarding the issues that I do not cover.

Mr. George Howarth (Knowsley, North): It is her debate.

Miss Widdecombe: That is true: the hon. Lady could have left me only one minute in which to respond—or no time at all. I am merely explaining why I shall not be able to cover all the points that she raised. It is merely a courtesy—I do not think that the hon. Gentleman has recognised that fact.

We must be clear about the types of crime for which women are held in prison under sentence—that subject formed quite a significant part of the hon. Lady's speech. Provisional figures show that one third of sentenced female prisoners held in prison in mid-1995 had been convicted of a primary offence of a violent or sexual nature or an offence of robbery or of burglary. More than one quarter were held for a drug-related offence, with one fifth held for theft or handling and 7 per cent. held for fraud or forgery. At the same time, 26 females were held in prison for non-payment of fines.

Dr. Lynne Jones: Have those percentages increased at the same time as the prison population has increased, bearing it in mind that the number of crimes has decreased?

Miss Widdecombe: I am citing the latest figures that we have: I would not give the hon. Lady selective figures. I do not have comprehensive figures beyond those, so I cannot answer the hon. Lady's question precisely. However, I shall look into the matter and, if I can later respond later, I shall certainly do so.

The hon. Lady also expressed concern—I think reasonably—about imprisonment for fine default. She will be aware that my right hon. and learned Friend the Home Secretary recently announced a review of the powers and procedures available to the courts to ensure that they can enforce the payment of fines without resorting to imprisonment, save in the most exceptional circumstances. I am sure that that undertaking meets the spirit of the hon. Lady's speech.

I believe that the Prison Service gets a very unfair press and that individual incidents are blown out of all proportion. The day-to-day work done in both our male and our female prisons is impressive and extremely hard and it is carried out in the most difficult circumstances. I have pleasure in paying a tribute that is so noticeably lacking from the Opposition.

Question put and agreed to.

Adjourned accordingly at half-past Ten o'clock.

House of Commons

Friday 29 March 1996

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Trading Schemes Bill

Not amended (in the Standing Committee), considered. Order for Third Reading read.

9.34 am

Sir Nicholas Scott (Chelsea): I beg to move, That the Bill be now read the Third time.

Some get-rich-quick schemes operate on the same basis as chain letters, with each member recruiting further members. Members pay out large sums in the expectation of a high return. Those payments are nearly always based on unrealistic forecasts of earnings from recruitment. The forecasts are derived from what I described during an earlier stage of the Bill's consideration as the principle of geometric progression, leading to theoretical levels of recruitment reward which, in reality, are impossible to achieve.

The House will recall from Second Reading that the intention behind the Bill is to deal with a weakness in the legislation that controls trading schemes. On Second Reading and in Committee there was almost universal support for the principles set out in the Bill.

I acknowledge that, in essence, this is an enabling Bill. The guts of the proposed legislation will appear in regulations that will be introduced by the Department of Trade and Industry in due course if the Bill passes through all stages of consideration in both Houses.

The regulations will be the most important feature of the proposed legislation and will be designed to deal with the weakness that I have identified. It is that weakness that has made it possible for the unscrupulous to mislead vulnerable members of the public into believing that substantial incomes can be derived from doing no more than making payments into a scheme and then doing their best to encourage others to do the same.

The Fair Trading Act 1973 makes it an offence to receive or solicit payments for trading schemes, but the offence applies only to schemes with certain characteristics. In recent years, the unscrupulous have had little, if any, difficulty in devising schemes that do not come within the scope of the 1973 Act.

My understanding—I have been approached by a number of people on the matter—is that thousands of people have lost millions of pounds through trading schemes that are not subject to the controls set out in the 1973 Act. To repeat a point that I made on Second Reading, perhaps one of the worst features of the existing weakness is that many victims were tricked into investing, they thought profitably, to secure their future, using money that they had received as redundancy payments when their previous careers had come to an end. A number of people have been in touch with me, telling me that they had been caught out in that way.

My Bill is designed to widen the coverage of the existing controls so that they apply to any trading scheme. The existing controls under the 1973 Act introduce offences relating to recruitment and the regulation of promotional material and contracts. The Bill does not change those offences but makes it possible for the controls to apply to all trading schemes whose members recruit others.

I am grateful to the House for the welcome that it gave the Bill on Second Reading and for its swift passage through Committee. I am also grateful for the support that I have received outside the House, particularly from the Direct Selling Association, which represents the best aspects of direct selling schemes and firms that are involved in them.

As entrepreneurs, of course, members of trading schemes, like other entrepreneurs, take risks, and some may have taken unwise risks with substantial redundancy payments, which they thought that they were investing wisely at the time. Too many people who got themselves into that position did not have a background in business, or experience of working in an entrepreneurial business, which might have alerted them to the dangers inherent in many such schemes.

The Fair Trading Act provides some of those people with protection from the greatest risks in investing in trading schemes. Having come fairly fresh to the issue, I believe that there is no doubt that the greatest risk comes with the expectation of riches from recruiting others into the scheme. The expectation is created and inflated to persuade people to put money into what, in shorthand terms, are pyramid scams. It is an offence, however, under the Act to persuade somebody to make a payment by promising rewards from others joining the scheme. The Act also provides for regulation of the promotional material that is used to recruit new members to such schemes. In addition, it provides for regulations to ensure that every member of a trading scheme has a fair contract with the scheme's promoters. I acknowledge that the Act's protection is necessary and soundly based.

The Direct Selling Association, which has vast experience, knowledge and expertise in this area, endorses the need for such protection. The association represents many companies that are subject to these controls. I hope that my Bill will deal with limitations in the existing legislation, largely through fresh regulations in due course. The existing protection is not currently available to members and potential members of all trading schemes; only a limited number are covered. Those who are not protected include many who, through naivety, ignorance or gullibility, are at the greatest risk of losing their investment. The Bill will ensure that protection is provided to members and potential members of all trading schemes.

After the Bill had passed its Committee stage, I was approached by representatives of the British Franchise Association Ltd., who expressed grave concern to me that the Bill might affect the operations of its members. I shall quote from a report from Mr. David Bigmore and Mr. Martin Mendelsohn, both of whom are solicitors, who have as one of their specialities the franchising business. Their note on these matters was copied to officials in the

[Sir Nicholas Scott]

Department of Trade and Industry. I hope that Ministers concerned with the matter will be prepared to look carefully at the points made by those who represent the franchise industry.

Franchising is an important part of what in the broadest terms I shall call the retail sector in this country. In the United States, it already accounts for about half of all retailing businesses, and it is growing in this country. If we are to legislate in this area, I hope that account might be taken of the existence of problems that arise in the franchising business.

Mr. Bigmore says, on page 3 of the note with which he provided me and the Department, that both my hon. Friend the Minister for Small Business, Industry and Energy, who responded at earlier stages of the Bill, on 2 February, and the DTI's "Guide to the Provisions of the Trading Schemes Bill", believe that

"The Bill will not change the position for most franchise schemes. This is because most franchise schemes are already subject to the Act's controls. Those schemes that have only one U.K. participant are exempt from the Regulations made under the Act but are subject to the recruitment offences. The Bill will change the position only for franchise schemes that are not currently subject to the Act's controls. The consultation did not reveal any such schemes but there could be such schemes if, for example"

first—

"the franchisees do not sell goods or services provided by the franchisor"—

or, secondly—

"most of the sales are made on premises where the franchisor or franchisee carries on other business.

In future the franchisees of any such schemes will have the same protection as franchisees of other schemes".

In their submission, Mr. Bigmore and Mr. Mendelsohn say that, under existing law, most franchise schemes are not subject to the Act's controls because they are not at sufficient levels to become involved in the legislation. Thus, in the standard domestic franchise, the franchiser is the promoter and the franchisees are participants. They say that for that arrangement to be a trading scheme, there would need to be a

"prospect held out to participants"—

franchisees in this case—

"of receiving payments or other benefits in respect of any one or more of the matters specified in (paragraphs (a)-(e) of) sub-section (2)".

They continue to describe in some detail the way in which the franchising industry in this country operates. It was not an area of which I was particularly conscious when I embarked on the Bill, but it has aroused a significant amount of concern within the franchising industry.

As the Bill is in essence an enabling Bill and the bulk of its impact will be provided by regulations rather than primary legislation, I hope that Ministers, or at least officials, from the DTI will pay particular attention to the representations of those who are concerned with franchising.

Mr. Andrew Rowe (Mid–Kent): My right hon. Friend is right that it is terribly important not to embroil the franchising industry in the Bill by, as it were, inadvertence. One of the elements in the anxiety of the franchise industry is that there is still a considerable difference in the way in which different countries in the European Union define and handle franchising, and clearly anything that affects franchising in the United Kingdom will be taken by other European countries as some kind of precedent on which to build.

Sir Nicholas Scott: This approach to franchising developed on the other side of the Atlantic and, like so many other trends, favourable or unfavourable, it came to this country first—perhaps because of the commonality of language. As my hon. Friend rightly says, the approach is likely to spread, and perhaps it has already spread, to the retailing sector in many other EU countries. Perhaps a Union-wide approach will be necessary to tackle the matter.

The Bill will provide powers to exclude from its provisions such schemes as may be provided by order, and that mechanism could be used to exclude various types of franchise schemes. The Minister for Competition and Consumer Affairs has said that the Government intend to use that power to exclude franchise schemes in which only one UK participant can benefit from the activities of others. Therefore, the Bill will result in a lightening of control of UK franchise schemes with only a single tier. I am advised that most multi-layer franchise schemes are already subject to the controls, but that is being contested by Mr. Bigmore and Mr. Mendelsohn and will not be affected by the legislation.

I appreciate that some multi-layer schemes such as those in which franchisees do not sell goods or services provided by the franchiser and those in which most of the sales are made on premises where the franchiser or franchisee carries on other business are outside the present controls.

As I said earlier, my familiarity with the franchising industry is somewhat limited, but it would be anomalous if we did not seek to control multi-layer schemes. The need to protect members of franchise schemes and others is important, but how that is provided, whether through regulations or by other arrangements, is not for me to say. However, we would be lacking in sensitivity if we did not have regard to the needs of a large and growing sector of our economy, and we must carefully consider the representations of those who take a specialised interest in those matters. If those in franchising continue to be concerned, I hope that they will be carefully consulted about any regulations that flow from the Bill.

I hope that the House will give the Bill its wholehearted support. The Government support its principles and I have been assured that they do not intend to introduce any unreasonable regulations or restraints for trading schemes that are entirely legitimate and beyond criticism. Direct selling and franchising are large and fast-growing sectors of our economy. The House has a duty to ensure that the legislation properly reflects the need to ensure that those who are responsible for carrying on such businesses are not unduly hampered, but that people will be protected from those who use holes in existing legislation to run what are undoubtedly scams and tricks, to persuade people to part with their hard-earned money or redundancy payments.

I know that the Government support the principle of the Bill and I am grateful for their backing. The Bill was also supported in other parts of the House during its earlier stages.

9.54 am

Mr. Andrew Rowe (Mid–Kent): I start by declaring an interest. The only outside interest for which I receive any remuneration whatever is that I am an adviser to Amway UK, which is one of the biggest direct selling companies in Britain. I assure the House that I spent much time thinking about it before I agreed to assist the company, because a connection with pyramid selling in even the most legitimate direct selling companies would cause any hon. Member to pause. I looked at how a reputable direct selling company operates before I agreed to be an adviser. I am glad that I did that, because I have learned a great deal about a field of endeavour about which I knew little before I took on the role.

As my right hon. Friend the Member for Chelsea (Sir N. Scott) said, this is a rapidly growing method of selling, but scams have caused huge distress to a substantial number of people who invested redundancy money or pensions and received nothing. One of the most common scams is that there is nothing whatever to sell, and that is absurd. When all the glamour and glitz of the west end hotel foyer or banqueting room were stripped away, people found that they were being asked to pay a substantial sum up front, in the hope that they could then con others into joining a scheme that had nothing whatever to sell. Sadly, the most vulnerable people are often the most desperate and they are easily persuaded that there is a crock of gold at the end of the rainbow.

Amway has tens of thousands of distributors throughout the land. Some of them work all the hours that God sends, and many husband-and-wife partnerships have managed to build substantial businesses. There are millionaires working for companies such as Amway, but the vast majority of workers are people who are trying to augment their incomes. Some vicars' spouses are augmenting the stipends of their husbands by toiling in a small way for the company, as such people do for many other direct selling organisations. Many of them are students who seek to augment their student loans.

Many people who get sucked into such an activity quickly find that they are temperamentally hopeless at it. One of the Bill's great advantages is that it will make it much harder for confidence tricksters and others to load such people up front with a huge stock of material that they are temperamentally unable or do not have the skill or assiduity to sell. In some instances, the stuff begins to depreciate or deteriorate the moment they take delivery of it. There has been little enforcement of any suggestion that the supplier should take it all back. Such behaviour has brought the entire direct selling operation into disrepute.

A similar difficulty may arise—indeed, it has arisen in Amway UK. Training materials are made available by companies within the Amway chain, and people who are not good at selling and who are temperamentally of the belief that, if they tried only a bit harder or seized on to the latest gimmick, their fortunes would be transformed, feel obliged regularly to buy the latest video, booklet or whatever and can easily build a substantial outlay for little return. Reputable companies in the Direct Selling Association, of which there are a substantial and growing number, are keen to ensure that people have a real opportunity to give back the materials that they purchased in good faith, but ill-advisedly, without losing large sums of money. My right hon. Friend's Bill will make such an improvement in standards even easier.

The Bill takes the best practice in what is an innovative and growing form of selling and is determined both to generalise that good practice and to outlaw bad practice. The bad practice varies from downright fraud to careless overselling to people who are incapable of determining whether they are in a good position. One can never entirely protect gullible people by legislation or any other means, but one can ensure that the damage to those people is limited as far as possible and that they do not get sucked into things which, on any examination, are regarded as totally crooked.

Therefore, my right hon. Friend has done the country a considerable benefit by introducing the Bill. I am delighted that the Government recognise the value of trying to tighten the whole system and that they have, by endorsing the Bill, clearly recognised that direct selling is here to stay and that it is one of the many new ways of getting goods to the customer which the retailing revolution is bringing about.

Many people would, for all sorts of reasons, prefer to buy from someone they know products that they have grown used to in their home. That is an admirable feature. It is also a way of doing business which, for the distributor, fits in extraordinarily well with the growing instability of the employment market. People who expect to go in and out of work during their lifetime may find it a great anchor to have, as part of their family income, the amounts of money that come in from providing a relatively small number of customers with a steady supply of products. That is an admirable way of trying to iron out the peaks and troughs of an employment record which, in the modern technological world, is unlikely to be the flat line, or the climbing graph, which most of my generation expected to enjoy when we left school or university.

For all those reasons, I commend my right hon. Friend for introducing his admirable Bill.

10.3 am

Mr. Andrew Robathan (Blaby): As my hon. Friend the Member for Mid-Kent (Mr. Rowe) has said, this is an important issue. I am delighted to have the opportunity to speak on the measure. I just slightly regret that there does not seem to be much interest from the Opposition Benches. I know that the Opposition support it, but it is a pity—*[Interruption.]* I welcome the hon. Member for Newcastle upon Tyne, East (Mr. Brown). I hope we shall hear from the Opposition of their support for the Bill, but the empty Opposition Benches sit ill with the slogans that we hear about supporting business.

Mr. Paul Flynn (Newport, West): The hon. Gentleman might realise that the reason for the empty Opposition Benches is that the Bill is entirely non-controversial and that it is not expected that any Member will speak against it. For that reason, Members hope that it will have a swift passage through the House this morning to allow hon. Members to consider in detail and come to a decision on other important Bills that are before us this morning.

Mr. Robathan: Indeed. The hon. Gentleman has his own issue in the Bull Bars (Prohibition) Bill, which I believe is coming up later and which I also commend to the House. I do not think that the hon. Gentleman will find much objection, certainly not from me anyway, to his measure. At 10 o'clock this morning, he has plenty of time to look forward to that.

[Mr. Robathan]

The Trading Schemes Bill deals with an important issue. Although I am sure that my right hon. Friend the Member for Chelsea (Sir N. Scott) will leave many lasting memorials to his time in this place, this Bill will certainly be one, perhaps not the greatest—

Lady Olga Maitland (Sutton and Cheam): He is not dead yet.

Mr. Robathan: One may leave one's memorials long before one passes on, and I know that my right hon. Friend will be back after the next election, as will we all, God willing, but this Bill may be one of the small memorials that he leaves the House and it might improve the lot of many people who might otherwise have become victims or dupes of bogus promoters of the dubious financial schemes that he has mentioned.

It is said that a fool and his money are easily parted, but this issue is much more complicated than that. There are many sad cases. I suspect that most Members have, as I have, met sad constituents who have explained how they have lost money in one scam or another and who have wondered what could be done about it. The sadness is that we discover that, often, little can be done.

What we might describe as an innocent abroad, perhaps a man in his 40s or 50s who has recently been made redundant and who is unable to get a job in the declining industry in which he was working before, may be enticed by advertisements into putting his redundancy money into a scam. Often, those people have no experience or knowledge of the world into which they are venturing—or think they are venturing—be it insurance, financial investment or selling of some sort and they see an opportunity. We should beware of criticising those people because they are being enterprising and trying to raise themselves from an unfortunate position.

Mr. Piers Merchant (Beckenham): I agree with my hon. Friend. Does he agree that, when some people suggest that the Bill's purpose is to protect gullible people, although that may be true, it goes much further than that and many of the people who are caught by the sort of schemes that the Bill attempts to extinguish are not gullible? They have been seduced by deceptive literature, advertising and schemes.

Mr. Robathan: My hon. Friend makes an extremely good point. Before coming to this place, I was in the Army for many years and having left the Army, I was surprised, as I looked through the opportunities in the newspapers—the House of Commons was not there; I had to find that one for myself—that there were many enticing advertisements explaining how I could make money with my enormous skills, which, of course, were flattered by those seductive advertisements. When I replied to one, however, I discovered that it looked rather fishy.

That is the nub of the matter. Everything is about getting rich quick and, of course, getting rich quick is rare, apart from the lottery or tomorrow's Grand National. Incidentally, as we discuss the Grand National tomorrow and the Bill, I would appropriately recommend to the House Young Hustler, which at 7-1 must be a favourite.

Madam Deputy Speaker (Dame Janet Fookes): Order. The hon. Gentleman may want to offer such advice, but not here and not now.

Mr. Robathan: I am not offering advice. I am just commenting that Young Hustler at 7-1 is running tomorrow. I take no responsibility for anyone who backs it.

Madam Deputy Speaker: Order. The hon. Gentleman must, however, take responsibility for the relevance of his remarks to the Bill.

Mr. Robathan: We are talking about get-rich-quick scams, but I shall move on from the Grand National and the lottery.

There are few ways in which one can get rich quick, or, indeed, get rich, apart from by working hard. Getting rich quick usually involves crime. I was going to comment on those of us who are backing a horse at Aintree tomorrow, but never mind. Those of us who are buying a lottery ticket tomorrow know in our hearts that we are unlikely to be able to spend Easter in the Bahamas as a result. Sadly, some people who are conned by pyramid selling and similar trading schemes, which my right hon. Friend the Member for Chelsea has mentioned, have lost so much that not only the Bahamas but even the most excellent resort of Blackpool is an unlikely destination.

When I was a child, I was occasionally privy at school to receiving what were known as chain letters. They were rather fun and said that one must not break the chain or one would get bad luck. I personally never returned one such letter, so I suppose I broke the chain. The letters usually originated in Minnesota or Uruguay, from some holy man or sadhu in the Himalayas, or perhaps some child in Sweden. Maths was never my strongest point at school, but I could understand quite easily that to keep such chain letters going, an enormous number of people needed to be involved.

More recently, and more seriously, about ten years ago, when I was working in London, the same sort of letters began to appear, but they demanded money. It was not a great deal of money—£10 or so. They also warned that the chain must not be broken, but they were curiously mystical. Examples were given of people who had received £20,000 and of some who had had bad luck and lost a great deal of money. Such letters also all began in the deepest south of America or the mountains of Asia, but rather than coming from a holy man they were usually from a very clever mathematician.

I recall that in the space of about two months I received about three or four such letters, which always included lists of names. One had to send £10 to the top name, strike it out, and send on the letter to six more people.

Mr. Flynn: On a point of order, Madam Deputy Speaker. Will the hon. Gentleman refer to the clause that would stop letters coming from Ukraine and south America?

Madam Deputy Speaker: That is not a point of order for the Chair. I thought that the hon. Member wanted to intervene.

Mr. Robathan: It might have been an intervention, but I thought that the hon. Gentleman wanted to get on to his

Bill. Surely the point is that exactly the same sort of scam is run by businesses. If the hon. Gentleman would like to study previous discussions and the Second Reading debate, he will find that particular comments relate to Romania and Russia, which tie in quite closely with what I am talking about.

By examining the lists of names on those chain letters that required £10, I saw that there was at least one general and several people who may since have become generals—I was in the Army at the time—who were not dupes or fools but quite sensible, responsible and educated. When I received three letters, I began to smell a rat. I worked out that by sending six letters, I could receive 46,656 letters by the sixth stage, which, at £10 a head, would have amassed almost £500,000. If I was not at the beginning but already at the sixth stage, more than 2 billion people would have needed to have been involved in the chain for me to have received the same amount of money. If I was at only the fifth stage, the whole population of the United Kingdom—every man, woman and child—would have to have sent letters for me to be have received the same amount of money. I have lost money in some ventures, but I have never been quite as foolish as to engage in that.

Although that was not a particularly important scam, the issue that it raises is nevertheless serious and directly relates to the Bill, notwithstanding what the hon. Member for Newport, West (Mr. Flynn), who has just left, said. I was often told that such a practice was illegal, and perhaps my right hon. Friend the Member for Chelsea or my hon. Friend the Minister can confirm that. It should be illegal. Although the generation of such money is perhaps trivial, it is nevertheless worrying.

The same principle was applied by such companies as Global Pioneers Ltd. and Alchemy UK plc, as I understand it. Such companies were getting rich quick by putting money up front in order to get other people to give them money. Of course that is all too easy, and involves amounts much more than £10. Some people's losses have been great. Perhaps the promises of selling, financial work and insurance were given, and always the income was guaranteed—except that it never came. The parallel is clear.

My right hon. Friend the Member for Chelsea has been in touch with the Direct Selling Association, as he mentioned, and I am delighted that it supports the Bill. As my right hon. Friend and my hon. Friend the Member for Mid-Kent (Rowe) have mentioned, our retail habits and unemployment in the retail sector have changed over recent years. If we look to America, we see that it is likely to change even further. Many busy people choose to buy items from catalogues or from agents of direct selling companies. There is nothing wrong with that and I am delighted that the Bill will not harm it. It is important that bureaucratic regulation does not build up and stifle perfectly proper enterprise. The franchise sector has been mentioned and there are technical issues in it that need to be considered by the DTI in years to come—not necessarily by special investigation. Since the Bill concentrates on providing a framework and does not deal with detailed regulations, it is a great asset in that area.

My right hon. Friend the Member for Chelsea will know that I wanted to debate an amendment on Report, which, despite being accepted when I tabled it was declared defective. I am not sure why. It was not in any sense a wrecking amendment. It was to investigate the difference that was raised by consultees between directly inviting or asking people to participate, as opposed to informing or giving information designed to lead people into such participation. The consultees raised that as a matter of importance and my amendment would have altered the Bill so that section 119(1) of the Fair Trading Act 1973 would read:

> "Regulations made by the Secretary of State by statutory instrument may make provision with respect to the issue, circulation or distribution of any form of advertisements, prospectuses, circulars or notices, which
>
> (a) contain any invitation to persons to become participants in a trading scheme to which this part of the Act applies, or
>
> (b) contain any information calculated to lead directly or indirectly to persons becoming participants in such a trading scheme".

It is quite a technical point, and we have moved on without debate. It is important, however, that in the interpretation of law such factors are understood and dealt with. It should probably be dealt with in regulations drawn up by the DTI. My right hon. Friend the Member for Chelsea mentioned weaknesses in current legislation. I have been in the House for only four years but I have noticed that sometimes legislation is not perfect and we need to make certain that, when passing such legislation, even on a fairly empty Friday morning, it is absolutely correct.

I welcome the opportunity to support the Bill. I should be grateful if my right hon. Friend the Member for Chelsea would comment on one or two of the issues that I have raised. I congratulate him on his success in this small monument, and look forward to many further monuments to his diligence and industry during his time in the House.

10.17 am

Mr. Anthony Coombs (Wyre Forest): I congratulate my right hon. Friend the Member for Chelsea on bringing the Bill forward. I was delighted to hear both him and my hon. Friend the Member for Mid-Kent (Mr. Rowe) say that it is very important that when passing such legislation one does not throw out the baby with the bath water. In this instance, the baby is very significant, robust, healthy and perfectly legitimate. I have noted, for instance, that the direct selling or franchising industry of the kind that we are attempting to regulate has a turnover nationally of about £300 million. Not only does it provide additional income entirely innocently and helpfully for a large variety of people, whether they be students, wives—we ought to say spouses—or vicars, it provides a training ground for many people to develop gradually their entrepreneurial skills with minimum overhead and maximum back-up.

That is why the Direct Selling Association supports the Bill's principle but does not want it to become the trojan horse of a huge amount of regulation, which would become bureaucratic and stifling. That is one of my concerns about legislation that opens up new areas of activity to regulation. I am sure that although all of us present in the Chamber consider that the regulation would be helpful and not unduly constricting, and at the same time would protect vulnerable people, it might in other cases, in particular locations with particular trading standards officers, be highly oppressive in a way that I am sure none of us would want.

[Mr. Anthony Coombs]

In nine years in the House, I have received but one complaint about direct selling organisations. People who are duped or feel that they have been wronged by such organisations may not be the type of people who want to admit it and go to their Member of Parliament to draw attention to what they regard as an unfortunate episode in their life. We should nevertheless take account of the lack of complaints and say that, although there may be a problem, that money circulation schemes may have to be better regulated and some people may well have lost money, the benefit of franchising and direct selling far outweighs the problems against which we hope to regulate today.

I have always believed that we should consider any type of regulation from two angles. We should protect vulnerable and innocent people. The trouble is that a person who complains that a trading scheme has gone wrong will always present themselves to the authorities as vulnerable, exploited and innocent, despite the fact that many people who enter such schemes are not innocent or gullible but greedy and seeking a quick return as much as the guy who set up the scheme. That may not be the easiest thing to admit in political terms, but in practice it is often the case.

Mr. Robathan: I agree with my hon. Friend, but are not the advertisements very seductive nevertheless? Greed is a factor, but so is need, in whatever work we do, because we wish to make money for our industry. Perhaps some people are greedy, but I have cases of people who believed that they had found a good way to make money but were duped.

Mr. Coombs: Of course that happens, which is why we are considering the Bill, but I am saying that any scheme of regulation should be considered against that proviso.

The deregulatory aspects are the other side of the argument about regulation. It is highly ironic that the document "Pyramid Selling and Similar Trading Schemes", produced on 16 March 1995, is—at least according to the Library brief—part of the Government's deregulation initiative. I should have thought that it was the major complaint of the majority of my constituents, including small companies and many people involved in business on a larger scale, that far from deregulation being the order of the day, despite many of the prognostications and pronouncements of Ministers, insidiously, gradually, their businesses are more and more overwhelmed with regulation, whether from Europe or from over-zealous civil servants locally or nationally. It should be our major preoccupation to reduce regulation and to produce regulations that are unlikely to be perverted in the way that I described earlier.

Significantly, in the past 15 years the United States of America has produced about 20 million jobs, mainly in the private sector, whereas in Europe the regulation effort may have reached its nemesis—about 8 million have been created, none of which has been in the private sector.

Mr. Rowe: It may be worth pointing out to my hon. Friend that a substantial proportion of the direct selling companies that have found it useful to their business to enforce very much stricter controls are American.

Mr. Coombs: I take that point. We would all welcome necessary regulation for properly run, sensible companies, but we should bear it in mind that one man's necessary regulation may be someone else's unnecessary interference in the way they go about their business.

I am in favour of the Bill and of extending the number and type of schemes it encompasses and the type of advertisements it oversees, because naturally I want to protect people who are genuinely vulnerable in a way that is in the public interest.

I shall now discuss pyramid selling schemes. Inner Sanctum, which my hon. Friend the Member for Blaby (Mr. Robathan) may have mentioned earlier, was a scheme that, through an unauthorised Swiss bank Swiss Investment Bankers AEG, offered people wildly unrealistic deposit rates on their money. The bank was registered in a place called Melchizedek, which was purported to be a rock off the coast of south America, but in fact Melchizedek is an Old Testament priest or king of Canaan.

Obviously, it was a scam from the start and people needed to be protected against it. Although it claimed 7,000 members, no one got their money back. It was eventually wound up by the Department of Trade and Industry and the Bank of England, and so say all of us. That is the type of scam against which people should be protected.

The Bill widens the scope of existing regulation. It is important to ensure that those regulations are appropriate for overseeing the franchise and direct selling industry.

The consultation document issued by the Department of Trade and Industry, "Pyramid Selling and Similar Trading Schemes", suggested ways in which regulations and controls might be updated to protect investors. These included the requirement for information to be revealed to new participants in schemes so that they go in with their eyes open; information such as details of the promoter, his registered address, the assumptions on which advertised profit levels were based, information on the role of participants and their obligations, the terms under which contracts originally entered into could be cancelled without penalty, the length of cooling-off periods and the penalties that would apply to participants if a promoter terminated their contract unilaterally.

As my hon. Friend the Member for Mid-Kent said, it is extremely important that people who put a lot of money into schemes, whether it be in trading or in advance orders for goods and so on, should be protected by buy-back provisions. I believe that that was suggested in the consultation document. Equally important, at least for the first two weeks of someone's participation in a scheme, maximum levels of achievable turnover should be quoted. Otherwise people would be swept away with promises of massive future riches and make investments that were unsustainable for them and which could not be relied on in the future.

I want the Minister to reassure me that, in addition to extending the Bill's scope, he will consider the suggestions in the consultation document, which would result in such industries being better policed—better, not more oppressively—in a way that is likely to be accurate and relevant.

I shall briefly mention money circulation schemes. In the 1920s, one Charles Ponzi, an American "entrepreneur"—probably the wrong way to describe him—set up a money circulation scheme; a scam in which millions of people lost millions of pounds. A few years

ago the Caritas scheme, which my hon. Friend the Member for Blaby mentioned—based mainly in Romania and Russia—was wound up and 4 million people lost no less than £630 million.

There are also money circulation schemes, as my hon. Friend the Member for Blaby mentioned, which involve three levels and which give a return only when one person recruits six, and those six recruit another six. Before people make any money at all, they have to recruit 216 people. Before those people make any money, 1,296 have to be recruited and before those people make any money, 279,936 people have to be recruited. Before those people make any money, 60 million need to be involved in the scheme—the population of the United Kingdom. Such schemes are scandalous and unrealistic. It is rather like riding a bicycle. One has to ride faster and faster and faster, otherwise one will fall off. People need to be protected from such schemes.

I am not sure, however, that we can make the same point about all money circulation schemes. One of my concerns is that there may be money circulation schemes into which people go fully aware of the kind of scheme they are entering and which are regarded as a club in which everyone understands the potential downside. People may get a great deal of entertainment and pleasure from such schemes because they are almost a social club. Such schemes should be allowed to persist because they are private ventures in which everyone is a member, and willingly so. Those schemes should be regulated in a constructive and rigorous but sensitive and sensible way.

The biggest money circulation scheme in the country is the national lottery. It is not easy to say that, but it is effectively a money circulation scheme. The only basis on which it works is that the vast majority of people go into it knowing that their chances of winning or getting any return at all are minuscule. The vast majority of people go in knowing that they will lose their money, but society has taken the view that in terms of good causes and in terms of the innocent pleasure it gives to millions of people, it is worth while.

Mr. Merchant: Does my hon. Friend accept that one of the major differences between the national lottery and the schemes he has described is that people do not spend their entire redundancy payment on the national lottery?

Mr. Coombs: I take that point. I was defending only money circulation schemes in which people are made aware, through the regulations we have talked about, of the potential downside and in which they take part on virtually a social basis, knowing full well the risks that they take.

We all agree that the national lottery, although a money circulation scheme of rare proportions, is worth while. That suggests that one should not throw the baby out with the bath water, not only in terms of direct selling and franchising operations, but in terms of money circulation schemes.

The Minister for Small Business, Industry and Energy (Mr. Richard Page): I intervene on the narrow point that the national lottery gives even odds to everybody whereas the schemes that my hon. Friend is describing, which are right scams, have differentiated odds as one goes further down the chain. That is the essential difference.

Mr. Coombs: I agree that it depends on the kind of schemes. The odds depend on the rules that apply to individual schemes. My point is that whether we are talking about direct selling, franchising or money circulation, the regulatory regime should be not only rigorous and all-embracing, as proposed in the Bill, but sensible. On that basis, I support the Bill.

10.33 am

Lady Olga Maitland (Sutton and Cheam): I congratulate my right hon. Friend the Member for Chelsea (Sir N. Scott) on introducing this important Bill; the whole House is grateful to him for promoting it. The Bill has not caught the public headlines, but the wider public—the vulnerable, commercially innocent people who have been caught up in scams—will undoubtedly have great cause to be grateful for it.

I can describe the perpetrators of the scams only as sharp sharks and swindlers. It is hard to find an attractive adjective for them because, to be perfectly honest, they have gone out of their way to prey on people's vulnerability. I have seen the way in which they have approached people who have recently been declared redundant, people whose businesses have gone bankrupt and people who have left the armed services, as my hon. Friend the Member for Blaby (Mr. Robathan) pointed out. People in the armed services seem to be more innocent than others when it comes to commercial transactions.

I myself was pressured by someone who had left the Navy and who thought he was on to a winner. It was rather embarrassing to watch the way in which he and his wife put me under tremendous sales pressure to try to get me to join their recruitment drive. In the end, I had a feeling that it would all end in tears, as it surely did.

We are talking about get-rich-quick schemes which have mushroomed over the years. It was absolutely appropriate that we should overhaul legislation that seemed appropriate 20 years ago, but which had become rather toothless. It is significant that no one has been prosecuted despite a number of well-documented scams.

The Bill will have an effect on the way in which pyramid selling schemes are promoted. We have to bear in mind the fact that they are sometimes promoted through rather innocent and harmless methods, such as hand bills or a little notice in a newsagent's window which suggests that one can easily earn £1,000 a week for just two or three hours of effort. It is only too easy to be taken in.

It is salutary to look at one or two examples. In the autumn of 1991, the television star Danny Baker made a promotional video for a firm called Entertainment Xpress. The company promised to supply cut-price CDs and videos to members who signed up at £29.95 a year. Any regular music buyer could save a few pounds a year, but the real money came from recruiting others into the scheme. The Baker video promised earnings of up to £29,000 and even as much as £207,000 a year, depending where one was placed in the pyramid. All that people had to do was to recruit new members; it was too easy. Those members brought in two more members who went out and found two more. Once people were at the top, having gone through five layers on the way and having recruited at least 16 members, they earned only a paltry £1. If one controlled a pyramid of more than 8,000, one could earn £29,000.

[Lady Olga Maitland]

The trading standards officers calculated that the method would require the recruitment of virtually every regular music-buying family in a city the size of Aberdeen. The very top level would have required cities the size of Birmingham, Glasgow or Edinburgh. The good news is that Mr. Baker withdrew his endorsement of the video when the scam was properly explained to him and Entertainment Xpress went bust in 1992. Other examples of schemes that depended on recycling members include Alchemy Foundation, which was wound up by the Department of Trade and Industry in 1994, and successor companies such as Powertag and Headlogic, which were also shut down.

Lest anyone should believe that all methods of pyramid selling are bogus, it is important to recognise that there are some reputable schemes, such as those that my hon. Friend the Member for Mid–Kent (Mr. Rowe) has described. Amway and Cabouchon jewellery operate reputable schemes which can provide a useful source of income for people such as housewives who want to earn pin money to supplement their regular income. I have heard only praise from people who have operated with Cabouchon. They sell a product for which they get a direct return. It is quite different from the schemes dealt with by the Bill, which sell only recruitment, for which there is no return.

This is a valuable Bill and I congratulate my right hon. Friend the Member for Chelsea on it. It will be a blessing to all genuine traders involved in pyramid selling because it will legitimise their work by outlawing scams.

10.40 am

Mr. Den Dover (Chorley): I congratulate my right hon. Friend the Member for Chelsea (Sir N. Scott) on seeking to update the legislation on such activities, which is 20 years old and seriously out of date.

Franchising organisations should not fear their activities coming under this legislation. They should welcome it. I emphasise the need for very light regulations which do not cramp an ever-increasing source of income for all sorts of entrepreneurs who, through no fault of their own, have lost their main employment and want to create job opportunities for themselves.

The Government should perhaps produce guidelines or a code of practice rather than regulations. I am anxious to ensure that people are not taken advantage of through their lack of experience or gullibility. If the Government were to put out guidelines, it would help people and ensure that the practices that we are discussing are engaged in responsibly and are effective, efficient and profitable for those taking part. I am impressed by the number of hon. Members present to support my right hon. Friend the Member for Chelsea. I wish him well in the passage of the measure into legislation.

I am also impressed by the number of people who go into such activity. Amway UK Ltd. has said that the term "pyramid selling" should be more distinctly defined and perhaps related only to crooked activities. I would welcome the removal of that term because it has bad overtones throughout the industry. We are talking about selling in its widest aspect. That is a very good activity. All business organisations work on a pyramid basis, although there is currently much de-layering in industry across the board. We should ensure that the Bill deals with crooked activities and not with valid and important business activities.

10.42 am

Mr. Piers Merchant (Beckenham): I was fortunate enough to be able to speak on Second Reading and in the brief Committee stage of the Bill. I am grateful for the opportunity to contribute to Third Reading.

I have strongly supported my right hon. Friend the Member for Chelsea (Sir N. Scott) and his Bill and I do so now in the almost certain knowledge that it will shortly pass into law. It is an unusual example of regulation that should both simplify the law and save public expenditure. Both my right hon. Friend and my hon. Friend the Member for Solihull (Mr. Taylor), the Minister who dealt with the earlier stages of the Bill, said that in their best judgment the changes would save public money, principally because the regulations would simplify the environment.

Trading standards officers will be able to enforce this legislation against the schemes that we have been discussing much more easily than they could enforce the previous legislation. That is why there should be a net saving in public expenditure. It will be simpler for trading standards officers to take action, simpler for the public, whom the legislation is designed to protect, and simpler for industry as well. That is why the good side of the industry—which is, of course, the majority—strongly supports the Bill. Amway has been mentioned and is an example of an excellent company which operates in this way and has long pressed for reform, as does the Direct Selling Association, which represents the bulk of the industry.

The people who will suffer are the minority of bad, exploitative, almost criminal, parts of the industry which exist by operating scams and using loopholes in the law—the chain letter and pure cash-generation schemes, sometimes referred to as snowball schemes, which is an appropriate description as they gather size and then melt away. Such schemes cannot work because they exist on ultimately impossible assumptions—a constant increase in the size of support and constant generation of more money. As many good examples have already been given, I shall not give any more. The examples have shown that it is easy to sell such schemes but that they can never realise their ambitions. They are false premises based on false prospectuses.

I recall the notorious case of Hudson the railway king in the last century, who used a similar scam based on shares. He was for a while able to satisfy new shareholders with promises of huge returns by paying them out of the new shares that he sold. Ultimately, the scheme collapsed because he could not forever continue to sell new shares and thus satisfy the original shareholders. Such schemes will be ended by the changes in the Bill and the regulations that will stem from them.

I wish briefly to consider the victims of the schemes, partly because on Second Reading I mentioned a constituent of mine who lost all his redundancy money after many years of work by falling prey to the sort of misleading advertising connected with such scurrilous schemes. As I said in my intervention, the Bill will protect the gullible people who will fall for such schemes, but the problem goes much further than that.

Many of the people involved are basically sensible, well intentioned and well balanced. The trouble is that they are often inexperienced in business. More to the point, they fall prey to the glitzy advertising attached to the schemes and believe that they are entering a genuine business based on enterprise. It is often not immediately apparent that that is not the case. They suddenly find that they have lost all their investment, which may be their life savings or their redundancy settlements.

This Bill will close the loophole which has enabled many such schemes to operate in defiance of the Fair Trading Act 1973, which was largely a reaction to some glaringly bad examples of pyramid selling in the previous decade. Things have moved on since then. People with devious intentions always manage after a while to find loopholes in legislation. That is precisely what has happened. As the world and trading have changed, minds have set to work and ways have been found around the restrictions that that the 1973 Act brought to bear. Those who have wished to exploit have been able to do so. This is a timely means of setting right those problems.

I am glad that the Bill makes specific reference to advertising. As one who worked in the advertising industry for a while, I am in many senses partial to it, but for the industry to operate correctly and be seen to be above criticism it is sometimes necessary to have strict regulation. It cannot always be self-regulation. I am glad, therefore, that the Bill includes statutory control on advertising, pyramid selling and other trading schemes. I welcome that, and I am glad that my right hon. Friend included them in the Bill.

For all those reasons, I strongly support the Bill. I believe that it will bring benefit to the public, to honest traders and to the direct selling industry in general. I hope that it will reach the statute book swiftly.

10.49 am

Mr. Richard Spring (Bury St. Edmunds): I thank you, Madam Deputy Speaker, for giving me the opportunity to make a brief contribution. I congratulate my right hon. Friend the Member for Chelsea (Sir N. Scott) on introducing the Bill in an extremely sensible way, and on putting his case this morning cogently and persuasively.

Over the past 20 years, direct selling—whether it be pyramid selling, multi-level marketing, network marketing or whatever other term is used—has flourished. It is a real phenomenon of our times, and it is estimated that the market is now worth about £200 million. With that truly enormous increase over the past 20 years, many individuals have been brought into direct selling, dealing with kitchen goods, jewellery and other products, many of which are sold from people's homes. Collectively, all those schemes have come to be known as trading schemes.

A market worth £200 million is very big business indeed. The human spirit being what it is, where such sums are involved the market will inevitably attract people who are open to fraud and abuses of the law. Having seen the evolution of the business over 20 years, it is appropriate now to consider the legislative framework under which it all operates, to bring that up to date to cope with the size and complexity of the market and to make it relevant to the marketplace as it is, with all the mushrooming of activity that is involved.

The blunt truth is that the Fair Trading Act 1973 is no longer appropriate. Such a multiplicity of trading schemes operate in the United Kingdom that only some of them are subject to the Act's controls. The Bill will protect vulnerable people from loss by ensuring that all trading schemes whose members recruit others are subject to proper control.

A long catalogue of financial tragedy has been mentioned by my hon. Friends, especially my hon. Friends the Members for Beckenham (Mr. Merchant) and for Mid-Kent (Mr. Rowe), who talked about it most poignantly.

Given the changes that we have seen in marketing and consumer activity, the opportunity has arisen for many people to become budding small entrepreneurs. That is why I am pleased to see my hon. Friend the Minister for Small Business, Industry and Energy here to reply to the debate. Entrepreneurial activity at this level often encourages people to set up small businesses.

In this country there has been an explosion of entrepreneurial activity, especially at the small business level, often involving people who have taken redundancy payments or have retired early and decided to go into business, perhaps after some marketing or selling experience. Tragically, some—albeit a minority—have lost their money in crooked schemes. Nevertheless, I believe that the seed-corn of our success as an economy depends on such entrepreneurial and small business activity.

The Government have sought to help small businesses by increasing the value added tax threshold, cutting corporation taxes and removing much of the burden of inheritance tax. That has all led to the dramatic decline in unemployment in the United Kingdom, compared with the contrasting situation in so many of our European competitor nations. That has happened because we have fostered and encouraged the entrepreneurial initiative.

At the heart of the Bill is the idea of giving protection to people who in their own different ways, sometimes even part time, are mini-entrepreneurs. I strongly support that, because it will bring the legislative position to a state relevant to our situation as we approach the millennium. I congratulate my right hon. Friend the Member for Chelsea once again on bringing the Bill through to its Third Reading.

10.54 am

Mr. Nigel Griffiths (Edinburgh, South): I welcome the Bill, and I have listened with great interest to Conservative Members revealing their detailed knowledge of the scams, swindles, schemes and shadowy chancers operating in the market. There appears to be great expertise on the Government side of the Chamber.

Despite all that knowledge of pyramid selling, network selling and multi-level marketing, however, there have been years of inaction in terms of clamping down on the scams about which we have heard in graphic detail. There have been several promises of action by the Government. Sadly, however, those promises have been broken and it has been left to a private Member, the right hon. Member for Chelsea (Sir N. Scott), to promote the Bill because the Government have found neither the will nor the way to do anything about the problem.

When I asked the then Minister at the Department of Trade and Industry, the hon. Member for Gainsborough and Horncastle (Mr. Leigh), on 31 March 1993 whether he would take action on the matter, he declined to do so.

[Mr. Nigel Griffiths]

More time went by and in 1994, my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) specifically pressed the then Minister responsible, the hon. Member for West Derbyshire (Mr. McLoughlin), to

"bring forward legislation to outlaw any business scheme of pyramid selling requiring payments purely for the benefit of registration"

and highlighted the sort of problems which existed. The then Minister replied:

"I have, at present, no plans to amend the Fair Trading Act 1973".—[*Official Report*, 27 April 1994; Vol. 242, c. *167*.]

In the same year, on 20 July, the Department of Trade and Industry had to go to the High Court to wind up Alchemy UK Ltd., a company which had preyed on people who had received redundancy payments or had a spare bit of cash, because thousands of people had lost thousands of pounds each.

The Direct Selling Association made fairly urgent representations to the Department—Amway, which we have already heard about, was also involved—and the then Minister said, also in July 1994, that at long last the Government were prepared to legislate. Sadly, however, no legislation followed, despite the fact that James Erlichman—then of *The Guardian*, now of the BBC—revealed that in that year almost 17,000 people in Britain had lost £10 million in such schemes.

Earl Ferrers, the Minister at the time, said that he was powerless to stop such schemes getting off the ground. We were aware of that fact: that is why we were asking for legislation. In March 1995, the DTI promised us a draft law, and in a boastful press release said that it intended to amend the Fair Trading Act 1973 and to clamp down on such abuses. Yet again, however, Ministers did nothing.

The latest money-for-nothing scam appears to be Titan Marketing, which offers invitations to join a business club. Tony Hetherington, of the *Financial Mail on Sunday* has exposed the hard sell, the threats of violence and the secrecy surrounding that German-based scheme. It has operated in Cheshire, Greater Manchester, Staffordshire, Stoke-on-Trent and Lancashire, where the trading standards officers have done their best to try to catch up with the crooks, and is similar to Alchemy UK, which the DTI had to wind up, FPW and Inner Sanctum.

My concern is that it has taken so long to get legislation on trading schemes on to the statute book. This legislation—which Labour has supported throughout its passage—was introduced not by the Government but by a private Member, and I am concerned that it was not passed by the House today in 10 minutes. A parliamentary on-line information system check on parliamentary contributions shows that in this debate we have heard from a group of hon. Members who have previously asked no questions and made no contribution—with the exception, of course, of the hon. Member for Mid–Kent (Mr. Rowe), who has shown a long-term interest in this issue and who represents Amway as a Member of Parliament and as a paid consultant, and the hon. Member for Beckenham (Mr. Merchant), who spoke in the debate on the Bill's Second Reading.

Mr. Spring: I am disappointed in what the hon. Gentleman has said. I happen to be vice-chairman of the Small Business Bureau and chairman of the parliamentary advisory group of the Small Business Bureau. Every Conservative Member is dedicated to ensuring that small businesses are allowed to operate successfully in this country. That is precisely what this measure is about, directly and indirectly. I hope that the hon. Gentleman will therefore understand why there is considerable interest in it: it is because, unlike the Labour party, Conservative Members have a real interest in creating jobs.

Mr. Dafydd Wigley (Caernarfon): On a point of order, Madam Deputy Speaker. I apologise to the hon. Member for Edinburgh, South (Mr. Griffiths) for cutting across his speech, but 11 am is usually the time for statements in the House. Have you had any request from the Minister of Agriculture, Fisheries and Food to make a statement on the discussions in Brussels? I ask that question because of the very considerable urgency for the farming fraternity to have news of developments there. If no request for a statement has so far been made, can you tell the House whether you would be prepared to consider a request for a statement at 2.30 pm on this matter? Every day counts for farmers and ancillary businesses, Madam Deputy Speaker, as I am sure you know.

Madam Deputy Speaker: I have had no request for such a statement to be made. It is not for me or for any occupant of the Chair to tell the Government what statements they should make; but a Minister is in the Chamber, and no doubt that information can be passed through.

Mr. Griffiths: Madam Deputy Speaker, I should like fully to associate the Labour party with the point of order raised by the hon. Member for Caernarfon (Mr. Wigley), which was, of course, well made.

It is very interesting that the profound interest in this issue declared by the hon. Member for Bury St. Edmunds (Mr. Spring)—which he says that Labour Members do not have—was not manifested in a contribution on the Second Reading. Nor has the hon. Gentleman found time to table any questions on the subject or to take part in previous debates on direct selling—in contrast with the questions tabled, not particularly by me but by a great many of my colleagues, on this matter. We are concerned that people have lost their redundancy payments and that others who have worked and saved hard have been swindled out of their savings because of Government inaction.

I made that point because this measure should have gone through very quickly—on the nod, as we say—because it has had our full co-operation and support. If, as I believe, there is currently an attempt to talk out the Bull Bars (Prohibition) Bill, as there was with disabled rights legislation, the House will be particularly annoyed and the victims of bull bars will vent their anger on Conservative Members. I end my speech with that statement.

11.4 am

The Minister for Small Business, Industry and Energy (Mr. Richard Page): I join all my hon. Friends in congratulating my right hon. Friend the Member for Chelsea (Sir N. Scott) on this legislation. It gives me great pleasure to support the Third Reading of his Bill. I was interested to read his comments in the debate on Second Reading, about promoting a Bill for the first time without the comfort of the Dispatch Box. I know exactly what he means.

Before offering to support the measure, the Government considered long and hard the considerable postbag that we had on the subject, including responses that we received to consultations on proposals to change the legislation controlling pyramid selling and similar trading schemes. It might help the House if I were to set out briefly some of the background.

Trading schemes are widely used by companies that do not employ a sales force. Their sales forces are self-employed individuals earning commission on their sales. There are literally hundreds of thousands of individuals who are members of such trading schemes. Some of them supplement their income by selling consumer goods to their friends and neighbours. That point has been made by my hon. Friends. Those people sell all manner of things: cosmetics, jewellery, gold necklaces, flashy cufflinks, books, toys, household goods and—shock, horror—even sex aids. There is probably hardly a home in the country that has not, at one time or another, bought from a member of a trading scheme.

In some trading schemes, members may also earn commission on sales by other members of the scheme whom they have recruited. In that way, it is possible for some people to earn substantial sums through membership of a scheme.

Franchise schemes in which franchisees acquire the right to use a trade name or design owned by franchisers are also trading schemes. Those franchises include many household names, selling burgers and all types of takeaway meals, and services such as photocopying, drain cleaning, picture framing and printing. At the other end of the spectrum, of course, many chain letters are also trading schemes.

Trading schemes include many reputable organisations that make a significant contribution to Great Britain Ltd.—how great a contribution, it is impossible to say. On one definition, as my hon. Friend the Member for Bury St. Edmunds (Mr. Spring) said, it is several hundred million pounds. On another definition, it could be said that annual sales probably exceed £1 billion. I can say that with some confidence because, in 1994, retail sales of members of the Direct Selling Association were estimated to be £948 million. As the House has already been informed, the Direct Selling Association is the trade association for companies selling consumer goods in the home through independent self-employed sales people.

Members of trading schemes include the smallest of firms. My hon. Friend the Member for Bury St. Edmunds touched on the role of small businesses. As the Minister for Small Firms, Industry and Energy, I am very tempted to launch into a spiel about the importance of small businesses to the country. That would take up time, which I do not wish to do today, but I should underline the point that he made about the importance of small business to the UK.

We do not want to burden those people with unnecessary regulation. On the other hand, we want to ensure that entrepreneurs are not exploited by the promoters of the schemes in which they participate.

My hon. Friend the Member for Mid-Kent (Mr. Rowe) reminded the house of the pyramid scandals of the 1960s. In those scams, members bought a vast quantity of products, so that garages, attics and garden sheds were literally stuffed full of such items as shampoos or cleaning products that were virtually unsaleable.

Those unfortunate victims had few rights. Some of them had no contracts, and others had contracts that made it impossible for them to return the stock in which they had invested. Other people had contracts with onerous termination conditions. The unfortunate members trapped in those schemes, unable to sell any of their stock, concentrated their efforts on recruiting others; and so the number of victims grew and grew.

Not every scheme supplied unsaleable goods. But even when it was not possible for members to sell the goods, in some cases, they bore virtually all the scheme's commercial risks. The company promoting such a scheme carried virtually little or no risk, making profits whether the goods were sold or not. There is no doubt that such schemes caused immense hardship to thousands of people.

Those were problems that part XI of the Fair Trading Act 1973 was intended to remedy. The legislation provides essential protection for sales people who belong to a trading scheme, so that they are not unfairly treated. The Act provides power to regulate contracts between promoters and members of a trading scheme. It also provides power to regulate promotional material aimed at recruiting new members to a trading scheme. The most important protection was the creation of an offence relating to recruitment, which prevents payments for others being recruited into the scheme and their being the main attraction of such a scheme.

These controls apply to schemes in which: goods and/or services are provided by the scheme's "promoter"; such goods and/or services are supplied to others by the scheme's members; most of the sales do not take place on premises where either the promoter or the member carries on some other business; and in which members expect benefits related to the activities of other members, activities such as the recruitment of other members, the supply of goods, training or other services to other members and commission on sales by other members.

Many trading schemes with a pyramid recruitment structure do not have all those characteristics, but at present, only schemes with all four of those characteristics are subject to the controls of the Fair Trading Act 1973. The Bill widens the coverage of the controls under that Act. I assure the House that the Government would not favour any measure that widened regulatory control if it were not absolutely necessary.

As has been said, the Bill has become necessary because unscrupulous people have found ways of avoiding the present controls, by devising schemes that do not have all the characteristics specified in the Act. That point was made by my hon. Friends the Members for Beckenham (Mr. Merchant) and for Sutton and Cheam (Lady Olga Maitland). Last year alone, 17,000 people lost £10 million in three such schemes. One poor individual lost £78,000.

I am not sure whether my hon. Friend the Member for Blaby (Mr. Robathan) was trying to illustrate the need for the Bill by giving a dodgy tip for the Grand National, but my advice to him is to stick to politics and not get into any form of the horse tipster business.

I cite a typical real-life example of the type of scheme with which we are dealing. It was run by One Life Ltd. and its recruitment material shows how insidious and clever such material can be. It states:

"The Facts of One Life . . . started in November 1974 with just 7 people. It is constantly expanding and now there are hundreds of people involved. There is no other company like it in the UK.

[Mr. Richard Page]

In their first few weeks most people earn between five hundred pounds and two thousand pounds per week. In subsequent weeks people are disappointed if this hasn't doubled (or even trebled!). It is a part-time job that fits comfortably in with most people's full-time work."

Once members had been suckered in, they were given guidance on how to recruit. The recruitment material continues:

"You have a good business opportunity to offer, show enthusiasm for it! If you appear apathetic you will put off your guests.

When making the first moves, it is vital that you do not beg and plead with them to come to the seminars, show them that you are offering them something they need and make them desperate for more information . . .

Create an air of importance around you, remember, few people are interested in a tramp. How you dress and what you say will influence people's attitude towards you . . .

Provide hints in the form of magazines and car brochures so that the other person is interested in your finances. By them asking questions on expensive purchases, you are creating a window of opportunity. Let them make the first step. Try and find out if there is something that she or he desires. Use this as a carrot to entice them to attend the seminar."

Eventually it says:

"Keep them guessing as to the nature of the business. If you start giving out more information than you should, it may be provided in the wrong way and at the wrong time. Remember, each person is worth thousands of pounds to you. Is it worth losing that potential investment".

I believe that that technique persuaded more than 1,600 people across the country to pay an initial up-front membership fee of £2,000 each to One Life. As my hon. Friend the Member for Blaby, who has now vanished, is not very good at mathematics, I shall help him—it amounts to some £3.2 million.

As I have already explained, One Life is an example of the sort of scheme that avoids the present controls under part XI of the Fair Trading Act. I am sure that the House will be relieved to hear that, last November, we successfully petitioned the High Court to wind up One Life Ltd. following an investigation under section 447 of the Companies Act 1985. The petition was under the Insolvency Act 1986, which enables the Secretary of State to petition for the winding-up of a company where it appears to him expedient to the public interest to do so.

We have taken similar action against other companies operating such schemes, but the powers currently available for protecting the public against such scams are cumbersome and limited in their application. We can wind up only companies with a UK presence and, unfortunately, it is possible for the people behind such schemes to set up new companies and do the same time and again.

For example, last July, we successfully petitioned the courts to wind up a company called Goldmark Inc., which was trading as Lifeline (UK). That company's managers had previously been involved with Tsar Computer Projects Ltd., which operated a scheme called Peace of Mind. That company was wound up in August 1994—the month before Lifeline started to operate.

Last August, the High Court wound up a company called Alchemy (UK), which ran a scheme promising members more than £30,000 in return for 24 monthly payments of some £75. I am sure we all agree that that would be a fairly healthy rate of return. Within a mere 48 hours of the winding-up, two successor companies were incorporated and took over Alchemy's assets and membership. That reinforces the point made by my right hon. Friend the Member for Chelsea.

Mr. Dover: Is there anything that we can do to stop such practice, or is it totally impossible under present legislation? So many companies fail and then resurrect themselves within a day or two; that is not in the interests of our constituents.

Mr. Page: My hon. Friend is straying from the Bill and moving to general legislation. Under general legislation, we have the power to disqualify directors if they are found to be operating companies fraudulently, but the Bill will, in particular circumstances, be able to deal with the situation that my hon. Friend describes.

The Bill is needed so that it is possible for action to be taken against those who exploit people who may be financially naive—those who persuade others to part with considerable sums of money by promising them riches if they can persuade others to do the same.

Mr. Robathan: I have not been out to place a bet on Young Hustler, although I recommend it.

My hon. Friend is explaining how penalties can be invoked. Will he confirm that someone who contravenes the Bill's provisions could go to gaol? In view of that, does he think that just over one hour on Second Reading and less than two hours on Third Reading is too long, which is what the Opposition seem to think? Curiously, they believe that even to discuss the matter is unreasonable.

Mr. Page: I shall resist my hon. Friend's invitation to get involved in a party political controversy, but I confirm that someone could go to prison if he contravened the Act. In view of the misery that some people cause by their activities, that is perfectly justifiable.

As I was saying, the Bill does not seek to move responsibility for enforcing the controls under part XI of the Fair Trading Act. That will remain the burden and responsibility of the Department of Trade and Industry. The Bill will not place extra work on trading standards departments. In fact, as has already been intimated, we expect the cost of taking action under the Fair Trading Act to be less than the cost of using the existing, less appropriate powers.

Enforcement of the Bill is expected to cost £200,000 a year at today's prices. That is nearly 25 per cent. less than the current annual cost of investigations, under the Companies Acts, of unscrupulous promoters and the submission of petitions to wind up these companies under the Insolvency Act. We also expect a reduction in the cost of handling inquiries from the public on whether particular schemes are subject to the provisions. I hope that that is of encouragement to my hon. Friend the Member for Mid-Kent.

The Bill is prudent. It seeks to widen the coverage of the existing controls under the Fair Trading Act only so far as necessary to protect the public from the risks associated with trading schemes.

In pyramid scams, very little may be provided other than money. The Bill provides for a wider definition of "goods" so that, for example, it covers money. It also lists

the ways in which members of trading schemes may earn income and it then applies the controls to schemes in which members expect to earn income in one of the listed ways, and in which goods—as defined by the Bill—or services are provided by the promoter, whether to members or to others introduced by members.

Furthermore, the Bill provides power to widen further the coverage of the controls by disapplying altogether the qualifying criteria relating to goods and services. If in the event it were to prove necessary, we would not hesitate to use that power if the criteria relating to goods and services would otherwise protect pernicious schemes from prosecution.

The Bill also provides powers to exclude prescribed schemes from all the controls under part XI of the Fair Trading Act. That makes it possible to take out from those controls any type of scheme for which the Secretary of State is convinced that the controls are not required for the essential protection of the members of those schemes. I hope that that is of some comfort to my right hon. Friend the Member for Chelsea. The Bill provides powers that will address all the concerns expressed by the British Franchise Association Ltd. The greatest danger to the public is from schemes to which they are lured by promises of riches from the recruitment of others.

From our consultation, we have concluded that franchisees do not need the protection of the Act if their expected income comes entirely from their sales to third parties. We therefore intend to use the power to exclude prescribed schemes by excluding franchise schemes with only one person benefiting from the recruitment of others to the scheme.

The franchise schemes that we intend to exclude from those controls are at present subject only to the recruitment offences. That is because the existing powers provide for the regulations to apply differently to different types of trading scheme. The power is used at present to exempt two types of scheme from all the regulations. The exempt types of scheme are those in which only one participant in the UK can benefit from the activities of others, and those in which the financial benefits are no more than £30 in respect of the introduction of other participants.

Some hon. Members have mentioned chain letters, and harked back to their schooldays. We also intend to exclude simple chain letters from the controls under part XI of the Fair Trading Act. No doubt hon. Members have come across chain letters at various times. Some involve sending books, postcards, and other items to those higher on the list; others involve sending money; and others bring promises of bad luck to those who break the chain. The latter types may involve offences under the Lotteries and Amusements Act 1976 or the Malicious Communications Act 1988.

Under the Bill, many chain letters will become subject to control under part XI of the Fair Trading Act. It is clear that the most basic examples are not detrimental to the public. We therefore intend to use the power to exclude prescribed schemes, to exclude simple chain letters. The controls will apply to any chain if anyone can benefit from it throughout its existence. For example, the controls—including the recruitment offence—will apply to any chain in which new members send money to a central organiser who takes a cut before passing the money down the rest of the chain.

The Bill also seeks to widen the controls over the promotional material used to recruit new members. It would make it possible for the regulations to apply to all forms of promotional material. Videos, recorded messages, the Internet and so on are now commonly used to attract potential members, but at present the controls apply only to documents.

The Government welcome the extension of the regulation-making powers to include other media. It is right to look ahead and it is right that all promotional materials should be treated equally under the regulations and that those considering joining a scheme are provided with the protection that we consider necessary, regardless of the form of the promotional material.

On Second Reading, my hon. Friend the Member for Beckenham asked whether the control over promotional material is best achieved by statute or through the Advertising Standards Authority. The Government prefer self-regulation where it is effective. The present Pyramid Selling Schemes Regulations therefore do not apply to advertisements that form part of a newspaper or magazine, and we intend to continue that exclusion in the trading schemes regulations. However, much of the promotional material for trading schemes is privately produced and distributed. Regulation is needed to ensure that promotional material does not deceive, whether by including misleading information or by excluding essential details.

In deciding to support the Bill, we have been greatly influenced by the consultation that we held last year over the legislation controlling pyramid selling and similar trading schemes. Widening the coverage of the controls under the Fair Trading Act was only one of the proposals in that consultation. A summary of the results is in the Library of the House.

We sent out more than a thousand consultation documents. Some 256 responses were received, of which 40 were from promoters and their representatives, and 173 were from consumer organisations and members or ex-members of trading schemes, including those who belonged to schemes operated by companies that the Department had wound up.

I shall not go through all the comments that we received from the organisations, but they gave encouraging endorsement to the proposals in the Bill. Comments received included:

"To allow these schemes to continue is to condone trickery."

"I was promised large tax free earnings. All I had to do was bring in as many as possible friends, relations, business associates."

"It is about time 'money games' were outlawed because they are 'scams' and give our industry a bad name."

The list of complaints and the support for the Bill are there for all to see.

The consultation not only addressed the coverage of the controls. It also proposed trading schemes regulations to replace the Pyramid Selling Schemes Regulations 1989 and the Pyramid Selling Schemes (Amendment) Regulations 1990. Those regulations relate to the promotional material aimed at potential recruits to trading schemes and to the contracts between a scheme's promoter and its members.

The present regulations are not ideal, as my hon. Friend the Member for Chorley (Mr. Dover) pointed out. In some respects, the apparent protection to members of

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requirements that are costly to promoters is considerably greater than the actual protection provided. In the light of our consultation, we intend to overhaul the regulations so that they provide more effective protection to members and potential members of schemes at no greater cost to schemes' promoters.

It would be unfair to promoters to replace the present regulations so soon after extending their coverage. Therefore, if the Bill is approved—and I believe it will be—we shall lay new regulations on a timetable that will enable them to come into force at the same time as the Trading Schemes Act. There will, of course, be transitional provisions to minimise the costs for schemes that already meet the requirements of the regulations.

It gives me great pleasure to repeat that my right hon. Friend the Member for Chelsea has done a service for the country in introducing the measure. I commend the Bill to the House.

11.28 am

Sir Nicholas Scott: With the leave of the House, I shall speak briefly. First, I wish to apologise on behalf of my hon. Friend the Member for Mid–Kent (Mr. Rowe), who has left the Chamber briefly to respond to a green card that has been delivered to him. Secondly, I wish to express my gratitude to all those who have played a part in the progress of the legislation to this stage. I am grateful for that unanimous support, because we are tackling an important issue.

I know that the House is rightly wary of the excessive use of secondary legislation instead of primary legislation, but on this matter secondary legislation is essential. Indeed, if there are further developments and scams of one sort or another and gaps are found, it should be possible speedily to plug them with further secondary legislation.

I repeat my gratitude to the House for the support that I have had and ask it to give the Bill a Third Reading.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Bull Bars (Prohibition) Bill

Order for Second Reading read.

11.29 am

Mr. Paul Flynn (Newport, West): I beg to move, That the Bill be now read a Second time.

The greatest advance in road safety in recent years is the escape from the attitude towards driving of the early part of this century, which was characterised by Toad of Toad Hall figures, who delighted in the speed and power of motor vehicles. We have changed to defensive driving and now drive our vehicles in a good-mannered way, seeking to avoid problems to other users, particularly injuries and death. I am sad to say that bull bars have reversed that trend.

The case made for bull bars started in Australia, where they were designed as 'roo bars—short for kangaroo—to prevent kangaroos from being scooped up by the sloping bonnets of vehicles on impact and going into the passenger's space. They are now unpopular in Australia; they have been banned and replaced by a clever device that is based on high frequency sound, which is designed to shoo away kangaroos. A similar problem is being dealt with in a similar way in Sweden, which has the highest number of accidents involving impact with animals.

Now bull bars are being sold in this country in the belief that they prevent disabling and trivial damage to the fronts of vehicles. They are also being sold because they are aggressive in appearance and will intimidate other road users with the message, "This vehicle is tougher, harder and stronger than you. Keep out of my way." They have also become a declaration of the life style of the country person and the generation who had Tonka cars when they were young—cars with chunky, large wheels. They have a tendency to fall for bull bars in the pursuit of a fashion image.

The case against bull bars is proved and cannot be questioned. Every safety organisation and group of independent scientists, particularly in this country, Germany and Australia, has said that the rigid metal structure concentrates and multiplies the force of impact at the level of a child's head and vital organs.

Hon. Members will be familiar with the stiletto heel syndrome with which we were familiar in the 1950s when seven stone young women were wrecking the floors of dance halls that had survived for a century because, as they pirouetted on the tiny heel, their weight was changed from that of a young woman to that of a fully grown elephant and they bored sixpence-sized holes in the floor. Exactly the same physics is at work when a bull bar hits the head of a child. Not only does the bar, which might weigh about 100 lb, hit the child but it has the force of the vehicle behind it, all concentrated in a tiny area on the circumference of the bar's rim. Research proves that the bars change trivial accidents into serious accidents and serious accidents into fatal accidents. In Australia, the Madymo simulation proved that the bars changed the direction of the fall of pedestrians who were hit and consequently increased the danger of deadly head injuries.

The campaign against bull bars on four-by-fours has had some success. A firm on the borders of my constituency, which employs some of my constituents, manufactures bull bars. Nearly a year ago, it said that it had lost 50 per cent. of its sales. I told the company that

sales should go down because there would be fewer deaths and injuries, but that I would like it to diversify into other, safety areas—there is a great market in safety. I take no joy in the fact that there might be a threat to the jobs of my constituents, but the lives of young children are far more important.

Manufacturing companies have altered the bars' image by changing the name from the aggressive bull or nudge bar to the protector bar. They are now concentrating on selling them to owners of vans, with some degree of success. The term protector bar is deceptive. Research proves it to be entirely inappropriate, but some van drivers feel that they are under threat because they have no engine but only a thin layer of metal between them and the rest of the road traffic. Manufacturers adamantly deny that there is any truth in the belief that those vans are inherently dangerous. Even if it were true, it would be unforgivable for people to make themselves safer by greatly magnifying the risk to other road users, including pedestrians and cyclists.

All the research has proved that bull bars fitted on four-by-fours or vans increase the severity of injuries and multiply the number of deaths not only for the people who are hit but for the passengers and drivers of the vehicles on which they are fitted, for reasons that we all understand. Bull bars stiffen the fronts of vehicles and destroy the vital controlled shock absorption that is designed into vehicle fronts. The forces of the crash are transferred from the vehicle and the impact hits the bodies of those inside, increasing their injuries.

Bull bars also interfere with the operation of air bags because the sensors are put out. The bags can inflate unnecessarily, but may well not be activated when they are required in a smash. By wrecking the aerodynamic profile—they alter what are known as the laminar boundary layers—the weight and the drag of the vehicle are increased, thus adding greatly to fuel costs, air pollution, tyre wear and making handling more difficult.

Few studies have been carried out on the extra injuries caused to passengers in vans, but studies in Australia showed that no extra safety is to be gained by the use of bull bars. In detailed studies in Australia it was found that injuries were likely to increase as the force was concentrated into a smaller area. In one accident examined, the bull bar changed shape and inflicted injuries to the top part of the body of many people in the van.

Virtually everyone is in favour of the Bill, except those who want to use bull bars—a declining group—and those who have a vested interest in profiting from them. The organisations that support the Bill include the Royal Automobile Club, Automobile Association, the Royal Society for the Prevention of Accidents, the Pedestrians Association, Headway—an organisation for head injuries—the Cyclists Public Affairs Group, the Association of Chief Police Officers, the Child Accident Prevention Trust and the Parliamentary Advisory Council for Transport Safety.

Mr. Alan Williams (Swansea, West): Does it not seem strange that insurers are the one group missing from that list? Would it not seem sensible for them to take into account the fact that third-party costs that may arise out of insurance policies could be increased, as could personal damage risks? I should have expected insurers to be penalising rather than encouraging the use of bull bars.

Mr. Flynn: I have good news on that front as I wrote 18 months ago to every insurance firm in the country and although I received a fairly negative response at that time, since then one insurance organisation, CGA Direct, has said that it will not insure any vehicles fitted with bull bars and Norwich Union, Eagle Star, Cornhill and others have taken action to waive the policies. That has become a major issue among insurance companies.

There is good news also on the newspaper front. Vigorous campaigns have been conducted by *Wales on Sunday*, the Northern Ireland *Sunday Life*, the *Nottingham Herald and Post*, the *Evening Chronicle* and the *Daily Express*—the Express is not a newspaper that I have praised before, but it has printed a splendid series of articles inviting its readers to nominate uses for dead bull bars. It received more than 100 entries. Most prominent of all have been *The Independent* and *The Independent on Sunday* and Christian Woolmar's long campaign.

There are distinguished supporters of the campaign to ban bull bars. Anneka Rice, Roger Cook and a lady who I cannot mention by name but who has some influence in the royal parks have all removed bull bars from their vehicles. They have responded to my letters. There has been a response also by many hon. Members, some of whom are in the Chamber. Some of them have views that would lead others to think that they would not necessarily support proposals related to defensive driving. For many weeks I have not seen a bull bar in the car park, where 27 were once assembled.

The Bill is straightforward. The intention behind it is that no person shall use on a road a motor car to which a bull bar is attached. It sets out suggested sentences—prison sentences and a maximum fine at the appropriate level. There is a similar Bill in the other place and there is activity in the European Parliament.

A letter was sent to the Minister on 24 May 1995, and it is of some significance. It was written by an EU Commissioner, who suggested three approaches, which might be the subject of detailed discussion today. There is a view that was supported by *The Mail on Sunday* in a headline that declared that Britain had won an EU ban on bull bars. Sadly that is not true. There is a dispute over who should be responsible for introducing such a ban.

The Commissioner stated that there were three ways in which the Government could ban bull bars. He said that if they were not fitted as part of the original European type approval, owners could be compelled to remove them because they would be breaking the law. Secondly, there is the safeguard clause within the framework directive for European type approval. It allows member states to introduce a temporary ban on registration if bull bars are considered to be a serious risk to road safety. I believe that a temporary ban would become inevitably a permanent ban. The third approach is to prohibit bull bars on vehicles that cross borders from one member state to another, under articles 30 and 36. That would be a powerful weapon in reducing the number of bull bars on vehicles.

It has been suggested that the Commission no longer takes seriously the three approaches to which I have referred. Accordingly, I ask for confirmation that it does

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take them seriously. By coincidence, the RAC met the Commission on Monday. In a letter to me, it reports that it is adamant that the three courses of action are accurate and can be adopted unilaterally by the United Kingdom. That view has been supported by the Commission and made known to two Select Committees that visited the Commission in the past six weeks, the Select Committees on Transport and on European Legislation.

One reason that the Government are advancing for taking no action is that they are waiting for the results of research undertaken in 1994. If the Minister has examined the findings of that research, I hope that he will agree that a report has been much delayed and that it may be better if a report is never produced as it would not be worth the paper on which it was written. Disastrously unscientific methodology was employed. It constitutes a voluntary and amateurish exercise. Accidents were reported haphazardly and chaotically.

The Minister seems to be taking an interest in this part of my speech, for which I am grateful. I wrote to all the police authorities. Some had taken part in the research and others had not. Any conclusions drawn from it would be meaningless and possibly dangerously misleading. Only 29 of the 50 authorities took any part in the research. It was not treated seriously by many of them. According to the chief superintendent of Northumberland, participation was voluntary, which suggested that there was no attempt to ensure that the police forces taking part were a representative sample. The Northumbria police authority did not take part. Yet I have evidence from my mailbag of fatal accidents in that area.

The replies from the police to my letters show that the numbers of accidents vary greatly from county to county.

The Minister for Transport in London (Mr. Steve Norris): It would seem that the hon. Gentleman has encountered research the results of which he does not like. It is extraordinary how the findings of research are denigrated in those circumstances. It was never the intention that all the police authorities should be included in the survey. The hon. Gentleman refers to "only 29" as if that implies that the others had declined to take part in it. In fact, the 29 constituted the survey group that we selected. We did so deliberately.

Mr. Flynn: I raised the matter in anticipation of the Minister using the findings to be drawn from the survey.

I want to reach an intelligent conclusion on the value of the figures that the research produced. I have studied them, as have others, and other parties have reached conclusions. I shall refer to the conclusions of those groups.

The Hertfordshire police authority took the issue extremely seriously. It has an interest in it. Until recently, some police authorities were using bull bars on their vehicles. Their attitude has, regrettably, come through in the results obtained. The Hertfordshire authority reported that in one year total casualties involving bull bar accidents were 143, in 91 accidents. A nearby county reported no such casualties or accidents. That is not plausible. In Dyfed, Powys and Gwynedd there were no injuries caused by bull bars throughout the period in question. Any respectable statistician would come to the conclusion that the counties that took part in the exercise were not entirely representative. I find it strange that the Metropolitan police were not involved and tiny Scottish counties were.

An analysis was undertaken by an independent body of the results of the survey. It has reached a judgment that is based on the accidents of which we are aware. I should say that in my office there are figures that did not appear in the report. They were not reported by the police. In some areas the police are blind to the involvement of bull bars in accidents.

The independent body to which I have referred puts its considerable reputation behind the conclusion that 70 people were killed in accidents involving bull bars and that 400 were seriously injured. Those findings are based on the independent body's interpretation of the figures. It is a body for which we all have a great deal of respect because of its campaigning activities.

Mr. Den Dover (Chorley): Is the hon. Gentleman aware of the total number of vehicles that are fitted with bull bars? Is he aware also of the percentage of vehicles that have them and of any geographical spread?

Mr. Flynn: Half a million has been quoted for some time. Many people, however, have now removed them from their vehicles. There has also been a trend to fit bull bars on to vans. There is no reliable, accurate figure.

In a debate last April and in an interview that the Minister gave to the *Daily Express*, he expressed similar views. He takes the view that it is not possible for us, the United Kingdom, to take independent measures to ban bull bars. He takes the view also that there must be an appropriate directive from Brussels. He has said that he will keep up pressure on the EU, adding that the Government have not thrown up their hands. I hope that he will not do so today.

The Minister gave an interview to *The Mail on Sunday* on 19 November last year. It appeared under the heading that Britain had won an EU ban on bull bars. It told us that the EU had caved in to pressure to change a Euro directive so that controversial steel cages would be outlawed on new vehicles. Apparently the promise was given to the Minister after he had lobbied the Commissioner with responsibilities for transport, Mr. Kinnock.

Is there really reform coming from Brussels? In a letter written on 21 March, the Director General of the Transport Commission says:

"The Commission has drafted an amendment to a Directive"—

a well-known directive, with which the Minister will be familiar—

"to include a bull bar as an item that should not be too hard or sharp so as to cause an unacceptable risk of injury. This draft amendment has been discussed with member states and they hope that it will be accepted within the next few weeks. It will take a while for it to pass into law and then for it to be adopted by member states."

Sadly, the effects of the directive will be far more limited than the Bill, which seeks to ban the use of bull bars on all vehicles. It is certainly no substitute for the Bill, although it will, I believe, make it easier for the Government to accept it because action will be taken European wide and not just in this country.

The letter continues:

"The legislation will relate to new cars, and not vans"—

as I have already said, vans are becoming the main problem—

"and equipment sold as 'separate technical units'."

Again, that covers a huge range of bull bars, because many are sold by companies as accessories and are not fitted when they are new.

"The legislation is not retrospective in that it cannot encompass vehicles that are already on the roads."

We will have a ban from Europe that cannot cover more than 20 per cent. at the most of existing vehicles. There is no cavalry galloping over the horizon from Europe to rescue the Minister. The Euro ban will not cover vans, which must be about 50 per cent. of the vehicles involved, or bars that are sold as accessories.

I shall be as brief as I can, as many of these points have been made many times. I am reluctant to go through the long, bleak litany of names of those who have been killed by bull bars, but there have been many deaths: ranging from infants and toddlers to the elderly—one woman involved in an accident was in her 90s—and they happen in every part of the country.

I shall bring one case to the attention of the House. I know the family well, and the mother has been to the House recently. It is a case that must bear down on all of us as Members of Parliament, because this death followed last year's debate. As the child's mother rightly said, the House can act very swiftly when it wants to; when there is a major accident or major event, it concentrates all our attention. We had the debate a year ago, and other debates stretch back over two years. The child, Helen Baggs, whose picture I keep with my family pictures on my desk, died on the last day of the summer term last year. Rushing home excitedly from school with her sister, she ran into the path of a slow-moving Landrover with a ball bar attached. She was hit by the bar itself—the bracket on the bar broke in the impact. She lived for about seven days after, suggesting that her injuries were not instantly lethal. As the coroner said, Helen Baggs would almost certainly be alive now if it was not for that bull bar. We must all take it on our consciences that if we had acted swiftly last year we would have saved her life and, probably, if RAC figures are right, the other 70 unnecessary and avoidable deaths that have since occurred.

Any hon. Member today who wishes to see action taken speedily must ensure that the Bill is passed. If we do not pass it, we, as Members of Parliament, will be as responsible for future deaths, which will certainly occur, as a drunken driver at the wheel who had slain a child after taking a lethal gamble. We cannot do that. We must pass the Bill today. It is the only chance that this country has of a comprehensive ban that will save lives and avoid serious injuries. It is up to us now to reduce the crippling injuries and to save lives.

Bull bars reverse the life-saving culture of defensive driving and turn it into aggressive, lethal and offensive driving. Futile macho fashion accessories turn vehicles into child-killing machines. They intimidate and bully, and, tragically, they make trivial accidents serious ones and turn serious accidents into deaths. Fellow human beings are being sacrificed to what has become the foolish greed of the manufacturers and the vanity and macho feelings of irresponsible drivers.

11.55 am

Mr. Richard Spring (Bury St. Edmunds): I am most grateful to you, Madam Deputy Speaker, for the opportunity to contribute to the debate.

I unreservedly congratulate the hon. Member for Newport, West (Mr. Flynn). What he has sought to do in his campaign in the past few years is in the best traditions of Back Benchers. He has taken on board a cause which enjoys considerable public support—indeed, cross-party support—and has moved with it, and, I believe, has moved public opinion with him. I applaud him for what he has done and for his speech.

I am delighted to see present my hon. Friend the Minister for Transport in London, because nobody has done more to highlight the issues of road safety in this country in an imaginative way. I believe that, in spirit, he accepts the underlying theme behind the Bill—the acceptance that bull bars cause grave problems for road safety considerations. I am sure that he will address that in due course.

I wish to comment on remarks made in the previous debate by the hon. Member for Edinburgh, South (Mr. Griffiths). He seemed to imply that Conservative Members of Parliament were not taking the issue of bull bars seriously. Yet the Opposition Benches are totally vacant. Only the hon. Member for Newport, West (Mr. Flynn) is present. *[Interruption.]* I am sorry, I thought that the right hon. Member for Swansea, West (Mr. Williams) was a Front Bencher. It is a disgrace that the campaign is so ill supported by the hon. Gentleman's fellow Labour Members of Parliament, and I am horrified that no Liberal Democrat is here for the debate. Labour Members certainly cannot be talking to their farmers, which is precisely what many Conservative Members will be doing in the next day or two.

Mr. Nigel Griffiths (Edinburgh, South): We are adopting exactly the same position on this measure as we adopted on the earlier Bill. We want to give the Bill a fair wind, but there has been misleading information about reasons for not proceeding with the measure. The legislation is vital and the Bill is supported by many hon. Members. My hon. Friend the Member for Newport, West (Mr. Flynn) gave a good account of why it should proceed, and we look forward to the Minister assuring us that business will conclude before 2 o'clock so that the Bill is passed.

Mr. Spring: The hon. Gentleman is clearly not aware of the fact that I am one of the Bill's sponsors. The hon. Member for Newport, West is enjoying no support from Opposition Back Benchers. They are not here, and that is a reflection of the attitude of Labour Members.

Mr. Dover: The hon. Member for Edinburgh, South (Mr. Griffiths) says that he wants hon. Members to be here to support Bills that should be unopposed. Opposition Members who say that they want the Bill to be rushed through are not present. The earlier Bill was presented on a Friday when many of us were in our constituencies, some of which are distant. How on earth can we be in our constituencies and here at the same time? Labour Members are saying one thing and doing another. They say that they want the Bill to be rushed through, but they are not here to support it.

Mr. Spring: I agree with my hon. Friend, as will all Conservative Members.

Mr. Alan Williams: Is the hon. Gentleman aware of any Labour Member who opposes the legislation? Does he agree that the Bill will be stopped only by extended speeches by Conservative Members and the Minister? It makes sense for Opposition Members not to take part in the debate because that facilitates the Bill's progress. I have been in the House for 32 years and I am fully aware of how Governments operate on Fridays. The hon. Gentleman would be silly to try make this issue party political. There is consensus on the Bill.

Mr. Peter Atkinson (Hexham) *indicated dissent.*

Mr. Williams: I gather that the hon. Member for Hexham (Mr. Atkinson) is opposed to it. No doubt my hon. Friends will draw that to the attention of his constituents. Many parents in his constituency will want to know what the hon. Gentleman has to say on this matter.

Mr. Spring *rose—*

Madam Deputy Speaker (Dame Janet Fookes): Order. The purpose of Second Reading is to discuss the merits or otherwise of a Bill. It is not the occasion on which discuss who is here or who is not here.

Mr. Spring: I am grateful, Madam Deputy Speaker.

Mr. Norris: I shall be mindful of your advice, Madam Deputy Speaker. The issue is whether a Bill of this sort should be debated and thoroughly examined and whether we should accept the proposition, which is supported by my hon. Friend the Member for Bury St. Edmunds (Mr. Spring), who is one of the Bill's sponsors, to ban aggressive bull bars. It is ludicrous to suggest that although we all support banning such bars we should simply nod the Bill through without serious examination. It is entirely right that hon. Members should seek to speak in the debate so that we can examine not whether we want to legislate against aggressive bull bars, but whether the Bill is the right mechanism to do that.

Mr. Alan Williams: On a point of order, Madam Deputy Speaker. You said that a Bill's principles are discussed on Second Reading. Is it not also true that the place for detailed nut and bolt examination is in Committee?

Madam Deputy Speaker: Yes, but there is no reason why some details should not be considered on Second Reading, especially those that affect the Bill's principles.

Mr. Spring *rose—*

Mr. Norris: Further to that—

Madam Deputy Speaker: Order. We cannot have points of order one upon another.

Mr. Spring: Progress on the Bill has been delayed not by Conservative Members but by constant Opposition interventions. I do not know whether Labour Members universally support the measure, but it is a fantastic parliamentary principle to say that if a Bill is supported we should not debate it. That is absolutely ridiculous.

Mr. Peter Atkinson: The Bill carries serious penalties of imprisonment or a level 5 fine, which is a considerable sum. It would be quite wrong for the House to nod through legislation that is incomplete and which would make people vulnerable to losing their freedom.

Mr. Spring: My hon. Friend is correct. In view of your ruling, Madam Deputy Speaker, I shall move to the essence of my speech.

My intense feelings on the subject arise from a personal experience. In December 1992 I was parking my car, a Volvo estate, in Bury St. Edmunds. It was stationary and in the rear view mirror I saw a four-by-four vehicle coming towards me at about 35 mph. It hit the back of my estate car. I saw it coming and wondered what damage the impact would cause as my estate car is supposedly one of the safest in existence with a protected outer steel chassis. I was appalled to find that the impact buckled the chassis of my car. The car was a write-off. That was a deeply shocking experience. That is why—I think that the hon. Gentleman will confirm this—I have in principle, all the way through, supported what he is trying to do.

An article in the *Financial Times* on 9 December 1995 dealt with the issue. Written by Stuart Marshall, it graphically summed up his feelings in a similar vein. He says:

> "It was morning school rush hour. Young mothers, many driving too fast, were arriving with their children. As I neared the school gates, a three-year-old slipped his mother's hand and started to run across the road. Because I was doing no more than 20mph . . . the Citroen Xantia pulled up almost instantly when I stamped on the brakes. Even so, the toddler was just touching the bonnet as I stopped.
>
> He was unharmed, but I would not like to say whether he or his mother were the more terrified. My heart rate was above normal, too. The Xantia's bonnet, by design, is pedestrian friendly. But what if I had been driving a recreational 4 x 4 with steel-tube bull bars across the front? A little boy would at best have been concussed, at worst received a fractured skull."

That graphically sums up the position. He goes on to say:

> "Interestingly, the Association of British Industry thought bull bars might increase the risk of a vehicle being stolen. A Range Rover or Mitsubishi Shogun with a hefty set of bull bars would, it reasons, be an even better car for ram raiding than one without them."

That is the sort of thinking of people who would steal a car for that purpose.

I can, therefore, genuinely say that I feel strongly about this subject. Bull bars are monstrosities, not fashion accessories. The hon. Member for Newport, West has said that they have been banned in Australia, where they originated. I am interested to hear that. I thought that it was only an urban ban.

Mr. Flynn: May I help with this? The ban is in urban areas. Bull bars have also been banned in Jersey from last week and in Cyprus. But my Bill covers a ban on public roads only.

Mr. Spring: I understand that. I am grateful to the hon. Gentleman for making that point.

In the United States of America, bull bars are known as moose bars. In this country we do not have large beasts such as moose or kangaroos. Bull bars have no place in a temperate climate and in the United Kingdom with its wildlife. It is not like the United States or Australia. Even the beast of Bodmin moor is not especially large by all accounts. Therefore what goes on in the United States and in Australia is not relevant to the UK.

The main point, however, as that journalist graphically pointed out, is that bull bars are at the same level as a child's head. It may be a fashion that has caught on. It has spread from motor cars to lorries, to delivery vans, to buses and even, appallingly, to ambulances.

Mr. Andrew Rowe (Mid–Kent): May I draw a parallel from a different matter which remains persistently within the British safety regulations? The only people who can easily reach three-pronged sockets in domestic houses are toddlers, from whom we are supposed to keep three-pronged sockets away.

Mr. Spring: Exactly. The more we raise the level of consciousness about safety measures for children, the fewer fatalities we shall have in this country.

The Transport Research Laboratory has shown that a child may die as a result of a vehicle fitted with a bull bar travelling at only 12 mph, compared with a normal vehicle travelling at about 25 mph. As the hon. Gentleman said, the RAC recently said that it believed that the total number of fatalities as a result of bull bars was 70. Others, such as the Transport Research Laboratory, have argued that that number is too high and that the real figure is perhaps only half of that. The Association of Protection Bar Manufacturers has talked of only five deaths, but it would be bound to say that, would it not? And even if there were only five deaths, that would be five too many. Bull bars are a dangerous monstrosity.

Mr. Denis MacShane (Rotherham): If the hon. Gentleman goes into the House of Commons car park, especially when it is absolutely full, such as before a Division, he will see some vehicles fitted with bull bars. I am not saying that they belong to Members, because other people can park there, but should we not set an example by ensuring that no car can enter the Palace of Westminster if it is equipped with bull bars?

Mr. Spring: I take the hon. Gentleman's point. Largely as a result of the campaign of the hon. Member for Newport, West, I understand that there has been a substantial diminution in the number of vehicles in the House of Commons car park fitted with bull bars. I wish that there were none at all.

The two major road organisations, the RAC and the AA, have made very negative comments about bull bars. As I have said, the RAC released a report in February showing that the number of fatalities is twice what it was previously estimated to be. We have heard the oft-repeated and ghastly story of 12-year-old Victoria Moule, who was thrown no less than 30 ft up the road as a result of being hit by a Vauxhall Frontera, and a piece of her pelvic bone was broken.

The RAC has said that bull bars can cause injuries to drivers—this is the other significant point—by transferring the impact of a collision away from the car's crumple-zone panels so that the impact of the crash is felt around the car. Not only are bull bars dangerous externally when they hit people; they enhance the danger to passengers in and drivers of cars to which they are fitted. On both counts, they are extremely dangerous. Regardless of whether bull bars kill 70 people or one person per year, they are wrong. They are not a fashion accessory; they are a killing accessory. Tests in Germany suggest that the impact of a bull bar trebles the destructive impact on a human being. That is a terrifying statistic.

As I said earlier, I know that my hon. Friend the Minister is essentially sympathetic to what I am saying. I also know that there are difficulties in trying to integrate our procedures with European law. My hon. Friend will recall that he and I corresponded on the subject of fitting seat belts in minibuses carrying school children. Again, such provision could not be brought into British law unilaterally without European agreement, and I understand that in principle. I know that my hon. Friend is doing everything possible to persuade the Transport Commissioner, Mr. Kinnock, to speed up the process so that whatever blockages there are can be cleared and the legislation put in place.

The hon. Member for Newport, West mentioned—I am not clear about it—that Cyprus, and more recently Jersey, have banned bull bars. I understand that they may have a different relationship to the European Union than we have. Perhaps that is the point. I am sure that my hon. Friend the Minister will want to comment on that in due course. I very much regret, however, that it would appear that we cannot take unilateral action, which would be very popular. I hope that my hon. Friend will explain exactly why. However, that is no reason why others—such as organisations—cannot act.

I am pleased to see that the number of bull bars in the House of Commons car park has reduced substantially. I wish that it were zero—perhaps it is already. I am gratified that police authorities such as the Lothian and Borders police have banned bull bars on their vehicles and that many delivery organisations have done likewise.

I was delighted to receive last night a letter from DHL, an enormously successful and widespread organisation. Knowing that I am a sponsor of the Bill, DHL wrote saying that it would like to express on behalf of DHL International (UK) Ltd. its support for the forthcoming Bill for the prohibition of bull bars and saying that, following the public concerns about the safety implications for pedestrians posed by bull bars fitted to vehicles, DHL had removed the bull bars from all its vehicles to which they were fitted.

DHL has a good safety record; none of its vehicles had been involved in an accident, so it is not as though it was reacting to pressure from that quarter. It began the process of removing bull bars in October 1995. It took about three weeks and 250 man hours and was not cheap. It cost the company £60,000, but DHL felt that it was the right thing to do, not simply to improve its public image but because of the possibility that one of its vehicles might be responsible for a fatality. I endorse that sentiment.

Bull bars were originally fitted to 300 of DHL's vehicles out of a total of 627, but by October 1995 the figure had increased to 500. I am therefore very encouraged by the fact that that organisation, so well

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known world wide, has taken the initiative. Other organisations, not only delivery organisations, should take that route.

Mr. Rowe: If what my hon. Friend said earlier about the manifest increased risk to passengers is true, should not insurance companies consider that? Perhaps my hon. Friend was about to refer to that.

Mr. Spring: My hon. Friend makes a valid point. Several insurance companies are preparing or have begun to go down that route. We are having this comprehensive debate to bring the issues to light on the Floor of the House of Commons, after which they will no doubt be widely reported, especially in specialist magazines. I hope, therefore, that insurance companies will pick up my hon. Friend's point.

With that matter in mind, on my own initiative I have written to several organisations in the county of Suffolk. Yesterday I wrote to the leaders of St. Edmundsbury borough council and the leader of Forest Heath district council, asking them to set a best practice example in my constituency by encouraging councillors attached to those authorities plus all employees to remove their bull bars.

Twice I have written to the chairman of the highways committee of Suffolk county council to ask him to do the same for the county council. I regret to say that the gentleman has a bull bar fitted to his own vehicle. I was on BBC Radio Suffolk this morning discussing the Bill when a quotation was broadcast in which he said that he believed that there was no reason for him to remove the bull bar because he had no convincing evidence that bull bars were unsafe. I do not wish to personalise this issue, but I believe that he is setting a poor example. I have asked him to consider disallowing reimbursement payments to any councillor or council employee attached to Suffolk county council who has fitted bull bars on their vehicle. I would very much like that action to be taken.

I talked about my car being severely damaged. I believe—I hope that I shall not be corrected—that Volvo is the one manufacturer to have banned bull bars from being fitted. However, other manufacturers are moving down the same route. The Land Rover Discovery, for example, has a foam plastic variant. Mitsubishi has introduced a polyurethane bar and I understand that other manufacturers are going down that route, very much driven on by public opinion and by the gathering feeling that bull bars are nothing other than very dangerous items. I wish that car manufacturers would remove bull bars now from the specified list of options; they are invariably options and are not fitted automatically. Let us make the United Kingdom, from a car point of view, a macho-free zone.

I now turn to the European dimension, an issue that my hon. Friend the Minister will wish to address. Frankly, I find the whole issue confusing. In September 1995, the European Parliament backed a motion to ban bull bars but nothing much seems to have flowed from that. The European Commission is somewhat inhibited from taking action because of the attitude of Finland and Sweden. I find that difficult to understand. If Finland and Sweden have a particular problem with reindeer accidents, why should not the principle of subsidiarity be invoked? Moreover, most people in those two countries live in major urban areas such as Gothenburg, Stockholm and Helsinki, so it is not clear why they need to continue to have bull bars fitted to their vehicles. Even if they wish to have them, why cannot the principle of subsidiarity operate so that they can continue with bull bars while those of us who take a more sensible view are able to deal with the problem? That would be excellent.

There has also been talk, which I find rather disappointing, that an EC directive dealing comprehensively with the issue will not come through until October 1998. As the hon. Member for Newport, West said, the European Commission seemed to imply that the United Kingdom could take unilateral action, but only for a limited period of six months. It is not clear to me why that suggestion has not been taken up or why, as was hinted at the time by the European Commission, an extension could not be added. I understand that the British Government could ban non-approved bull bars, although I accept that that is a small number of cases.

Let us consider public opinion on the matter. Some 87 per cent. of readers of *Auto Express*, when canvassed, wished to have bull bars banned. The evidence is that with bull bars the crumple zone, far from protecting the vehicle and passengers, actually increases the danger to them. That is why the readership of *Auto Express* took that view. I understand that local authorities in Kent, Hampshire and Surrey have banned vehicles with bull bars from cross-country driving.

What is to be done? Lord Kinnoull sought recently to introduce the Road Traffic (Amendment) Bill in another place. I was interested to find out exactly what their Lordships discussed. Perhaps my hon. Friend the Minister will explain a little further what was meant by the following observation by Lord Goschen in reply to the debate:

> "Preventing the use of bull bars on all vehicles would be difficult to achieve at the present time. Popular models with bull bars fitted as original equipment by the manufacturers are likely to have been granted European type approval in respect of external projections. The free circulation of such vehicles cannot be impeded. That point was taken up by the noble Earl, Lord Attlee, and the noble Baroness, Lady Thomas . . . Such European considerations, and the fact that as yet there is no specific hard evidence as to the effect of bull bars on injuries to people, are partly why we have held back from proposing national action. We hope that when we have the results of the work that has been undertaken, we shall be in a much better position to judge the issues empirically."

I am nonplussed by all that, but I am sure that my hon. Friend the Minister will deal with it. Lord Goschen further said:

> "The other approach on the European basis, as agreed by Mr. Kinnock, is for the Commission to bring forward an amendment to the external projections directive. That is a separate measure from the general measure concerning softer car fronts. That could be achieved very much more quickly.
>
> Why do we not take unilateral action? I have explained that in a field that is so heavily governed by European directives on type approval, we feel that we would be in a position where we could very well be challenged in the courts because of the considerable body of legislation on type approval. That, and for the reason that I have given of ongoing research, is why we consider that getting speedy European action is very much more satisfactory and legally defensible than taking the national action that is proposed."—[*Official Report, House of Lords*, 17 January 1996; Vol. 568, c. 691-93.]

I hope that my hon. Friend the Minister will be able to comment on that.

Penultimately, I want to touch on the relationship of Jersey and Cyprus to the European Union. Recently, when Jersey decided to ban bull bars, the RAC spokesman, Edmund King, said:

"Jersey's rules are based on UK legislation and therefore the same interpretation of the rules could be made throughout Europe."

My hon. Friend the Minister should comment on that.

Finally, in correspondence with my hon. Friend the Minister in the autumn, I received a letter dated 23 October 1995 in which he said:

"With regard to the legal position of bull bars, it is not at all clear what we can actually do. Most bull bars, and probably all those fitted to new vehicles, comply with the technical requirements of Council Directive 74/483/EEC on 'External Projections'. The articles of this Directive say that no Member State may prohibit the use of a vehicle on grounds relating to external projections if the vehicle conforms to the requirements of the Directive. We are in communication with the European Commission to clarify what we could and could not enforce."

The European Commission seems to have suggested that we could, in limited circumstances, undertake unilateral action if it was on a temporary basis. Will my hon. Friend the Minister comment on that?

Mr. Norris: Will my hon. Friend, as a sponsor of the Bill, express a view on the value of our taking action clearly limited to a few months' duration, after which, assuming that there had been no legal challenge in the meantime, the provision would lapse? Is that the way in which the House should proceed on a matter of such importance?

Mr. Spring: My hon. Friend raises a valid point. The point of this debate is to give him more strength in his negotiations with the European Commission to resolve the matter as quickly as possible. The fact that the Bill enjoys cross-party support and the overwhelming backing of public opinion in the United Kingdom should send a message to him. Whatever can be done to resolve the problem permanently should be done. I am confident that my hon. Friend will be able to do that as speedily as possible.

Mr. Flynn: Will the hon. Gentleman make it clear, as perhaps I did not in my speech, that the letter from Europe last May set out three methods for Britain to take unilateral action to ban bull bars? In connection with only one of those was a temporary ban mentioned. The other two methods suggested would have been permanent bans, and Europe has confirmed three times in the past six weeks that we can still choose any one of those three methods on our own.

Mr. Spring: With your permission, Mr. Deputy Speaker, perhaps my hon. Friend the Minister would care to address that point.

Mr. Norris: That intervention by the hon. Member for Newport, West (Mr. Flynn) has produced a version of the correspondence greatly different from my understanding of it. No doubt the Commission may have suggested that there are three courses of action open to the United Kingdom Government, but the Commission has agreed with me, and the Commissioner has agreed with me personally face to face, that none of the three options presents a satisfactory long-term solution. That is the point that I was asking my hon. Friend to address, and I repeat it. I fear that the hon. Member for Newport, West is in danger of misleading the House if he suggests otherwise. I do not mean that he would knowingly wish to mislead; nevertheless what he said would be misleading.

Mr. Spring: I conclude by repeating that I support the Bill, I support the principle behind it, and I believe that the overwhelming majority of people in Britain also support it in principle. There is no reason why, while the negotiations between my hon. Friend the Minister and the European Commission are going on, there cannot be unilateral action by organisations throughout this country.

I hope that what comes out of the debate will strengthen my hon. Friend's authority in those negotiations. The message is loud and clear, and I know that he has already heard it, and will hear it again during the debate. It is that action should be taken as soon as possible. I have great pleasure in supporting everything that the hon. Member for Newport, West has done. I thank him for the dogged campaign that he has undertaken, and I commend the Bill to the House.

12.31 pm

Mr. Denis MacShane (Rotherham): I shall now make what I hope will be the shortest speech on the Floor of the House in my career. I totally agree with everything that my hon. Friend the Member for Newport, West (Mr. Flynn) has said, and also with the powerful case made by the hon. Member for Bury St. Edmunds (Mr. Spring).

I wish simply to underline what has been made clear in all the written communications from Europe. In the letter from Transport Commissioner Neil Kinnock to the Minister dated May last year, the Commission outlined three specific measures that the United Kingdom could take. The director-general of the transport directorate within the Commission, in correspondence with an individual in this country dated March this year, stressed that the United Kingdom has the power to take unilateral action.

In a letter dated 27 March, not three days ago, the Royal Automobile Club reported a meeting of the European Commission with members of both the transport and the trade directorates, at which Commission officials were adamant that there were courses of action that the UK Government could take unilaterally.

It would therefore be wrong—indeed, bordering on the misleading—for the Minister to suggest that the Government do not have powers to adopt such measures.

I finish by urging Conservative Members—

Mr. Dover: Will the hon. Gentleman give way?

Mr. MacShane: I was just about to finish.

Mr. Dover: Just one quick query. Can the hon. Gentleman tell us the date of the letter from the Commissioner? The Minister may have met the Commissioner long after that date.

Mr. MacShane: As I said, the letter was dated May last year. But since then there have been two written communications, one dated March 1996—we cannot get

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much more up to date than that—confirming what was set out in that letter. So if there is to be any obstruction, it will be on the part of the Government.

Mr. Norris: The hon. Gentleman used the word "misleading"; I have also used that word. It might be helpful to him, in considering which of us is right, if I quote from a letter that I received from Neil Kinnock on 7 November last year. He said:

"while I agree that the suggestions I made for action by the UK in my letter to you of 24 May do not constitute a long-term solution, they do nonetheless offer possibilities for action by the UK without waiting".

A key to this debate is that that was an opinion that he expressed, which is not shared by the people who advise me on such matters. Even if the situation were as the Commissioner suggests, he says in terms that the measures he proposes do not represent a long-term solution.

Mr. MacShane: In the long term, we shall all be dead. In the meantime, can we at least protect some children from these wretched bull bars? Every written communication and every meeting between the Commissioner and the Transport Select Committee and the European Legislation Select Committee confirmed what he said last year, and what has been said as late as this month.

I appeal to Conservative Members, whether they are Back Benchers or Ministers, and after two excellent speeches on the issue from both sides of the House, not to talk out the Bill. If one child dies as a result of a bull bar injury because the Bill is not allowed to go into Committee, the consciences of those who talked out the Bill will rest heavy.

12.36 pm

Mr. Peter Atkinson (Hexham): I do not want to bring a gritty tone into the debate, but I must say that I do not agree with the Bill. Perhaps one of the more unattractive features of private Members' days in the House, on Fridays, is that the majority of the Bills that we seek to introduce are those that seek to stop people doing something that they want to do. We must consider carefully before we do that, because the right to choose and to make one's own decisions in life is extremely precious.

The hon. Members for Newport, West (Mr. Flynn) and for Rotherham (Mr. MacShane) used an emotional arm-lock on us. They said that if one more child should die because of an accident, we would be to blame. If they want to save lives, they should introduce a Bill to ban young men under 25 driving high-performance cars. If we want to reduce the death rate on the roads, those are the people whom we shall have to stop. High-performance cars are no more and no less a fashion accessory than are bull bars.

I make it clear that I have no particular enthusiasm for bull bars. I do not have them on any of the cars that I own because I find no need for them. The hon. Member for Newport, West said that they are macho and unattractive, but the House's purpose is not to legislate on people's taste; the House's purpose is much more serious than that. I may not like beards, for instance, and I may not like bow ties, but I do not say that the hon. Member for Newport, West should shave off his beard or that you, Mr. Deputy Speaker, should not wear a bow tie. Those are purely matters of taste.

If one could demonstrate that bull bars, as they are currently designed, are without doubt dangerous, the situation would of course change; that is what we must debate carefully. In many respects, the Bill is defective. It proposes, of course, a gaol sentence of three months—

Mr. Flynn: Maximum.

Mr. Atkinson: It proposes a maximum gaol sentence of three months—I take the point—for anyone who has a bull bar on his car, and a very heavy fine, up to level 5. So the Bill is a serious measure. The problem is that the data on which the hon. Gentleman bases his Bill are incomplete, and we do not yet have proof that bull bars are essentially dangerous. The proof is not yet at a stage at which we should be able to take away someone's right to do something that he wishes to do.

My hon. Friend the Member for Bury St. Edmunds (Mr. Spring)—with whom I hate to disagree, because we have agreed on virtually everything that we have come across in the House—said that bull bars are a fashion accessory. To some extent, they are not a fashion accessory. My constituency compromises much hill country in the north of England. We had a lot of snow this winter, and people need four-wheel-drive vehicles. Many use four-wheel-drive pick-up trucks for farm work in which vehicles can easily be damaged.

Mr. Flynn: The Bill deals with the use of bull bars on roads, but there would be no problem with using demountable bull bars for farming purposes and on private roads.

Mr. Atkinson: With the greatest respect, the hon. Gentleman is making an entirely impractical suggestion. Bull bars are heavy and thus difficult to fix to vehicles. The idea of a demountable bar that can be removed as a vehicle crosses a road from one field to another and then replaced is utterly ludicrous.

Mr. Flynn: There is a range of farm implements that are not allowed to be used on public roads. They have to be taken off when tractors use such roads.

Mr. Atkinson: I do not wish to continue this agricultural debate, but those who know about farm implements will understand that it takes a long time to remove such an implement from, for example, the back of a tractor. The hon. Gentleman's suggestion is impractical.

My hon. Friend the Member for Bury St. Edmunds said that there are no moose or reindeer in this country, but there are deer. One of the reasons why the Lothian and Borders police fitted bull bars to their four-wheel-drive vehicles was the danger of hitting deer. I have seen vehicles—no doubt my hon. Friend has, too—which have hit deer while travelling at 50 mph. In such circumstances, deer can cause a great deal of damage. In Scotland, the problem is caused by red deer.

Mr. Spring: With respect, my hon. Friend misses the point. Lothian and Borders police have in fact removed

bull bars from their vehicles. My hon. Friend will know that my constituency contains Thetford forest, in which there are a considerable number of deer. Sometimes, they are, regrettably, involved in accidents but, as devoted as I am to the deer in Thetford forest, in the grand scheme of things, I would prefer any fatal collision to involve a deer rather than a child.

Mr. Atkinson: I understand that Lothian and Borders police have removed their bull bars, but the reason why they introduced them and why some people like having them on their vehicles is the damage caused by hitting deer. The point that I am trying to make is that bull bars are not exclusively macho accessories—for some people, they are a useful motoring accessory.

Mr. Spring: Bull bars represent an external danger when hitting, for example, a child, but we know that the crumple zone and the force of energy are such that, if the energy is absorbed by the steel bull bar, the effect is to reduce the safety of the driver and any passengers. Bull bars are not only externally dangerous, but do not preserve the life of the driver or passengers. In fact, the contrary is demonstrably true.

Mr. Atkinson: I do not want to dispute those particular points, but my point is that people have bull bars on their cars not only for the sake of fashion—although, if they do, that is their choice and taste—but because they need them on, for example, vehicles used regularly on farms, in areas such as the highlands of Scotland, the borders of England and Wales and, indeed, Suffolk, where there are large deer populations. Bull bars are more than fashion accessories to such people.

Before the Bill is passed on the nod, as has been suggested, we must determine the facts. There are two questions to be asked. Are bull bars genuinely a threat to life? I shall return to that in a moment. Secondly, can they be made safe? Can we ensure that, if people want to fit bull bars to their cars, the bull bars are not dangerous?

One of the difficulties with this issue, as with all safety and road safety issues, is that as soon as it is raised, a whole host of pressure groups come out of the woodwork to grind their axes to show their members that they are clever, pretty and enthusiastic, so that they can raise more funds by getting more members. Often in such circumstances, the pressure groups—sadly, in this case, including the RAC—make predictions and often the data, facts and truth get rather blurred. In this case, that is what has happened, because if we consider the available figures in detail, the forecasts of death and injury are extremely misleading.

I accept that the figures that I shall give to the House were produced by another pressure group. I am grateful to *Off Road and 4 Wheel Drive* magazine for supplying me with the figures.

Mr. Nigel Griffiths *rose—*

Mr. Spring *rose—*

Mr. Atkinson: Hon. Members may stand up all over the House, but I wish to finish my point. I am aware that the magazine is also a pressure group, but my point is that we must treat the data that we have at the moment with great suspicion.

Mr. Griffiths: Does not the hon. Gentleman accept that exactly the same argument was used in the 1970s about seat belt wearing? There were thousands of unnecessary deaths and tens of thousands of unnecessary injuries. The facts here are overwhelming.

Mr. Atkinson: The hon. Gentleman says that the facts are overwhelming, but in my view the facts are not overwhelming. We should forget the projections. We have had projections of 35 deaths a year from the Transport Research Laboratory, based on figures collected by some police forces in the sample area that my hon. Friend the Minister for Transport in London mentioned. We have had figures of up to 70 deaths from the RAC, but I am not entirely sure about the basis of those figures. But other figures, produced by the Association of Protection Bar Manufacturers—which, I accept, is a vested interest—*[Interruption.]* The hon. Member for Newport, West may laugh, but that organisation represents a £25-million-a-year business, and 1,000 employees. I accept that it is a pressure group, but it is no more and no less of a pressure group—and its evidence is no more and no less questionable—than the Royal Society for the Prevention of Accidents or any other organisation.

Mr. Flynn: The hon. Gentleman obviously does not have a financial interest because he would have declared it, but he is speaking on behalf of a group that has an interest in making money out of selling bull bars. The other groups that we have quoted are safety groups, which are interested in road safety and in the well-being of pedestrians and people who drive cars. There are no authoritative figures from his organisation or any other, but the best we can do is to work on the imperfect figures we have. The independent bodies say that there will be 35 or 70 deaths a year.

Mr. Atkinson: I am grateful to the hon. Gentleman for accepting that the figures are imperfect. That is exactly the point that I am trying to make, so we do not disagree on that. So we have a situation in which the hon. Gentleman is basing—by his own admission—the need for the Bill on imperfect figures. I do not believe that we should take away someone's liberty and ability to choose on figures that we all admit are imperfect.

A cynic may say that the Association of Protection Bar Manufacturers undoubtedly has a vested interest—the industry makes £25 million a year and employs 1,000 people—but so do the road safety pressure groups. Life in a pressure group today depends on one's success in increasing membership and obtaining funds. That is how people in pressure groups keep their jobs and that is how pressure groups earn the money to advertise for more members. Both sides are grinding axes and—not unreasonably—pushing for their vested interests.

We discovered that, in 1994, there were only six deaths of pedestrians who were killed by cars fitted with bull bars, and only four of those could be blamed in any way on the fact that the car was equipped with a bull bar. One famous case, which the hon. Member for Newport, West mentioned, involved a Mitsubishi Shogun, fitted with a bull bar, which was claimed to have killed a pedestrian. But when the coroner's inquest on the victim examined the evidence in detail, it discovered that he was under the influence of drink at the time, had walked into the side of

[Mr. Atkinson]

the car and was thrown on to some railings at the edge of the pavement. That is how the coroner reported that, but it went down as an accident involving a car with a bull bar.

I am trying to point out that my hon. Friend the Minister should not proceed in any way with the legislation until the data are absolutely copper-bottomed and we are able to show that the right to choose should be taken away from people.

Mr. Flynn: Is the hon. Gentleman saying that, although we know from all independent expert opinion in the world that bull bars kill and will kill many more people, we have to wait until we are absolutely certain of that and take our action after the deaths? Is he happy to have those deaths on his conscience?

Mr. Atkinson: I am not happy to have any deaths on my conscience, but is the hon. Gentleman happy to have the deaths that will be caused by young drivers under the age of 25 driving high-performance cars on his? He is saying that we should outlaw everything that could cause any chance of a death, otherwise all hon. Members will have endlessly sleepless nights. It is a preposterous suggestion that we should be railroaded into passing bad legislation on the basis that, if we do not do so, we shall not sleep at night. That is not a way in which the House can continue.

On a more positive note, bull bars are being redesigned by responsible manufacturers that are members of the Association of Protection Bar Manufacturers. In Germany, they have already developed a bar that may well meet the high road safety standards required there.

Mr. Flynn: The hon. Gentleman may have noticed that the Bill refers to bars made of metal, not the type that he may be about to describe. Can he tell the House—he has not answered this question—whether he is being paid for his contribution to the debate today?

Mr. Atkinson: I find that an insulting remark. If I were being paid in any way for doing this, I would have declared it. I had absolutely no knowledge of the Association of Protection Bar Manufacturers until yesterday. When I saw the Bill, I took the trouble to ring Mr. Scott, the editor of *Off Road and 4 Wheel Drive* magazine, to ask whether there were two sides to the story. He said, "Yes, there are." He told me that, if I wanted to hear the other side, I should ring up that organisation. That is my sole interest. In fact, I have not even communicated with the association. I simply received an extensive fax, stating its case. I assure you, Mr. Deputy Speaker, that no cheque was attached to the fax.

Manufacturers are studying ways to make bull bars more user friendly, by making the surface of impact much softer and making them from plastic, which will not be caught within the provisions of the hon. Gentleman's Bill. The bars should have energy-absorbing features and should not have any features likely to catch or entrap pedestrians or cyclists. They should also spread the load of impact over as large an area as possible and not block the headlights.

The hon. Member for Newport, West mentioned the problem with airbags and bull bars. The magazine states:

> "Jeep, Land Rover, Mercedes-Benz and Mitsubishi all crash-tested their airbag-equipped vehicles and found there was no chance . . . of malfunction"

if the vehicle was fitted with standard bull bars. Only Suzuki recommends that its vehicles should not be fitted with the bars.

The European aspects have been touched on. No doubt my hon. Friend the Minister will deal with what the European regulation is, but as I understand it—perhaps he will put me right—the European Community is working on a directive to make the bonnets of all cars user friendly. A European Union-designed car front is a slightly chilling thought. No doubt, we shall be seeing stories in the newspapers saying that the traditional Rolls-Royce lady will have to disappear. That will also have a considerable impact on vehicles such as Land Rovers, Range Rovers and the other four-wheel-drives, which are much heavier than ordinary cars.

My hon. Friend the Member for Bury St. Edmunds talked of Volvos and read out an illustration about a Citroen Xantia. By their nature, four-wheel-drives are heavier and bigger. Irrespective of whether it is fitted with a bull bar, there is always the likelihood that if a pedestrian is struck by a four-wheel-drive vehicle, he will suffer more injuries than if he is struck by a family saloon. That is probably inevitable. Similarly, if a pedestrian is struck by a heavy goods vehicle, his risk of injury will be vastly greater than if he is struck by a Ford Fiesta. That is one of the facts of life. Surely we do not propose to ban Range Rovers, Land Rovers and heavy goods vehicles.

I do not support the Bill. I would not wish to see its enactment. I shall have to live with my conscience. It is the absolute duty of the House to ensure that the legislation that passes through it is properly thought out and properly discussed, and does not gratuitously take away the right of the individual to make choices about his life style and to make decisions.

12.55 pm

Mr. Den Dover (Chorley): I am an agnostic in my attitude to the Bill, but I think that it goes over the top. Threats of possible victimisation of fellow colleagues do not go down well with me.

In many instances, bull bars are found not only on the front of vehicles. There is talk of offensive weapons on vehicles, but there are bars on the corners of vehicles to protect lights. They are to be found on lorries as well as on cars and four-by-four vehicles. They are also on the rear of vehicles. Others may not call those bars bull bars, but I do. They are bars that provide protection. Recently I have experienced two instances in which, unfortunately, my car lost its nearside front winkers and lights, both front and rear. I would have been delighted to have some sort of protection. The bill was virtually £100 for two small pieces of glasswork.

Bull bars are fashion accessories. There is a tremendous accessory market throughout the transport industry, and long may it last. Many jobs depend on it. I have no objection to vehicle owners using bull bars as fashion accessories. They make the vehicle look more appropriate to the circumstances in which they want to use it. They attract vehicle enthusiasts generally. The magazine industry that is based on the latest gadgetry and fashion is to be applauded. Computers, cars and vehicles generally

are involved. I welcome the industries that have mushroomed over the past five or 10 years as a result of the interest in accessories.

The design of these appliances is all-important. We are talking about pedestrians being hurt by bull bars, but there is nothing to stop them being designed and produced using materials such as polyurethane. If we adopted that approach, damage would not be caused to pedestrians if they were hit. At the same time, vehicles would be protected along with their occupants. Such bull bars could be attractive. They could be produced in all colours. I see no reason why they should be considered as ferocious accessories. I accept that there are some mad people who want to assert their authority on the road, and we are aware of road rage, but many people look after their own vehicles and are proud of them.

Mr. Nigel Griffiths: Does the hon. Gentleman accept that the bars about which he is talking would be exempt under clause 2? The example that he has given is a bull bar that would be exempt from the Bill's provisions. Has he not read the Bill?

Mr. Dover: I do not want tight, restrictive legislation that could lead, as my hon. Friend the Member for Hexham (Mr. Atkinson) said, to imprisonment. We should not be in the game of over-regulating car users. Vehicle users generally are going about their business, enjoying leisure activities or travelling to work. We do not want to put unnecessary restrictions on them. We want instead to ensure that they have vehicles that are fit for the purpose to which they want to put them, and that they can ride where they wish and how they wish.

It is important that, as well as protecting pedestrians or anyone else, bull bars protect vehicles and their occupants. Clearly, impact absorbtion is important also.

My hon. Friend the Member for Bury for St. Edmunds (Mr. Spring) mentioned children in minibuses. Minibuses, frankly, are open to impact, particularly by lorries, and I dread to think what might happen if a minibus with 20 or so children scrambling about inside without seat belts was hit by a lorry. In my book, there is nothing wrong in having protection back and front, ensuring that the reinforcement is there, in the interests of protecting the occupants, particularly those of a tender age.

I draw the attention of the House to a note from the Library on bull bars, which has been alluded to. It relates to personal injury road accidents in 1994. Twenty-nine police authorities listed in the briefing produced figures. I shall raise one particular point. Under the heading, "Accident distribution", the table lists the number of accidents that were fatal, serious or slight. The total population covered by the 29 police forces that reported bull bar accidents is approximately 29 million—well over half the population of the United Kingdom. The figures show clearly that the total number of accidents involving a vehicle fitted with a bull bar, or pedestrian accidents involving such a vehicle, amount to only 1 per cent. of the total accidents in those police authorities.

One might say, "That's irrelevant. So what?" The fact is that I asked the hon. Member for Newport, West (Mr. Flynn) how many vehicles he thought had bull bars fitted. He said that the number was reducing, and that people were removing bull bars. Fine. He estimated that there were 500,000 such vehicles in this country. I think that at the most there are 25 million vehicles in this country. Perhaps my hon. Friend the Minister knows the exact number—

Mr. Norris: There are 24 million.

Mr. Dover: Half a million out of, say, 25 million—to make the arithmetic easy—is, I think, 2 per cent. In other words, the hon. Gentleman has said that 2 per cent. of vehicles are fitted with bull bars, yet in the police authorities only 1 per cent. of accidents involve such vehicles.

Mr. Flynn: I do not want to mislead the hon. Gentleman. I said at some length that that survey is entirely discredited, from the evidence of the police themselves. There is no way to explain how one county force reported 129 casualties, and a neighbouring county reported none. The report is not plausible, because it was not treated with any seriousness by the people who took part. Those who have analysed the figures, from some of the police forces that the hon. Gentleman mentioned, who did take it seriously, have come to the conclusion that there were 70 deaths and 400 serious accidents. They are not pressure groups; they are independent bodies, such as the Transport Research Laboratory and the RAC.

Mr. Dover: I welcome that intervention. All that I am trying to point out is that the figure is statistically significant. Otherwise, surely those police forces would have made a nil return or just said, "Sorry, we don't have the detailed information." Perhaps some of the areas do not have many accidents, or have zero accidents involving bull bars. As we know, statistics can be twisted to show anything, but what I am saying is that approximately 2 per cent. of vehicles are fitted with bull bars, but only 1 per cent. of accidents involve such vehicles. One can give equal weighting to the figures, and the table from the police authorities is official. A new survey by the RAC shows that 70 deaths a year could—I emphasise the word "could"—be caused by bull bars. I would put that against the figures in the brief from the Library. The House of Commons Library has no axe to grind and provides us with wonderfully accurate and unbiased briefings.

We must be careful not to prejudge the issue on numbers alone. I am agnostic on the issue. People should be free to fit to their vehicles attachments that they think will protect them. If Parliament thinks that people are going over the top, it should introduce gentle regulations and guidelines advising that certain components should be modified or reduced in their effect. That is better than introducing a draconian measure that hints at victimisation, to which I take great exception.

I am not in favour of the Bill as drafted. More needs to be done, and I am delighted that the Minister has met his opposite number in the Commission and has had several constructive discussions. The correspondence between them has been made available to us. That is a responsible approach, and the way ahead should be to legislate lightly. We should reject this draconian Bill.

1.5 pm

Mr. Piers Merchant (Beckenham): I am afraid that I fundamentally disagree with my hon. Friend the Member for Chorley (Mr. Dover). We are debating the serious

[Mr. Piers Merchant]

matter of road safety and, in view of the potential danger of road vehicles and the real danger as shown by accident statistics, it is incumbent upon Parliament and the nation to ensure that steps are taken to require all motor vehicles to comply with the highest standards of safety. That should be a mandatory requirement. One cannot allow individuals to make decisions about fittings on their cars that are designed to protect their own safety when what might provide safety for them may be to the detriment of others. We require impartial, carefully calculated and scientific engineering design that will enable cars and other vehicles using our public roads to have the highest degree of inbuilt safety.

Like many hon. Members, my attention was first drawn to bull bars and the potential risk by constituents. I was vaguely aware of such additions to vehicles but I had not thought about the safety aspect. I had assumed that, in the 1990s, additions that sprouted on cars were subjected to exhaustive tests and complied with the highest safety standards. Perhaps that assumption is a damnation of the system.

When I received letters and phone calls from constituents I became very concerned, because the evidence suggested that these additions to vehicles gave rise to great risk and that people were being killed because of them. I listened carefully to the comments, many of which were not deeply scientific but were based on commonsense judgment. I was contacted by a local GP, Dr. Roger Wells, who was motivated purely by his own judgment and his medical knowledge of the damage that can be caused when a person is hit at certain levels of the body by a fast-moving piece of metal, which of course describes a bull bar.

I looked into the matter in more detail and was surprised to find that tests had not been carried out before bull bars becoming available. In my naivety, I always assumed that a vehicle had to meet safety regulations on car bumpers and the collapsible elements of a car's structure for it to receive type approval and to minimise the damage not only, of course, to the driver and passenger, but to pedestrians. I am disappointed, therefore, that, in a way, we seem to be going backwards: something has come in first and we are talking about the safety implications only now.

One point has been missed.

Mr. Alan Williams: The hon. Gentleman makes a lucid case. Will he reflect on the fact that many of the libertarian arguments adduced today for opposing the Bill were the same type of arguments that were used to try to prevent the compulsory use of crash helmets? Now, everybody recognises that lives have been saved and people have not been turned into cabbages because they do not suffer the serious injuries that they otherwise would have suffered. Today, we are hearing almost a rerun of that pterodactyl case.

Mr. Merchant: That is true in relation to crash helmets and safety belts. I am not a libertarian, but I have some libertarian tendencies in the sense that I do not like unnecessary state intervention or unnecessary regulation, but that is not to say that I reject regulation if it is necessary. When it comes to safety and, especially, individual safety on the road, an extremely dangerous place, regulation is justified.

I want to inject one word of caution. As far as I am aware, today's discussion has linked bull bars with the danger that they can cause in an accident, but there has not been much discussion of the other contributory causes. That is not, in any sense, a defence of bull bars—no one would think, from what I have said, that I am in that line of business—but we must bear it in mind that, for a bull bar to cause damage, there must be at least one additional contributory factor: speed, error by one of the parties involved and so on.

That is an important point, not just because it puts the whole thing in proper perspective. During research into the causes of accidents, apparent anomalies can emerge as the accident is probably multi-factorial: it could be ascribed to speed, to weather conditions or to a pedestrian's mistake. Statistics might not show that the bull bar played an important part in an accident. However, the reverse can be true. We can fall into the mistake of thinking that only the bull bar is to blame when other factors also contributed to causing the accident.

Mr. Norris: My hon. Friend's observation is especially acute bearing in mind the fact that, at 40 mph, more than 80 per cent. of people involved in a pedestrian accident are likely to die, whether the vehicle has a soft front or a bull bar. That is a regrettable fact that we should never forget. It is in that area that some of the analytical difficulties lie.

Mr. Merchant: Yes. I am grateful to my hon. Friend for making that point.

I reach two conclusions from this. First, important though it is to legislate on this matter, we must keep it in context and be cautious about the statistics, whatever they are and whenever they arise. Secondly, in legislating, we must bear it in mind that other action must be taken in the realms of road safety. Speed in particular is a major cause of accidents, but there are others too.

I know that my hon. Friend the Minister will well remember this. I have spoken in the House many times on road safety matters, which are a particular concern of mine, and on previous Bills on the subject, some of which have passed into law. I have always been motivated by the general desire to achieve a reduction in accidents. The law has an important part to play in that, but it is mistake to think that any one measure alone will achieve everything that we want. Nevertheless, the issue of bull bars has been in the public domain for some time. Months, indeed years, have passed in which we have been able to identify a cause of serious damage to humans on roads without taking any real action. I greatly regret that.

Evidence from the RAC, the Parliamentary Advisory Council on Transport Safety, road safety officers and RoSPA has mounted, and action has been taken by companies such as DHL, which has been mentioned, and insurance companies such as CGA Insurance, all of which I welcome, but none of which has yet taken us the necessary further step to legislative action. That seems largely to be because of confusion over the roles of the Government and the European Union. It seems that, all too often, the EU acts when it is not necessary and fails to act when it is necessary. There is no doubt that if the EU were determined enough, action could be taken at European level. I would, however, very much prefer that action were taken at national level, and it is regrettable that, under our treaty arrangements, and so on, that does not entirely seem possible.

We should be listening to the day-to-day experience in this country, and acting on it. I was in touch with Andrew Rogers of the Bromley road safety unit in my borough and quickly discovered that, based on their professional judgment, the head of the unit and the borough's director of engineering, Gordon Hayward, are totally opposed to bull bars, and say that the sooner that they are removed from all vehicles the better.

I rely heavily on such experience and judgment because such men have the full-time task of monitoring road safety at local level. They are not sitting behind a desk compiling statistics—valid though they may be—or talking about it, as we do in the House. They are out there at the sharp end, at street level, seeing what happens and judging where there is safety and where there is not. They do not make their judgment on the basis of statistics, as I understand that the Metropolitan police force is not among the forces conducting a statistical analysis.

It is important to look at the wider statistics on accidents. The 1995 accident figures for Bromley statistics showed a rise in the number of deaths from nine to 12 since the previous year. That occurred after many years of a declining trend in the number of fatal accidents. There has also been an increase in serious accidents from 115 to 129, and 275 accidents in the past year have affected people under the age of 18. Unfortunately, those figures are also matched nationally. Figures published yesterday showed an increase in road deaths nationally, which I very much regret. It follows great achievements in continuing reductions in the death rate on the roads over the past decade. We must therefore double our efforts in all directions to do everything that we can to reduce accidents, deaths and serious injuries. The Bill introduced by the hon. Member for Newport, West (Mr. Flynn) will play an important part in that process.

Mr. Dover: Has my hon. Friend any knowledge of the number of accidents involving vehicles with bull bars in or near his constituency? I would be most interested in the answer.

Mr. Merchant: My hon. Friend must have missed my point. When I was reporting the views of road safety officials in Bromley, I said that they did not have those figures because the Met was not one of the forces collecting them. I sincerely hope that it will conduct such research and collect figures. I would very much welcome that. However, I felt that I could rely on the professional judgment of the road unit, based not on statistics but on the experience of men who have been in the business long enough to have a good feel. In a way, I would rather rely on that than simply on statistics that are capable of many interpretations.

Mr. Dover: Does my hon. Friend know of any newsworthy unfortunate accidents in his area? Has he been approached by many people—victims or drivers—about this issue?

Mr. Merchant: Yes, I have been approached by many people; I said at the start of my speech that my interest had originally stemmed from that.

It is not up to me to analyse individual accidents. I would be in danger of using only hearsay evidence. I have heard of some, and I have read details of accidents outside my constituency in which bull bars clearly played an important part in inflicting injuries, but I hope that we would not need to base our judgment entirely on the evidence of fatalities that have occurred. I would hope, as I said when I was discussing safety measures on vehicles, that we could be forward-looking enough to work out where accidents would be at their worst and take steps to prevent them from happening.

Pertinently, the hon. Member for Newport, West mentioned the macho image of driving. Why do people want bull bars on their vehicles? In general, they are not put on for safety reasons. The signs are that they do not improve the safety even of the occupants of the car, and some studies say the reverse. No; people put bull bars on their vehicles because it is a fad—a trend. Unfortunately, motoring is very susceptible to trends. It should not be.

The object of getting in a vehicle is to travel and it should be to do so reasonably comfortably and, above all, as safely as possible. I deprecate fashion accessories that have nothing to do with safety or with the drive. Moreover, this fad is dubious because it panders to people's image of driving as an aggressive, macho power kick, and that is one of the most dangerous elements evident when someone is behind a wheel. I start from a position of considerable doubt, even if there were no evidence of danger, because of the psychological aspect.

Bull bars are a visual element. The definition of a bull bar in the Bill is a "protection system". There is evidence that in many cases it is not a protection system but a decorative, visual system. I hope that the hon. Member for Newport, West takes note of that.

I am worried about the reference to a "metal" bar because, although I have no evidence for saying so, common sense tells me that a bar might be made of other materials that might be equally dangerous. They might be equally tough—as are carbon fibre-based materials—or they might on impact do equally serious damage. A plastic bar might fracture, producing sharp edges that would drive into someone's side. The Bill's scope should be not narrowed but widened.

My hon. Friend the Member for Bury St. Edmunds (Mr. Spring) mentioned a survey carried out by RoSPA and *Auto Express*, which showed that three quarters of those surveyed believed that the bars were fitted to vehicles only because they were fashionable and that 90 per cent. of the readers of *Auto Express*—people in driving for driving's sake—wanted bull bars banned. Eighty-nine per cent. believed that bull bars were dangerous. The public view is perceptive and should be taken into account when we examine such issues.

I made passing reference to PACTS. Its conclusions are interesting. Its members are experienced people who know what they are talking about and have considered the matter in detail. The council said in September 1995:

"Given widespread public concern, the government should introduce national legislation to prohibit aftermarket fitment"—

which is probably permissible under European agreements—

"and to discourage manufacturers who force purchasers to fit bull bars in order to be able to have optional extras such as spot or fog lights. PACTS also believes that exhortation and advice are not sufficient to cover the problem of aftermarket fitment."

That comes on top of conclusions that back up virtually everything that the hon. Member for Newport, West said and gives further credence to fatality and injury figures.

[Mr. Merchant]

The council backs the Transport Research Laboratory's initial findings of 35 deaths and 350 serious injuries. The council's view is powerful evidence that needs to be taken into account. We cannot agree today with certainty on a specific figure for deaths, but that does not matter because in my book, one death is too many—indeed, one potential death is too many. I am sure that, however one reads the statistics, more than one death has resulted from bull bars. That requires us to act.

We could simply wait, but I believe that the evidence is strong enough and that commonsense signs are powerful enough for that to be a dangerous and rather irresponsible direction to take. Alternatively, we could explore the possibility of taking limited action in the knowledge that we are probably restricted from the overwhelming action that I would like to see because of European agreements.

If we can take limited action, there is a powerful argument for doing so. There is also a powerful argument even for temporary action. I understand the problems and limitations, and especially the upset that such action will cause tidy legal minds or tidy departmental minds. However, if we had a three or four-month period in which we introduced a total ban, we would probably succeed in delivering a death blow—perhaps I should not have used that phrase—or in making an impact on the industry and on consumer attitudes that would be so powerful that the fashion would never recover. In other words, the fashion would be wiped from people's minds.

Mr. Dover: Is it not far better to use persuasion? Already, the number of vehicles with bull bars fitted has declined and some bull bars have been taken off. Surely that means that the art of persuasion is working and that it is far more effective to ensure that people realise why bull bars are dangerous objects and why they should take some avoiding action.

Mr. Merchant: I entirely agree that persuasion is important and I hope that this debate is part of the process of informing and persuading. Sadly, however, persuasion is normally not sufficient with human beings. Not everyone who is attracted by bull bars will be persuaded, and there will remain irresponsible individuals who will continue to use them. They will probably be the worst offenders because they will have bull bars for entirely the wrong reasons. They are exactly the people who may then, regrettably, be involved in fatal accidents. We are talking about people's lives and about the terrible mayhem that still occurs on Britain's roads, which would not be tolerated in any other part of our national life. Bearing that in mind, we cannot simply rely on persuasion, important though it is. We must take further steps and those steps must be legislative.

I mentioned two possibilities—doing nothing or taking limited action. There are two other possibilities. One is to press forward with greater vigour to try to achieve a European settlement on the matter. I have no objection to that being done, but I am sceptical—it is not the only sense in which I am sceptical about the European Union—about anything resulting from that in the near future.

I have worked on directives, or objections to directives, where it has been promised that one will be introduced next year, and then that it will be introduced the year after. Four or five years on, one normally finds that it has not been finalised or agreed, or, if it has, it has been watered down. When it eventually comes, it is not properly applied across Europe. I have no objection to a directive, but we would be literally taking our lives into our hands if we sat back and waited for one.

I am increasingly drawn to the conclusion that the House should take definitive action. That is why I so much welcome the Bill. It may be that once it has been scrutinised, improved and brought into law, we would clash with the European Union over it. I for one would not find that especially unwelcome. Apart from anything else, it would put tremendous moral pressure on European institutions to act more quickly and responsibly. Even if, having passed the law, we were prevented from putting it into full effect, that law would shame the European Union into taking action. For all those reasons, I find the argument in favour of firm, swift and full action against bull bars overwhelming. I hope that some means will be found to bring into law in this country a measure that will not only enhance safety on British roads but save British lives.

1.30 pm

Lady Olga Maitland (Sutton and Cheam): I, too, congratulate the hon. Member for Newport, West (Mr. Flynn) on introducing the Bill. He may be surprised to hear that from me because on the previous occasion on which we met in a public debate, we were of different opinions. That does not mean that we must always be at odds with each other.

I support the Bill, its spirit and its determination. When I read it, I was especially pleased that it was so determined to hammer home the point about the harm that bull bars can do. It provides for a three-month gaol sentence for any person driving such vehicles, which are killing machines. There is no other term for them. The Bill's spirit is appropriate.

I do not believe that concern about violence on the roads—that is what we are dealing with—is restricted to the hon. Member for Newport, West and those who have been immediately involved with the sponsorship of the Bill. I am well aware that my hon. Friend the Minister has been following the issue for some time. He has been hitting the bureaucrats. I am sure that he will tell us about the results of that. If he is getting at the red tape and the dilatory thinkers, they will not stand a chance.

We are talking about 'roo bars, crash bars or bull bars which originated in the Australian outback. It is a romantic notion to think of vehicles skidding across that wide open landscape trying to avoid damage from leaping kangaroos, which are much attracted by the headlights of cars. In the right environment, bull bars are valid. In the Australian outback, kangaroos are a hazard, as were cows when cowcatchers were fitted to trains in America in the last century.

Times have moved on. It is a curious paradox that Australia, where one might have thought that there was good reason to keep such bars, has now banned them. The news has travelled from down under back to the mother country and we are behind the Aussies. I love the Australians dearly for many reasons, but this time it is salutary that we should consider their experiences. In 1980, Australia's transport department began studies that showed that bull bars, and their increasing use in urban areas, were causing more accidents, injuries and fatalities and that pedestrians were particularly at risk.

In this country bull bars are legitimately used by farmers in their four-wheel drives. The RAC, and probably everyone now in the Chamber, would admit that in the right situation they are perfectly acceptable. However, the difficulty is that in the early 1990s vehicles with bull bars achieved a tremendous boom in popularity, and became a common sight on urban streets.

This morning, making a quarter of an hour's journey in my little Ford estate—which has no bull bars—while I was going round Trafalgar square, down into Parliament square and into the House of Commons, I spotted three jeeps with bull bars in that small area, although I am glad to say that I also spotted seven without.

It is good to arrive in the House of Commons car park and realise that we are now, by election, a bull bar-free zone, but we must still ask ourselves why on earth people put bull bars on vehicles. Much as we love to pretend that we live in the country, we do not have to brush cows and bulls from the motorways or from our streets. They are not even seen in the streets of my leafy constituency of Sutton. The majority of bull bars are fitted purely as a fashion accessory to vehicles that have never been driven off the highway and into the countryside—vehicles that have never crossed turf in a field and never will. Fashion has gone mad.

Macho, ego-boosting, fitted to vans and pick-up trucks, bull bars have now caused unacceptable damage. They are an extra hazard on the road, in addition to road rage and ram-raiding. Indeed, I suspect that much of the ram-raiding is carried out using such vehicles. So what are bull bars really for? It must be vanity. It is estimated that no less than 12 per cent. of the vehicle fleet in this country have had them fitted. As the hon. Member for Newport, West said, 500,000 vehicles are involved, and that is fashion design gone mad.

I do not believe that a bull bar is worth the sacrificing of a life. Three tragic cases, out of many more, come immediately to mind, such as that of 12-year-old Helen Baggs, hit full-square in the chest. I was deeply moved by the description by the hon. Member for Newport, West, because she was his constituent and he must know her family well. It is always deeply painful for a family to lose one of its loved ones, but to lose a child is even worse.

We also think of pensioner Ivy Harnett, and 13-year-old Victoria Moule, who was seriously injured. I pay tribute to Victoria's mother, Sharon Moule, who has worked tremendously hard to bring to public attention the awful and totally unnecessary suffering brought about by bull bars.

Surely vanity should not be allowed to cause 35 fatal accidents over the past year, and 350 serious injuries. And according to the RAC, the real figures could be twice as high, because it is difficult to obtain correct figures from the police. Of course the police force is not trying to be deliberately obstructive, but there is a genuine difficulty in analysing precisely what was the cause of an individual injury or death. One thing is for sure: whenever bull bars are attached to a vehicle involved in a serious accident, the injury will be infinitely greater. It is ironic that when more effort than ever before is being put into designing safer cars, we are still producing devices that are the antithesis of good practice and safety.

It is worth bearing in mind the new tests carried out by the BBC1 consumer programme "Watchdog", which are said to show just how dangerous bull bars are. Research showed that nine out of 10 children would survive if hit by a car travelling at 20 mph and without bull bars but that all would most certainly be killed if knocked down by a vehicle with bull bars and travelling at only 12 mph. It is therefore hardly surprising that Sharon Moule should have been so determined to carry on her courageous work. She provides a salutary lesson because she has in her daughter a consistent reminder of what bull bars can do. Her daughter is still suffering from her injuries, has dizzy spells and has fallen behind at school, yet Mrs. Moule says:

"We are the lucky ones."

I hope that in future there will be no more cases like that involving Victoria Moule.

Most cars and vans and newer models of four-wheel-drive vehicles are now designed with what are known as pedestrian-friendly bonnets and fronts that crumple on impact, but bull bars transform the bonnet into a solid barrier. About 8 per cent. of pedestrian casualties of road accidents are children. The hard, narrow steel bull bars are set at a child's eye level and adults are likely to be hit in the chest, abdomen or pelvis, but adults and children alike will be hit in the legs by the reinforced bumper area of the crash bar. In some well publicised cases, surgeons, coroners and police officers have expressed the opinion that accidents would not have been fatal had bull bars not been fitted.

Research in Germany, New Zealand and Australia concludes that bull bars turn slight injury accidents into serious ones and serious accidents into fatalities. It is interesting that not one researcher has concluded that bull bars add anything to safety. Research in Germany found that a collision between a pedestrian and a car fitted with a steel bull bar can be fatal at only 16 mph. Because of the better energy absorption, the speed at which a fatality occurs when elastic, plastic devices are fitted is 37 mph. Further tests found that a vehicle equipped with a steel bull bar was six times more unsafe than one without.

In addition, the fitting of bull bars can provide a sense of invulnerability. Drivers believe that they are beyond harm and can hurtle along the roads, up and down back streets and in and out of traffic. We have all seen them sitting high up in their seats, holding a big wheel and hitting the accelerator, confident that the bull bar will protect them from everything. It might, but it certainly does not protect pedestrians. In fact, such drivers' safety is only illusory.

Research has shown that drivers of vehicles fitted with bull bars are at risk because their feeling of security is undoubtedly misplaced. Bull bars increase the risk of serious injuries to the occupants of a vehicle. A car fitted with bull bars will absorb the energy of any impact in such a way as to trigger the mechanism that brings into operation the safety bag or, indeed, delay it, as the case may be.

There has been some debate as to whether the Department of Transport has carried out sufficient research into the effects of bull bars. I draw the House's attention to a working paper that the Transport Research Laboratory at Crowthorne in Berkshire produced at the suggestion of the Department of Transport, because it makes interesting and useful reading. It certainly adds to the arguments in favour of the Bill. The document states:

"Crash bars fitted to vehicles used on the public roads are likely to increase the risk of serious injury to pedestrians in road accidents."

[Lady Olga Maitland]

A detailed, six-page document follows, which anyone can examine and which leaves us in no doubt about how important it is to consider direct action and not just to leave regulation to wishful thinking, self-regulation and self-motivation. Those are not working.

Mr. Dover: Does the paper that my hon. Friend mentioned contain any information about the damage to the occupants of the vehicles? My hon. Friend said that she thought that there was danger to the occupants of vehicles and that those driving them were perhaps over-confident. I am not saying that she is wrong, but does that document include any evidence to that effect?

Lady Olga Maitland: It so happens that that document does not consider occupants—I came across that information from other research—but it does state:

"A code of practice has certain limitations."

I am sure that the laboratory has done more work on the subject, and if it has not, perhaps it could be encouraged to do so.

I have said that I am not happy about whether self-regulation is working, but I should pay tribute to the manufacturers that are taking action. It would be churlish to ignore what they are doing. For example, Nissan was the first four-wheel-drive builder to drop the steel bull bars from its vehicles, including the Terrano II, the Patrol GR and its light commercial range. But Nissan has installed instead a mock substitute made from polyurethane. Mitsubishi is doing the same for the Shogun vehicles. I am not happy about that because I do not believe that the substitutes will minimise the impact that much. Indeed, the RAC also does not regard them as especially safe. They are illusory and cosmetic. They make the driver feel good, but they will not make the pedestrian feel any happier.

Mr. Norris: I am following what my hon. Friend says with interest and I applaud the remarks that she has made so far. On the question of polyurethane accessories, there is no doubt that those accessories—whether they are of value in protecting the vehicle—overcome the reluctance of hon. Members to allow the fitment of aggressive steel bull bars. The real issue is the aggressive steel bars fitted in front of a pedestrian-friendly front. I would not want my hon. Friend to discredit the polyurethane fitments because I believe that, in road safety terms at least, they are perfectly acceptable.

Lady Olga Maitland: I hear what my hon. Friend the Minister says. I usually agree with him 100 per cent., but I hope that he will not think that I am being disrespectful if I say that it might be useful to do a little more research on what happens in an accident involving a polyurethane bull bar. I personally would not like to take that statement as read.

Mr. Flynn: I am delighted by the hon. Lady's speech, but the point of putting the word "metal" into the Bill was to avoid this argument. It might well arise in Committee. The problem with the polyurethane bars is that they legitimise the metal bars, but research might show that the shape of the polyurethane bars—they are well designed in some cases—has the effect of reducing the impact.

Lady Olga Maitland: I thank the hon. Gentleman for those remarks. It is obviously useful to consider such factors.

Other organisations are already throwing away bull bars and we should take comfort from that. Nationwide delivery companies are throwing them out, ambulance services have removed them from their vehicles, which is interesting, and the Army probably never even considered them in the first place for its latest huge order of Land Rover Defenders. One would have thought that the Army would have been a natural customer for them.

Most four-wheel drives do not have bull bars fitted as standard equipment. They are generally an extra-cost option. Losing them will cause no problems for owners, although an exception may be made in any legislation for farmers, for whom they can be useful rather than part of an ego-boosting exercise.

It would be appropriate to remove bull bars from the manufacturers' catalogues. We should discourage their use. Indeed, we ought to encourage people who have bull bars on their vehicles to get rid of them. I understand that discarding them is not difficult; a few minutes' work with a spanner is enough. Massive though they may look, they are effectively free standing with no structural function. They will not be missed. Even I might be able to turn a spanner to taking one off, although I am not always that practical.

People in public life should take a lead. I welcome the fact that Members of Parliament are living up to their responsibilities, but that should also happen in local authorities. I accept that the council in Sutton has taken the hint as far as its vehicles are concerned—acting on the advice of motor insurers it has taken the bull bars from all its 65 Ford Transit vans. That was done on practical—financial—grounds because it was told that it would face heavier claims if a child were hit by a vehicle with bull bars.

I ask Liberal Democrat councillors in Sutton to go one stage further and to remove bull bars from their vehicles and get their colleagues to do the same. In that way, the public would begin to understand that that is a policy that should be followed and that the bars are not to be admired.

Interestingly, insurance companies are pushing people to think more clearly on the matter. I congratulate CGA Direct of Horsham in West Sussex, which became the first insurance company in Britain to refuse cover for any vehicle fitted with rigid steel bull bars. The marketing director said:

"The bars do more damage to other vehicles in collisions, so claims involving cars fitted with bull bars tend to be higher."

That is undoubtedly a lead and it is something that I support.

We can also encourage public support in different ways. During a survey by *Auto Express* and the Royal Society for the Prevention of Accidents, 87 per cent. of motorists questioned said that bull bars should be banned. The Automobile Association is also very supportive of that case.

I congratulate my right hon. Friend the Earl of Kinnoull for introducing the Road Traffic (Amendment) Bill in the other place a few weeks ago, in January. Sadly, I fear that lack of parliamentary time might prevent it from progressing.

This is no new campaign, as the hon. Member for Newport, West is aware. It began about three years ago and we have to ask ourselves why on earth we have not taken action? What possible reason can there be for delay? I have become lost in the fudge and confusion, and the intricacies and bureaucracy, both at home and abroad. I do not want to throw too many sticks and stones, but it seems to have been a bit of a dance of the hokey cokey. Everyone agrees and says that the ban is obvious—we say it here in London and so do the Department of Transport, the European Union, and Commissioner Kinnock. What is the problem? Why are we so dilatory?

I have read the correspondence that has been passing between Commissioner Kinnock and the Minister. It does not make the issue any clearer. Each party seems to be saying that the other could do more. In the end, my hon. Friend will probably act on his own instincts, in which I have total confidence. I believe that he will say, if the Bill does not go through as planned, "Enough is enough. I am now going for it." I think that he will do that, and he should. He could quite easily justify that approach on the basis of subsidiarity. There are certain matters that should be dealt with at national level. In those instances, it is no one else's business what is going on. We should be allowed to get on with bull bars ourselves.

Let us make a plea for sanity. Drivers have the first responsibility. Let us say to drivers, "Take off your bull bars. You do not need them. You will cause a fatal injury, which will be on your conscience for ever." Let us say to manufacturers, "Don't push or encourage people to have bull bars." I say to the Government and to those in Europe, "Don't delay. Don't drag on. Don't fudge."

We have an important task to undertake. I have every confidence that in the end the Government will introduce effective legislation. In so doing, lives will be saved and we shall be eternally grateful.

1.56 pm

Mr. Nigel Griffiths (Edinburgh, South): First, I congratulate my hon. Friend the Member for Newport, West (Mr. Flynn) on mounting a one-person campaign to persuade the Automobile Association, the Royal Automobile Club, the police force, the royal parks and even some insurance companies to have bull bars removed. I have no doubt that my hon. Friend has saved lives already by the action that he has taken. He is now giving the Government the chance to save even more lives.

I am grateful for support from my right hon. Friend the Member for Swansea, West (Mr. Williams) and my hon. Friend the Member for Rotherham (Mr. MacShane). I welcome the thoughtful comments by the hon. Members for Beckenham (Mr. Merchant) and for Sutton and Cheam (Lady Olga Maitland). The remarks of the hon. Members for Chorley (Mr. Dover) and for Hexham (Mr. Atkinson) have produced a debate and allowed arguments to be aired.

It appears that there are three key objections. The first is that research is not valid and statistics do not count. The second is that the Commission is endorsing the Minister's view that he cannot do anything for the moment. The third is that bull bar owners are entitled to protect their vehicles.

It is clear that the research funded by the Department of Transport, which was published in its news bulletin in 1994, showed that an estimated 35 lives a year were being saved by action taken on bull bars. I recognise that there has been a growth in the use of bull bars since then.

The Minister cited his letter from the Commission in February. I received a letter on Wednesday from officials of the RAC, who met members of both Mr. Kinnock's and Mr. Bangemann's cabinet. The meeting took place on 25 March. They conclude in their letter:

"The Commission officials were also adamant that there are courses of action which the UK government can take unilaterally."

That is clear and we look forward to the Minister taking action.

The hon. Member for Chorley advanced the defence that car owners have the right to protect their vehicles. He told us that his car had lost its lights. Apparently that cost him £100. Helen Baggs lost her life, and that is what the debate is about.

The hon. Member for Hexham dismissed statistics. Previous predictions of fewer deaths were based on statistical information on seat belts, for example. The introduction of seat belt legislation has saved 1,000 lives and 5,000 serious injuries a year. Legislation was introduced on crash helmets. I am well aware of the excellent work that is done by the Astley Ainslie hospital in my constituency, which rehabilitates those with head injuries, and aware also of the beneficial effects of legislation bearing on crash helmets.

As regards the statistics on bull bars, I believe, as I am sure, does the whole House, that Helen Baggs was a person, not a statistic. People's lives have been destroyed. Ian Farnworth, 17, Nigel Sutcliffe and Susan Gardiner—all killed by vehicles that were armed, and I use that word advisedly, with these quite unnecessary bull bars.

One of the privileges of being a Member of Parliament is that we meet some remarkable people, people like Vicky Moule. I greatly admire her fighting spirit and her courage. She is a survivor. She has a great future. She had a lucky escape. Today, the House has an opportunity to replace luck with positive action for safety. There must be no delay. The Minister has 30 minutes to secure the passage of the Bill. Every week of delay could cost a child's life.

2 pm

The Minister for Transport in London (Mr. Steve Norris): I congratulate hon. Members who have taken part in today's debate. There have been two sides to the debate: my hon. Friend the Member for Hexham (Mr. Atkinson) did not support the principle of the Bill, and my hon. Friend the Member for Chorley (Mr. Dover) ably expressed his scepticism, whereas the right hon. Member for Swansea, West (Mr. Williams) and the hon. Members for Rotherham (Mr. MacShane) and for Edinburgh, South (Mr. Griffiths), and my hon. Friends the Members for Bury St. Edmunds (Mr. Spring), for Beckenham (Mr. Merchant) and for Sutton and Cheam (Lady Olga Maitland) were supportive of the Bill. My hon. Friend the Member for Bury St. Edmunds, of course, is co-sponsor of the Bill.

In the light of what I am about to say, let me make it clear that I have the greatest respect for the effort that the hon. Member for Newport, West (Mr. Flynn) has put into

[Mr. Steve Norris]

this serious issue and for the improvements and action that he has achieved as a result of his campaigning zeal. He does indeed deserve our congratulations, our thanks and much credit for what he has achieved. I hope that it will be plain, if I may say so gently to my hon. Friends the Members for Hexham and for Chorley, whose opinions on this issue I entirely respect, that I strongly support the principle behind the Bill.

Sadly, however, allied to the no doubt perfectly genuine concern that the hon. Member for Newport, West feels about this issue, which as the Minister with responsibility for road safety I also feel, is an element that perhaps might be interpreted as a veiled party political argument: that somehow Labour Members are keener than Conservative Members that action should be taken. One thing that the debate has amply demonstrated, in the excellent speeches from my hon. Friends, two of whom are co-sponsors of the Bill, is that there is equal concern on both sides of the House on what we all accept is a serious issue. A number of hon. Members mentioned individuals who, as a result of road accidents, are sadly no longer alive.

I am not thought of as one who takes some aspects of life particularly seriously. As in most matters, Brian Walden got it right when he said that the vast majority of things in this life do not matter very much and the rest do not matter at all. However, I take some matters extremely seriously and I shall never be flippant about them. The paramount one is my job as the Minister with responsibility for road safety.

I am proud of the fact that, during my time as a Minister, there have been fewer deaths in road accidents than in any year since records were first compiled in 1926. That is an extraordinary achievement to which my hon. Friend the Member for Beckenham rightly referred in a recent debate on that very issue. He will know, as the House knows, that my great concern is that we should not take pride in that achievement but remember that every day in Britain, including Saturdays and Sundays, bank holidays, Christmas and new year, on average 10 people are killed on our roads. I make it clear to the hon. Member for Swansea, West that I am quite prepared to be unpopular with my own colleagues or with Opposition Members if I believe that a serious road safety issue is at stake.

I was recently criticised by some ill-informed observers about the serious measures that we wish to introduce to ensure that monocular drivers are not allowed to drive heavy, large, dangerous and long commercial vehicles and coaches. I was described in extraordinarily disparaging terms by a number of commentators for what was seen as nannyism, bending over backwards to EC pressure and so on. To those who are aware of the real issue, that criticism was totally misguided and ill-informed, but I hope that it underlines the fact that I am quite prepared to face such criticism if I believe that action is needed to save lives. I shall go on to describe why it is clear that this is not the Bill to do that.

Mr. Flynn: The Minister is respected as a man of courage. On the issue he mentions, those hon. Members who are specialists on transport safety are entirely behind him. I am aware of the Minister's sincere support for the Bill's aims, if not for its detail. Will he give an undertaking that he will not talk it out but will allow it to be further discussed in Committee so that it may be improved?

Mr. Norris: No, I will not give that undertaking, and I shall say quite specifically why in my considered and serious view there is no purpose in allowing the Bill to go further. I shall explain why time spent in Committee would be totally nugatory. I know that the hon. Gentleman is kind enough to treat what I say seriously, and it gives me no pleasure whatever to say that the Bill should not proceed. It is my unfortunate responsibility to have to remind my hon. Friends who are equally enthusiastic supporters of the Bill of the reasons why I simply cannot allow it to proceed.

First, the Bill would

"Provide for the prohibition of the use on roads of motor vehicles fitted with bull bars; and for other related purposes."

Those purposes are perfectly laudable. Surprisingly, the Road Traffic Act 1988 has not been mentioned in the debate. I refer the House to part II, which is headed:

"Construction and Use of Vehicles and Equipment".

Clause 41 is headed:

"General regulation of construction, use etc."

Subsection (1) states:

"The Secretary of State may make regulations generally as to the use of motor vehicles and trailers on roads, their construction and equipment and the conditions under which they may be so used."

Subsection (2) states:

"In particular, the regulations may make provision with respect to any of the following matters—

(a) the width, height and length of motor vehicles and trailers and the load carried by them, the diameter of wheels, and the width, nature and condition of tyres

(b) the emission or consumption of smoke

(c) noise,

(d) the maximum weight

(e) the particulars to be marked

(f) the towing of . . . vehicles

(g) the number and nature of brakes

(h) lighting equipment"

and so on. I shall not detain the House further. In the 13 minutes left to me, it is no part of what I want to say to bother to insult the intelligence of hon. Members by reading any further, but the position is straightforward. Adequate legal power is already available to Parliament and to the Secretary of State for Transport to introduce a regulation to produce the Bill's effect, subject, of course, to the fact that the hon. Gentleman is generous enough to acknowledge: in this matter, we are not dealing with the competence solely of the United Kingdom Government.

What is crucial here is the extent to which this activity is governed by European directive. Let me make a direct point on that. There are many matters, to which my hon. Friend the Member for Sutton and Cheam alluded, in which the principle of subsidiarity, which the Prime Minister first seriously articulated at Maastricht and which is such a sensible and straightforward basis on which to frame the relationship between the Community and its individual member states, is involved. She is right to suggest that, under that doctrine of subsidiarity, much should be left to the nation state.

I remember the best of all definitions, which is that the European Commission should do only that which the nation state could not do better itself. One other principle of European Union membership is equally clear: it is a cardinal advantage to every person who manufactures in the UK and who seeks to sell not merely in the UK, but in other member states' markets throughout the European Union, to have an agreed framework of regulations that determines standards of manufacture and that therefore allows a manufacturer, once he has met those standards, to sell his product in any Community country. That is the reason why I—not necessarily noted for my massive enthusiasm for regulation from Brussels—am none the less content that, in this matter, it is proper to look to the European Community directives to establish an appropriate framework for construction and use.

Mr. Alan Williams: Will the Minister give way?

Mr. Norris: Yes I will because, so far, I am grateful that the House has seen the wisdom of adopting precisely that approach.

Mr. Williams: I no longer want to intervene.

Mr. Flynn: Will the Minister therefore give way to me?

Mr. Norris *indicated assent.*

Mr. Flynn: If the Minister is blaming Europe for this and saying that we look to Europe, will he explain why he is ignoring the advice not only of the European Commissioner for Transport last year, but advice that has been repeated this week by the industry directorate, led by Herr Bangemann, and the transport directorate, led by Neil Kinnock, who say that we can go ahead unilaterally in three different ways to introduce a ban on our own?

Mr. Norris: I will explain that, but I should like to preface those remarks with an important clarification. Because of the general background of the debate in this country about our relationship with the Community, some commentators tend to view every issue in terms of either Britain right, Europe wrong; Britain right, Commission wrong; or, on occasions, Commission right, Britain wrong, depending on how it suits their political argument. I do not doubt that Commissioner Kinnock shares my view on this issue, is serious about it and makes his suggestions as to how the UK Government might proceed in good faith.

When I hear the hon. Member for Newport, West saying that I am blaming the Commission, I fear that not only does he do our relations with the Community no good, he distorts the nature of the extremely constructive dialogue that I have had with the Commissioner. It is important to remember—I say this to my hon. Friend the Member for Sutton and Cheam, who said that I am not noted for allowing issues to become bogged down in red tape—that Mr. Kinnock cannot, on behalf of every member of the Community, enter into agreements that require other members' support. He has to work within a consensus framework. He and I have jointly sought to find that right framework.

Mr. Alan Williams: First, the Minister has made it absolutely clear for the first time ever that he has the power.

Mr. Norris *indicated assent.*

Mr. Williams: The Minister has made that clear, and he is not denying it even though he is able to do so. Secondly, he has also made it clear that he will not exercise that power because, basically, it would mean that our manufacturers would have to produce one thing for Britain and another for Europe. That is the essence of it; he is trying to hide behind a universal standard. Will he explain what is to stop British manufacturers, who can make left-hand-drive cars and right-hand-drive cars, being capable of making cars with and without devices such as bull bars?

Mr. Norris: Let us be clear what the debate is about. The right hon. Gentleman, for whom, as he knows, I have great respect, suggests that I am "trying to hide behind" the European argument. That would suggest that I have any interest personally in finding a convenient bulwark behind which to hide. For the umpteenth time, I confirm for him and the House that I have no such intention. I believe that the thrust of the Bill's intention is correct.

The hon. Member for Newport, West has been rather scathing about the recent research work done to add practical shape, in the form of statistical evidence, to a great deal of the desk exercises and foreign studies that have shown that bull bars are likely to increase the severity of accidents and lead to unnecessary deaths. I am sorry that the hon. Gentleman has been quite so scathing about perfectly respectable and serious work. I further reassure him by saying that I believe that my hon. Friend the Member for Beckenham made the only proper and sensible point on the issue when he said that his conclusion may not be deeply scientific but is certain common sense. I share that view.

I associate myself unequivocally with the point that, regardless of whether the research is able to show beyond all reasonable doubt that 30, 40, 50, 60 or 70 deaths may have been caused by bull bars, all one's common sense and personal experience suggests that steel bars at the height of a child's head or a young person's pelvic or thoracic area cannot, against the background of our intention to produce softer-fronted vehicles, conceivably be an aid to road safety. I share the genuine frustration of the hon. Member for Newport, West at any argument that somehow we have to prove the point beyond all reasonable doubt. The research is useful, but I consider it corroborative and not necessarily a hurdle.

Mr. Dover *rose—*

Mr. Norris: Before I give way, I want to make quite clear the reasons why the three propositions advanced by Commissioner Kinnock are not in my view satisfactory. That having been said, I have great respect for my hon. Friend, and of course I give way to him.

Mr. Dover: The note from the Library this morning about bull bars, which I mentioned, says that the results of a report on the survey of accidents will be available in late March. I have just received a note today from the Library saying that the report, to be produced by the Transport Research Laboratory based on 1994 accident figures, is expected to be published in April. I urge the Minister to ensure that it is available as soon as possible because it provides fundamental background to the measure before us.

Mr. Norris: I shall do so. One of the reasons why the Transport Research Laboratory is still engaged in that

[Mr. Norris]

work is that it wants to eradicate the type of anomaly that the hon. Member for Newport, West properly adduced from the existing accident statistics.

Mr. Alan Williams *rose—*

Mr. Norris: I must proceed.

It would be an irony, given that I have made no secret of my intention that the Bill should not proceed, if I were unable to make the argument that is fundamental to a serious debate on this issue. There is a serious debate on this issue, and it is not helped by wild assertions or by implying that every Conservative Member who chooses to block this unnecessary Bill will have blood on his hands. As someone who spends a great deal of his time every day of the week trying to ensure that we reduce loss of life on our roads, I resent even that implication. It is improper and ill-deserved.

Mr. Flynn *rose—*

Mr. Norris: I will not give way at the moment. I must make some progress because this point is directly related to the issues that the hon. Gentleman raised. As the House knows—there have been many references to it—I have been in regular contact with the Commissioner for some time on the matter. He wrote, in the letter quoted by the hon. Gentleman, in May 1995 about three ways in which he believed that it was possible for the United Kingdom to act unilaterally in this respect.

The right hon. Member for Swansea, West suggested in an intervention that if I had the power, there was no need for the debate to go a moment further. The right hon. Gentleman has been in the House far too long, and has far too comprehensive a knowledge and experience of the relationships between nation states and the Commission, to imagine that the fact, in statute, that the power exists to effect certain actions in the United Kingdom overrides any Community obligation in that respect. It cannot do so. It is part of the sham, and the deep cynicism of some of those who have opportunistically suggested that this is a political debate, that they have so crudely misrepresented the relationship between any sovereign state in the European Union and the institutions of the Union.

The first of the Commissioner's proposals was to invoke a six-month ban on registration of vehicles fitted with approved-type bull bars, under a clause in the framework directive for European type approval. That applies where a member state considers there to be a serious safety risk.

In order for us to invoke such a power, it would be necessary to show that that safety risk was of a different order of magnitude to those safety risks considered by the Commission when it allowed the approval of bull bars fitted as part of whole-vehicle type approval to vehicles that are already legally approved under those terms. On that basis, we would be at least vulnerable to challenge.

Incidentally—it is important to place this on record—who would be the challenger? My hon. Friend the Member for Sutton and Cheam says, as a mother and as a concerned parent, who could possibly object? That was the tone of this morning's debate. The answer is, first, the many people whose businesses manufacture bull bars—my hon. Friend the Member for Hexham referred to them—and, secondly, foreign vehicle manufacturers. The idea that we can just say, "Well, this is all jolly good stuff and nobody can object to it because it is all mum and apple pie. Let's get on with it," is an absurd and, frankly, rather facile notion which I am not prepared to entertain.

My hon. Friend the Member for Beckenham raised a serious point amid all the rather cynical and bland assertions from Labour Members. My hon. Friend latched on to one of the few really good arguments for adopting a temporary ban. He said that, all other factors notwithstanding, the existence of a temporary ban would at least have—

Mr. Nicholas Brown (Newcastle upon Tyne, East): Address the House.

Mr. Norris: The hon. Gentleman knows that my responsibility in the House is to address the occupant of the Chair, which is exactly what I do. The hon. Gentleman's contribution to the debate has been wholly unworthy of him and quite inconsequential. He would do better to be quiet and remain in his place.

The Vice-Chamberlain of Her Majesty's Household (Mr. Andrew MacKay): Resign.

Mr. Norris: Indeed, perhaps the hon. Gentleman would do better to resign, as my hon. Friend so accurately says.

Mr. Flynn: Will the Minister give way?

Mr. Norris: No, the Minister will not give way.

My hon. Friend the Member for Beckenham made the serious point that even though we knew that the ban would be temporary, unsound and open to challenge, we should impose it in the sense of declaratory legislation. In other words, if I understand his argument—I hope that he agrees that this is an accurate paraphrase—the purpose would be simply to illustrate how strongly Parliament felt. I understand that argument. However, you, Mr. Deputy Speaker, as the custodian of the rights and traditions of this House, will know that it is not within the rights and traditions of the House to pass legislation that, almost at the time of its passing, becomes redundant and open to challenge. It is not within our rights and traditions to pass legislation simply to make a declaratory statement. I regard that as an extraordinary and unsound basis for legislation and the Government cannot treat such a proposition seriously.

The second proposal was to require the removal of after-market bull bars which had not been type approved. The problem with that course of action is that it would have to comply with articles 30 and 36 of the European Union treaty, which introduce broader difficulties. Article 30 prohibits restrictions on trade while article 36 provides powers to take action on safety grounds, but such action cannot be undertaken lightly for the reasons I have adduced. Any such action would have an extraordinarily limited effect and would be almost impossible to enforce as vehicle owners could simply switch to type-approved bull bars. As anyone who really understands the subject will know, it is practically impossible to tell a type-approved bull bar from a non-type-approved bull bar.

The third and last proposal related to a ban on the import of vehicles fitted with bull bars and first registered in another member state. The proposal would be subject to the application of article 30, as I previously suggested. I ask the House to consider this proposition. If we introduced that measure, we would be ignoring the fact that the overwhelming majority of vehicles that have these devices fitted are registered in this country and are not registered overseas before being brought into this country. Such a move would be extraordinarily ineffective. I would have welcomed a suggestion from the Commissioner that I felt met our requirements. However, I was, sadly, forced to conclude that the three suggestions did not present a practical solution in our eyes.

We hope, however, that we can take the matter forward, by agreement between me and the Commission, through making a change to the external projections directive. We may be able to make some progress in that way. The hon. Member for Newport, West referred to the fact that two directives are in play here. In view of the time allotted to me, I shall have to be very quick about this.

Ideally, we would need the pedestrian protection directive in place to provide a truly comprehensive solution. That directive is likely to be some time off. If we use the external projections directive and amend it by a procedure that is not as difficult, we may be able to obtain a solution which, while not perfect, is more adequate for our purpose than any of the options offered by Commissioner Kinnock that have been so enthusiastically supported—I believe utterly cynically—by Labour Members. If we were to go down the course that I have described, it would mean examining the proposal that we have received in the past week or so from the Commission and considering a form of words. I have told my officials that they should urgently examine that form of words. They know that my predilection is to ensure that we find an adequate form and take the proposal forward on that basis—

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed upon Friday 19 April.

Remaining Private Members' Bills

MARRIAGE CEREMONY (PRESCRIBED WORDS) BILL

Read a Second time.

Bill committed to a Committee of the whole House.—[*Mr. Brazier.*]

Bill immediately considered in Committee; reported, without amendment; read the Third time, and passed.

SEXUAL OFFENCES AGAINST CHILDREN (REGISTERS OF OFFENDERS) BILL

Mr. Deputy Speaker (Mr. Michael Morris): Not moved.

BUSINESS OF THE HOUSE

Ordered,

That, notwithstanding Standing Order No. 14B (Proceedings under an Act or on European Community Documents), the Speaker shall, at any one sitting of the House—

(i) put the Questions on the Motions in the name of Mr. Secretary Lilley relating to the draft Social Security (Minimum Contributions to Appropriate Personal Pensions Schemes) Order 1996, the draft Social Security (Reduced Rates of Class I Contributions) (Salary Related Contracted-out Schemes) Order 1996 and the draft Social Security (Reduced Rates of Class I Contributions and Rebates) (Money Purchase Contracted-out Schemes) Order 1996 not later than one and a half hours after the commencement of the proceedings on the first such Motion; and

(ii) put the Questions on the Motions in the name of Mr. Secretary Dorrell relating to Special Grant Report (No. 17) and in the name of Mr. Secretary Hague relating to Special Grant Report (Wales) not later than one and a half hours after the commencement of proceedings on the first of these Motions;

and the said Motions may be proceeded with, though opposed, after Ten o'clock.—[*Mr. MacKay.*]

Middle East Peace Process

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. MacKay.]*

2.33 pm

Mr. John Marshall (Hendon, South): Everyone who knows anything about the middle east expects peace to come through a series of building blocks. The first was Camp David; the second was the widely acclaimed Oslo accords; and the third was the peace treaty between Israel and Jordan. The tragedy is that a small unrepresentative group of Muslim fundamentalists is seeking to derail the peace process. Their hearts are so full of hatred that they cannot tolerate a programme of peaceful co-existence between neighbours in the middle east. They believe that they can bomb their way into heaven, and into derailing the peace process in the middle east. I hope, as I am sure the whole House does, that they will fail, as I suspect they will, on both counts.

The objectives of the various parties to the peace process are, of course, different. Israel has always craved recognition by her neighbours—neighbours who sought to suffocate her at birth and to snuff out her existence both in 1967 and in 1973, and who until recently have always denied her right to exist.

Israel has craved peace because so many of her citizens have been affected by the wars that she has had to fight to secure her independence, and because between those wars she has been under constant attack from her neighbours. For example, the people in the north would suffer mortar attacks from the Lebanon. Israel sought peace as a means of giving her people security because she had suffered infiltration by guerrillas, and mortars had been thrust down on her people from the Golan. Hezbollah guerrillas used to infiltrate from the Lebanon, and still seek to do so.

Israel also hoped that as part of the peace process, her people would be able to discover information about Israelis missing in action since the 1980s. For example, Zachary Baumel went missing in 1982, and Ron Arad was captured in 1986. Several times I have met Zachary Baumel's parents, who are still desperate to discover what happened to their son nearly 15 years ago.

Many hon. Members have met the mother, brothers and daughter of Ron Arad. In 1986, when he was captured, his daughter was very young. She is now much older, yet during all that time she has not known what happened to her father. What sort of people will prevent a father from knowing his daughter over a period of nearly 10 years, much longer than the duration of the last war?

We must remember that it was Israel that kick-started the release of middle east hostages in the early 1990s. Israel released a flood of prisoners, thereby securing the release of Terry Waite and John McCarthy, in the hope of receiving back her own missing people. But that has not happened.

Of course we must recognise that the objectives of Israel's neighbours were different from hers. The Jordanians sought from peace economic advantage, increased investment and joint infrastructure projects. They also wanted to use Israel's knowledge of tourism to benefit their own tourist industry. The Palestinians sought an improvement in their living standards as well as the ability to rule themselves.

The history of the middle east demonstrates that our peacemakers are always as vulnerable to the assassin's bullet as the general is to hostile fire. King Abdullah, Anwar Sadat and Yitzhak Rabin all gave up their lives prematurely in the hope that their people would live in peace one with another. King Hussein has shown that he is luckier than a cat, because he has survived 11 assassination attempts.

Kamikaze guerrillas have now killed scores of Israelis in the hope of derailing the peace process by altering public opinion in Israel. That is why the conference was held at Sharm-el-Sheikh earlier this year. No more suitable place could have been found for such a conference, because it is in territory that Israel returned to Egypt as part of the peace process.

When we consider what happened at the conference we must congratulate the Prime Minister on attending it, and on the positive approach that he adopted. Of course, we must also condemn those who did not go to the conference. We should condemn Syria, in particular, for refusing to go to the conference. Syria has provided hospitality for many of those who reject peace in the middle east. Syria has helped many of those seeking to derail the peace process in the middle east. Syria invaded the Lebanon and keeps troops there, and it allows Hezbollah guerillas in the Lebanon to become a force that is anxious to derail peace and to fight the state of Israel.

Syria did not go to that conference because it is not interested in defeating terrorism; Syria is interested in sponsoring terrorism. How can Syria ever expect the Israelis to return the Golan heights when it refused to attend a conference designed to defeat terrorism? Of course every Israeli knows that, until 1967, the Golan was used for hostile action against Israel. Since 1967, it has been used for purely peaceful purposes.

Apart from condemning Syria for not attending the conference, we must condemn Iran and Libya, which are the paymasters of international terrorism. We must recognise the dangers that Iran presents to peace not only in the middle east but to peace in the world because, within the next decade, it is very likely that Iran will become a nuclear power. The world must squeeze Iran now so that there might yet be a change of Government in that unhappy country.

We must congratulate our Prime Minister because only he and the Prime Minister of Israel were willing to condemn Iran's reaction to the bombs in Israel and Iran's sponsorship of international terrorism. Let any apologists for the Iranian regime remember that Iran praised the bombings after they had taken place. Indeed, I have been told that the Federal Republic of Germany has put out an arrest warrant for an Iranian Minister. No one should enter into partnership with Iran, and people should follow our Government's lead in condemning the Iranian regime.

I am surprised that the President of France did not seek to condemn Iran; let us remember that Iranians went to Paris to kill Mr. Bakhtiar, a former Prime Minister of Iran.

We should listen to what victims of terrorism are saying. We should also listen to friendly Governments in the middle east which give advice to this country. We should listen to Saudi Arabia, Tunisia and Egypt. They say that Britain should not become a haven for Muslim fundamentalists seeking to wage war on friendly countries in the middle east.

We should not give asylum to political activists from the middle east who seek to abuse our hospitality by stirring up trouble there and by destroying our friendship and trade with those friendly nations. If we were to ask the President of Egypt and the Governments of Tunisia and of Saudi Arabia what they thought of the Asylum and Immigration Bill, we would quickly receive three assents to it.

Individuals sometimes come to this country to stir up trouble and to fight a war of Muslim fundamentalism. They are the blood brothers of those who went on the buses in Tel Aviv and Jerusalem.

We must also make certain that organisations in Britain do not fund terrorism in the middle east. We all know how people of the Irish diaspora in North America are used to fund terrorism in the United Kingdom. We must not allow individuals from the Palestinian diaspora and their sympathisers to fund terrorism in the middle east. It would be a great tragedy if they were to do so, and we shall be held partially responsible for it.

We must also ensure that we do not allow individuals to stir up a campaign of hatred on our university campuses, which can only influence the world outside the campuses.

I see that the National Union of Students has asked that action be taken on Hizb-ut-Tahrir. The NUS president, Mr. Jim Murphy, said at conference last week that the union should not be soft on HUT. He went on to say that HUT was filth and filth belongs in the bin.

I apologise for straying slightly beyond the Foreign Office's remit by saying that, as everyone condemns HUT, there is some surprise that there has so far been no successful prosecution of that organisation in the United Kingdom. Universities such as that at Birmingham have banned HUT from their campus, but there has so far been no prosecution. It is wrong for any organisation to preach religious or racial hatred on our university campuses. Members of such organisations are the blood brothers of the bus bombers of Tel Aviv and Jerusalem.

It is important that our country takes action against such individuals, but it is equally important that Mr. Arafat is seen to arrest and prosecute. So far, he has been strong on arrests but not quite so strong on prosecutions. It is important that the Palestinian national covenant is amended within the time scale promised by Mr. Arafat. Were he to fail to do so, that of itself would be a danger to the peace process.

We in this country must, as a fellow democracy, show understanding of the reaction of the Israeli Government to assaults on their people and their democratic process. The tragedy is that those who are fighting the peace process in the middle east all come not from democracies but from one-party dictatorships. We must understand that when any democracy sees its people attacked, as Israel has done, it has to react to ensure that peace and democracy prevail and that its people are not bombed and bullied into submission.

The peace process in the middle east will survive only if the aspirations of all are met. We have witnessed the attempts to destroy peace by destroying security for Israelis, but we need more than just security—we need prosperity. This is where the western world can move in with joint ventures and where the Arab world can say that it recognises that Israelis have experience in tourism, agriculture and industry which the Arab world sometimes lacks. I look forward to the day when we see joint ventures in Jordan, Egypt and other countries between Israelis, western entrepreneurs and the local countries.

I hope that everyone in the middle east will remember that when we are trying to bring the Jewish people of Israel and our Muslim brothers together, we might quote from the New Testament and say:

"Blessed are the peacemakers: for they shall be called the children of God."

2.47 pm

Mr. Greville Janner (Leicester, West): I thank the hon. Member for Hendon, South (Mr. Marshall) for securing the debate and associate myself with everything that he said. I also thank him for being a great personal friend and pair and a doughty friend of Israel and of the Jewish people. I salute the work that he has done and is doing.

I also pay my respects to the Minister of State, Foreign and Commonwealth Office, the right hon. Member for Richmond and Barnes (Mr. Hanley) who, unlike his predecessor, has a clear vision of peace in the middle east and an understanding of the problems of a democratic Israel. In response to my outcry at the proposed closure of the British Council operation in Jerusalem, he stopped that closure. I greatly appreciate that, as do the many people who use it.

I shall deal with one further aspect of the peace process to which the hon. Member for Hendon, South has drawn attention. As chairman of the Maimonides Foundation—a Jewish organisation that seeks to foster good relations between Jews and Muslims—I have worked closely with the Muslim community. I pay special tribute to those in that community who have cried out against the attacks to which the hon. Gentleman referred. I pay tribute to Saba Risaluddin, the head of the Calamus Foundation, who said:

"Terrorism is completely alien to the ethos of Islam, as it is to the ethos of all the world's great faiths."

I pay respectful tribute to Ayatollah Rouhani, Imam of the Paris mosque and spiritual leader of the Shi'ite community in Europe, who called on

"all Islamic organisations and personalities to issue a joint fatwa condemning loud and clear all terrorist actions carried out by terrorist groups under the name of Islam aimed at the peace process in the Middle East".

I thank my dear friend and respected ally Sheikh Dr. Zaki Badawi, principal of the Muslim college in London, who wrote to *The Times* to attack

"those who glory in acts of violence and who equate peace with weakness. In this sad and crucial time, heroism should be accorded only to the peacemakers."

We have heroism in the middle east. We have the heroism of the Israelis in the face of attacks launched by people using pawns—those who believe that they will go to paradise by that path—but who would not take those risks themselves. We have the heroism of Shimon Peres and his people. He is coming up for election and we should think very carefully before we attack, in any way, the Israelis' efforts to damp down terrorism or the steps they have found it necessary to take in face of the ghastly atrocities that their people have faced. They have an election process, which others do not.

There is a certain heroism also on the other side and in Chairman Arafat, who is himself under constant attack. I hope that he will rise to what could be a great occasion for peace.

[Mr. Greville Janner]

This country should have no place for the supportive mechanisms of terrorism in any other land, whether in the middle east or elsewhere. We should hunt down the supporters and helpers of Hamas and Islamic Jihad in Britain. We should ensure that money collected in this country for charitable purposes is used in the middle east for charitable purposes and not to support Hamas, Islamic Jihad or other terrorist bodies. We could then at least know that in our small role in a distant land we have done what we can to promote a peace that we all need so badly.

2.51 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Jeremy Hanley): I am most grateful to my hon. Friend the Member for Hendon, South (Mr. Marshall) for the opportunity to address the issues surrounding the middle east peace process. I wish to thank him and the hon. and learned Member for Leicester, West (Mr. Janner), who are at the forefront of all those in the House of Commons who care deeply about the peace process. They are the most genuine and regular speakers on the subject. Both of them are friends and I listen to, take advice from and discuss the issues with them.

I am saddened that there are no Front Benchers from the Labour or Liberal Democrat parties. That is regrettable, but the weight of opinion of my hon. Friend the Member for Hendon, South and my hon. and learned Friend—if I may so call him—the Member for Leicester, West has made up for that, given the importance of this debate.

The peace process is an issue of great concern to the Government and, I am sure, to all right hon. and hon. Members. I know that we are all deeply shocked and saddened by the recent dreadful terrorist outrages in Jerusalem, Ashkelon and Tel Aviv. My right hon. Friend the Prime Minister and my right hon. and learned Friend the Foreign Secretary have expressed the Government's deep outrage and revulsion at the attacks and I am sure that all hon. Members join me in those sentiments. It has been deeply painful for all of us to see the threat to peace from those appalling actions, and we must not give the bombers the victory that they seek. Peace is their enemy and we must remained determined to achieve peace.

In these difficult days, the United Kingdom has made clear its wholehearted support for the struggle against terrorism and the continuation of the peace process. My right hon. Friend the Prime Minister attended the summit chaired by Egypt and the United States at Sharm el-Sheikh on 13 March, to which my hon. Friend the Member for Hendon, South referred. My right hon. Friend the Prime Minister made clear the United Kingdom's support for peace through negotiation, coupled with our implacable opposition to terrorism. Officials are today taking part in a follow-up meeting to the Sharm el-Sheikh summit which we hope will lead to agreement on practical measures that the international community can take together to fight the terrorists. The Government will continue to support the process begun at Sharm el-Sheikh. Now, more than ever, the international community must unite behind the peacemakers.

The United Kingdom has been active diplomatically since the terrorist attacks to bolster the fight against terrorism and to boost support for the peace process. We have spoken to Israel's neighbours about the vocal presence in their midst of violent opponents to the peace process. We have urged other countries of the middle east to consider what more they might do to fight terrorism, to undermine support for it and for those who fund it and more actively support the peace process. The presence of many Arab countries at Sharm el-Sheikh suggests that our representations, coupled with those of others, may have had some effect.

For those countries that continue to oppose the peace process, such as Iran and Libya, we have only one message. Their policy is unacceptable. The chargé d'affaires of the Iranian embassy in London was told that when he called into the Foreign Office after the bombings. We were outraged by Iran's initial reaction and little impressed by its subsequent equivocations. If Iran wishes to be treated with respect, it must recognise the force of that message and act accordingly. With our European partners, we will continue to press that home through the European Union's critical dialogue with Iran. We believe that the Iranian Government and their surrogates continue to promote international terrorism and that they have been responsible for many attacks on Iranian dissidents in Europe since 1989. As my hon. Friend said, the recent decision by the German federal prosecutor to indict the chief of the Iranian Ministry of Intelligence Services, Ali Fallahian, adds weight to that claim.

In practical terms, the United Kingdom is doing much to help both the Israelis and the Palestinians fight the terrorists. Two City of London police experts are visiting Israel to offer advice on the surveillance and other techniques that help to form the ring of steel around the City of London. Although I cannot go into details today, there are other forms of co-operation with Israel in sharing information on the terrorist threat.

With the Palestinians, we are looking urgently at what further assistance we can give the Palestinian police in addition to the substantial assistance that we have given them in training and logistics to help them to maintain order and security in Gaza and the west bank. I was also pleased to visit Gaza not long ago and to see the gift of radios that has so helped the Palestinian police with security and the election process.

I am pleased too that the European Union is urgently working up a programme of assistance in counter-terrorism to the Palestinian police. We shall ensure that that assistance is promptly given and co-ordinated in full with the other assistance that the Palestinian authority is receiving.

The United Kingdom fully understands the pressing need for Israel to re-establish security for its citizens. They deserve that. We understand the need for the tough measures that have been taken. At the same time, we also recognise—this is a point of agreement between the Israeli Government and the Palestinian authority and both made it firmly to me during my recent visit to the region in January—that stability in Gaza and the west bank depends on employment and prosperity for the Palestinian people. We recognise the extremely difficult task facing the Israeli Government in balancing their security needs with the needs of the Palestinian people. I know that they are tackling the issue with the maximum energy and determination. We welcome the easing of the closures that has already taken place and hope that the Israeli Government will be able to relax measures further, but only where compatible with their security needs.

I met the Prime Minister, Shimon Peres, when he came to London and was impressed with his determination to secure the future for his people. I was also impressed with the way he felt that prosperity for the Palestinian people would aid security for the region as a whole and further the peace process. I believe that all hon. Members wish the Israeli Government well in achieving those aims.

My hon. Friend also mentioned Ron Arad and the other brave people who are missing in action. I raised that issue with Yasser Arafat directly and felt that he was most positive in his responses. We should and could make further progress, although it is difficult since we are largely dealing with the Iranians and others on the matter. I hope that progress can be made, not just because of those individuals and their families, but because I cannot think of any issue that would be a greater confidence-booster than if we were to find a solution to this long-standing problem which is at root, as my hon. Friend said so movingly, a humanitarian, family matter.

These are difficult days for Israel and the Palestinians. Despite the gloom of current circumstances, we must not forget that there is still a peace process. We must remember how much has been achieved. There are agreements between Israel and the Palestine Liberation Organisation, which detail their mutual recognition and a process by which they can accommodate their differing interests. A Palestinian Authority has been established. As I mentioned earlier, there have been successful democratic elections for the new Palestinian Council and its president. We applaud these achievements and those who made them happen.

The vast majority of Palestinians and Israelis still crave peace and want the peace process to work. The terrorists cannot be allowed to dictate the fate of everyone else. They cannot be allowed to consign their neighbours to endless and pointless violence.

I shall say a few words about the Arab boycott, which is felt strongly in the United Kingdom and beyond. Following the first meeting of the Israel-Britain chamber of commerce, Israel's Minister for Trade, Micha Harish, told my right hon. Friend the President of the Board of Trade that he was convinced that the boycott was no longer regarded by British business men as an obstacle to trading with Israel. Indeed, the rocketing trade figures over the past few years bear out that belief.

Both the Department of Trade and Industry and the Foreign and Commonwealth Office are taking a robust line, ensuring that companies are left in no doubt over our disapproval of the boycott. We are recommending, where possible, the use of an EU certificate rather than a certificate issued by the Arab-British chamber of commerce. The DTI, however, has an obligation to inform exporters of the facts. It would be useless to recommend the use of an EU certificate to a country which did not accept it, such as Syria.

The Arab boycott is now on its knees. Its final death throes are ever closer. It is unlikely, however, that the Arab League will end it formally before there is a comprehensive peace between Israel and all her Arab neighbours, but Egypt and Jordan have formally abandoned the boycott, the Gulf Co-operation Council no longer applies the secondary and tertiary aspects of it, and it is not applied, in practice, by Tunisia and Morocco. Only a few hard-line Arab countries insist on applying it. But while the Arab boycott office in Damascus is still open, we shall work hard to ensure that progress in the peace process brings with it a complete end to a useless, senseless and counterproductive boycott.

We look forward, of course, to the final settlement of the Arab-Israel dispute. The foundation of the settlement between Israel and the Palestinians, in the form of the declaration of principles and the interim agreement, already exists. We must all keep this goal in sight, for with it comes the prospect of a comprehensive middle east peace. Such a peace would bring immense prosperity to the entire region.

In that context, the United Kingdom welcomed the negotiations between Syria and Israel, which began at the Wye Plantation at the end of last year. The talks are currently suspended, but we hope that they will be resumed as soon as possible. It is vital that this opportunity for a comprehensive peace is not lost. We welcome the flexibility that both sides have shown to their approach to these talks and hope that they will continue to exhibit so constructive an attitude if and when the talks resume.

Our support is for those brave men and women, Palestinian as well as Israeli, who are building peace in the middle east. Nothing should detract from that goal. We shall do all that we can to help prevent the terrorists from destroying their and our dream of a comprehensive and lasting peace.

Question put and agreed to.

Adjourned accordingly at three minutes past Three o'clock.

Written Answers to Questions

Monday 18 March 1996

HOME DEPARTMENT

Children (Non-British Citizens)

Mr. David Howell: To ask the Secretary of State for the Home Department what is his estimate of the number of children, aged 13 years and under, who were born in the United Kingdom but do not hold British citizenship.[20512]

Mr. Kirkhope: Such estimates are not made.

Burglaries

Mr. Straw: To ask the Secretary of State for the Home Department, pursuant to his answer of 6 February, *Official Report*, columns *106–107*, how many of the burglaries listed were domestic burglaries; what percentage of those who committed domestic burglary were sentenced to immediate custody; and what was the average sentence imposed. [20513]

Mr. Maclean: Of the 1,135 offenders in the sample convicted of burglary on a third or greater occasion in 1993, 525 were convicted of domestic burglary and 357 were convicted of a third or greater domestic burglary.

Around 55 per cent. of those convicted of a third or greater domestic burglary were sentenced to immediate custody, with an average custodial sentence of about 14 months.

Fire Service (Wales)

Mr. Llwyd: To ask the Secretary of State for the Home Department how many incidents the fire brigades in *(a)* Mid Glamorgan, *(b)* Gwynedd and *(c)* Wales attended in (i) 1980, (ii) 1990 and (iii) 1995; and if he will make a statement. [20650]

Mr. Sackville: The available information is given in the following table. Data for 1995 are not available. The answer gives provisional data for 1994.

Incidents attended by local authority fire brigades in (a) Mid Glamorgan, (b) Gwynedd and (c) Wales in (i) 1980, (ii) 1990 and (iii) 1994

Year	*(a) Mid Glamorgan*	*(b) Gwynedd*	*(c) Wales*
1980[1]	6,630	2,382	31,329
1990	10,857	4,080	52,180
1994[2]	11,199	3,887	55,644

[1]Includes estimates for periods of industrial action when data were not recorded.

[2]Provisional data which include special services attended between April 1994 and March 1995.

Suicides

Mr. Hanson: To ask the Secretary of State for the Home Department how many suicide verdicts have been recorded for *(a)* men and *(b)* women aged under 25 years in each of the last 20 years. [20803]

Mr. Sackville: Information on the age of persons whose deaths are the subject of an inquest is not collected centrally. The number of verdicts of suicide for males and females respectively returned at inquests held by coroners in England and Wales for the 20 years up to 1994, the last year for which figures are available, are given in the table. The information has been extracted from the annual series of Home Office Statistical Bulletins, "Statistics of deaths reported to Coroners, England and Wales", copies of which are in the Library.

	Males	*Females*
1975	2,178	1,539
1976	2,290	1,479
1977	2,340	1,569
1978	2,279	1,585
1979	2,539	1,606
1980	2,613	1,669
1981	2,807	1,664
1982	2,831	1,525
1983	2,778	1,464
1984	2,857	1,483
1985	2,944	1,452
1986	2,892	1,253
1987	2,840	1,147
1988	3,087	1,155
1989	2,773	984
1990	3,007	970
1991	2,968	870
1992	3,070	921
1993	2,875	865
1994	2,750	787

Departmental Staff (Lunar House)

Mr. Madden: To ask the Secretary of State for the Home Department how many people were employed in each of the last five years at Lunar house in Croydon; what were the changes in the volume of work at Lunar house over the same period; and if he will make a statement. [21531]

Mr. Kirkhope: The number of staff in the non-immigration service directorates of the immigration and nationality department who are based in Croydon, including Lunar house, are as follows:

1.03.92: 1,691

13.12.92: 1,869

31.12.93: 2,102

31.12.94: 2,132

31.12.95: 2,105

Details of the volume of work considered by the Croydon offices over the same period are published in "Control of Immigration: Statistics United Kingdom 1994", Cm 2935.

Prosecution Procedures

Mrs. Currie: To ask the Secretary of State for the Home Department how long on average elapses between the date of an offence and the date of *(a)* arraignments and *(b)* conclusion of case at High Court for the main categories of serious crime in each area for which statistics are collated. [20347]

Mr. Jonathan Evans: I have been asked to reply. The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer. I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mrs. Edwina Currie, dated 18 March 1996:

The Parliamentary Secretary, Lord Chancellor's Department has asked me to reply to your Question about the duration of criminal proceedings. In preparing the reply I have liaised with colleagues at the Lord Chancellor's Department who are responsible for proceedings in the magistrates courts.

The average period between the date on which more serious (indictable) offences takes place and the committal of the defendant to the Crown Court is 23.9 weeks. Arraignment usually takes place at a 'Plea and Directions' hearing normally held within four weeks after committal for defendants who are in custody and six weeks in bail cases. The average period between the case being committed from the magistrates and the start of the trial is 12.4 weeks for defendants in custody and 17.0 weeks for defendants on bail. The average length of a criminal hearing is 8.6 hours for those defendants who plead not guilty and 1.0 hour for whose plead guilty.

LORD CHANCELLOR'S DEPARTMENT

Ex-service Personnel (Pension Appeal Tribunals)

Mr. Alfred Morris: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 6 March, *Official Report*, column *233*, what estimate he has made of the cost of the action that is being taken to reduce waiting times for pensions appeal tribunals in the case of ex-service people with attributable hearing loss. [20770]

Mr. Jonathan Evans: In 1995–96 the expenditure of the pensions appeal tribunals is expected to be approximately £1.4 million, which represents a 45 per cent. increase over the financial provision for 1994–95. This increase is a result of the action being taken to reduce waiting times in all cases, with priority being given to the specific groups set out in my answer of 6 March 1996. However, it is not possible to quantify the resources allocated to hearing loss cases as the pensions appeal tribunals do not record appeals by reference to the nature of disability or injury.

European Court

Mr. French: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the implications of the ruling by the European Court of Justice that the British Government can be sued for damages by an individual if an Act of Parliament is found to contravene European Law. [20828]

Mr. David Davis: I have been asked to reply.

The European Court of Justice's ruling in the Factortame case defines the conditions under which a Government can be liable in damages for breaching an individual's rights under Community law. The court ruled that such damages should be payable only where the breach of Community law has been serious and manifest. It will be for our national courts to determine in the light of the ruling whether in fact the UK Government committed a serious and manifest breach of Community law and whether any damages are payable to individuals as a result.

Legal Aid

Mr. Pickthall: To ask the Parliamentary Secretary, Lord Chancellor's Department how many persons found not guilty at trial in crown courts have been refused repayment of their legal aid contributions in the last 12 months for which he has figures. [20922]

Mr. Jonathan Evans: The information requested is not held centrally and could be obtained only at disproportionate cost.

Family Law Bill

Mr. Winnick: To ask the Parliamentary Secretary, Lord Chancellor's Department when a reply will be sent to the hon. Member's letter of 1 February concerning the Family Law Bill. [21230]

Mr. Jonathan Evans: A reply was sent on 14 March.

Departmental Printing Contracts

Mr. Morgan: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the printing contracts for his Department carried out by Wilprint Ltd. [21059]

Mr. Jonathan Evans: This Department has not directly entered into any printing contracts with Wilprint Ltd. Her Majesty's Stationery Office, on behalf of the Department, has one contract with Wilprint Ltd.

Divorce

Sir Ivan Lawrence: To ask the Parliamentary Secretary, Lord Chancellor's Department what proportion and number of divorces were granted in *(a)* 1973, *(b)* 1983 and *(c)* 1993 on the grounds of (i) adultery, (ii) behaviour, (iii) desertion, (iv) two years separation, (v) five years separation and (vi) other reasons. [20391]

Mr. Jonathan Evans: The proportion and number of divorces granted in England and Wales in 1973, 1983 and 1993 where the facts relied upon were adultery, behaviour, desertion, two years' separation, five years' separation and other reasons are shown in the table:

	Adultery	Behaviour	Desertion	Two years' separation	5 years' separation	Other reasons
1973	32,177 30.3 per cent.	22,692 21.4 per cent.	7,847 7.4 per cent.	23,109 21.8 per cent.	17,347 16.4 per cent.	2,831 2.7 per cent.
1983	43,722 29.6 per cent.	54,092 36.7 per cent.	2,481 1.7 per cent.	35,114 23.8 per cent.	10,219 6.9 per cent.	1,851 1.3 per cent.
1993	44,466 26.9 per cent.	74,583 45.2 per cent.	1,118 0.7 per cent.	34,196 20.7 per cent.	9,564 5.8 per cent.	1,091 0.7 per cent.

All the figures are taken from Office of Population Censuses and Surveys statistics. "Other reasons" include annulments; any mixture of adultery, behaviour and desertion; unsound mind and presumed dead.

DUCHY OF LANCASTER

Executive Action

Mr. Gordon Prentice: To ask the Deputy Prime Minister if he will list those areas of executive action where he has discretion to act in respect of an individual without giving reasons for his decision. [20544]

Mr. Freeman: Comprehensive records are not kept in the form requested, but no such discretions have been identified from readily available sources.

Local Government Enforcement

Mr. Harry Greenway: To ask the Chancellor of the Duchy of Lancaster when he will publish the response of the Government to the recommendations contained in the report of the interdepartmental review team into local government enforcement. [20824]

Mr. Freeman: I refer my hon. Friend to the reply that I gave to my hon. Friend the Member for Erith and Crayford (Mr. Evennett) on 20 December 1995, *Official Report*, column *1217*.

In that reply I referred to a guide to good practice to be produced by the local authority associations. This was launched on 31 January 1996, entitled "Regulation: A Guide to Good Practice in Local Government". Copies of the guide will be placed in the Library of the House shortly. The guide takes forward a number of the recommendations of the review.

I also refer my hon. Friend to the reply that I gave to the hon. Member for Brentford and Isleworth (Mr. Deva) on 11 March 1996, *Official Report*, columns *464–65*, which demonstrates the progress that we have made on enforcement more generally. In particular we published a draft statutory instrument containing a model appeal. The draft instrument will also require enforcers to give reasons for taking action, to explain how an appeal can be made and to give business a chance to make representations unless immediate action is necessary. These latter rights have already been applied to health and safety regulations and will shortly be applied to environmental standards, food safety and building regulations, with a range of consumer affairs legislation to follow.

ENVIRONMENT

Westminster City Council

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what recent discussions he has had with Mr. Magill in respect of his role as the investigating auditor of Westminster city council. [20451]

Sir Paul Beresford: No such discussions have taken place. An auditor's inquiries are not a matter for the Government, but for the local authority and the appointed auditor.

Mr. Prentice: To ask the Secretary of State for the Environment what plans Mr. Magill has to make extracts of his report available prior to publication to those he is minded to criticise in respect of his report on Westminsters city council's policy on home sales. [20461]

Sir Paul Beresford: It is entirely for Mr. Magill, as the appointed external auditor, to determine the procedure for his investigation at Westminster, in accordance with the Audit Commission's code of audit practice for local authorities and the national health service in England and Wales.

Water Quality

Sir Cranley Onslow: To ask the Secretary of State for the Environment what progress has been made in the past 12 months towards the development of statutory water quality objectives for rivers in England and Wales; and if he will make a statement. [20730]

Mr. Gummer: The National Rivers Authority has drawn up proposals for statutory water quality objectives in seven catchments in England and one in Wales which have been chosen to test the use of these powers on a pilot basis. Consultation on these proposals will begin shortly.

Barnsley and Doncaster Training and Enterprise Council

Mr. Redmond: To ask the Secretary of State for the Environment what funds his Department has provided to the Barnsley and Doncaster TEC in *(a)* 1994–95 and *(b)* 1995–96; and what amount is planned for 1996–97. [20724]

Sir Paul Beresford: My Department provided £3,390,134 in 1994–95, £1,780,939 in 1995–96, and plans to provide £73,576 in 1996–97 for programmes previously funded by the former Department of Employment which are now part of the single regeneration budget.

Clinical Waste

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what steps he is taking to ensure the prompt and effective disposal of clinical waste. [20660]

Mr. Clappison: The disposal of clinical waste is already strictly controlled by existing legislation.

Responsibility for the safe disposal of clinical waste rests with the waste producer. The producer is under a duty of care to ensure that waste is prevented from escaping and to transfer it only to someone who is legally authorised to accept it. Authorised persons includes waste carries registered under the Control of Pollution (Amendment) Act 1989 and persons who hold a waste management licence issued under part II of the Environmental Protection Act 1990.

High-risk health-care waste should usually be disposed of by incineration—in a dedicated health-care incinerator. Where waste is made safe—for instance, by heat treatment—it can be landfilled.

New guidance on the handling and disposal of clinical waste will be issued by the Department of the Environment in a new edition of waste management paper No. 25.

Mr. McLeish: To ask the Secretary of State for the Environment if he will list the *(a)* contractors and *(b)* NHS hospital trusts involved in the disposal of medical waste which are currently being investigated by the Health and Safety Executive. [20766]

Sir Paul Beresford *[holding answer 14 March 1997]:* The Health and Safety Executive is not currently investigating any contractors or NHS trusts in connection with the disposal of clinical waste.

Mr. McLeish: To ask the Secretary of State for the Environment what review the Health and Safety Executive is undertaking of medical waste management procedures. [20767]

Sir Paul Beresford *[holding answer 14 March 1996]:* None. This is primarily a matter for other enforcing authorities.

Mr. McLeish: To ask the Secretary of State for the Environment if he will list the sites currently under investigation by the Health and Safety Executive where unauthorised medical waste has been tipped. [20765]

Sir Paul Beresford *[holding answer 14 March 1996]:* The Health and Safety Executive has no enforcement responsibility in respect of the unauthorised tipping of medical waste.

Water Supplies

Mr. Wigley: To ask the Secretary of State for the Environment if he will estimate the number of gallons of water *(a)* supplied by pipeline from Wales and *(b)* extracted from waterways controlled by regulating reservoirs in Wales and used by companies supplying water in England. [20012]

Mr. Clappison: In 1995 an average of 550 megalitres or 121 million gallons per day were supplied by pipeline and aqueduct from Wales to England. The corresponding figures for abstractions from regulated rivers was 942 megalitres or 207 million gallons per day. However, the data for regulated rivers includes some water taken from the river Severn which was not derived from Wales.

Health and Safety Inspections Leaflet

Mr. Clapham: To ask the Secretary of State for the Environment, pursuant to his answer of 8 March, *Official Report,* column *364,* if he will publish the commission's report when the survey of how the procedures are working in practice is complete. [20850]

Sir Paul Beresford: Yes.

Correspondence

Mr. Winnick: To ask the Secretary of State for the Environment when a reply will be sent to the hon. Member's letter of 8 February, ref. G/66P50 3515/96. [21228]

Mr. Clappison: A reply was sent to the hon. Member on 14 March 1996.

Environment Council

Mr. Hargreaves: To ask the Secretary of State for the Environment if he will make a statement on the outcome of the Environment Council on 4 March. [21695]

Mr. Gummer: Together with my right hon. Friend the Secretary of State for Wales, I represented the UK at the Environment Council in Brussels on 4 March.

The Council discussed the Commission's proposed amendment to the leghold traps regulation. In response to UK representations, the Commission was invited to produce a fixed timetable as soon as possible for concluding negotiations that they are conducting with the fur producer countries. The Council also accepted my proposal that the import ban on furs obtained from leghold traps should come into force on 1 January 1997 unless the Community's final attempts at a negotiated agreement with the producer states on the introduction of alternative humane traps succeeds.

Council conclusions were agreed on the Commission's communication on the wise use and conservation of wetlands. During the open debate, my right hon. Friend the Secretary of State for Wales welcomed the conclusions and advised the Council of the extensive action already taken by the United Kingdom to conserve wetlands which are well protected by national and European legislation. My right hon. Friend also provided the Council with a comprehensive report on the latest state of play in respect of the Sea Empress incident, paying particular tribute to all those who had been involved in the clean-up, and expressing the hope that the Commission would respond favourably to his request for financial assistance.

Council conclusions were agreed on the forthcoming 1996 session of the United Nations Commission on Sustainable Development and on the Community strategy for the protection of the ozone layer. I supported common positions which were agreed on the amendments to the waste shipments regulation and on the labelling of dangerous substances directive—67/548. The Council also agreed a Community negotiating mandate for a protocol to the Barcelona convention on the shipment of

hazardous waste and on the Community negotiating mandate for an amendment to the Paris Commission to allow the use of hexachloroethane in certain limited circumstances.

The Council discussed the annexes to the proposed biocides directive and, for the first time, considered the Commission proposal to control emissions from off-road vehicles and the Commission communication on CO2 emissions from cars. These will all be discussed further at the June Environment Council. There were brief presentations from the Commission on the recently published communication on EC water policy and on the review of the fifth action programme.

I also attended a joint meeting with Environment Ministers of central and eastern Europe as part of the structured dialogue process. This showed continued enthusiasm for the environment for Europe process and indicated that most of the central and eastern countries were making good progress on the approximation of EC environmental legislation.

Channel Tunnel Rail Link

Mr. Dunn: To ask the Secretary of State for the Environment what action has been taken to implement the recommendation of the Select Committee on the Channel Tunnel Rail Link Bill that an interdepartmental working party be convened to consider the problem of perceived blight. [21694]

Sir Paul Beresford: An interdepartmental working group has been established under the chairmanship of an official from my Department. The terms of reference of the group are as follows:

To review the scope, cause and effects of blight arising during the various stage of major infrastructure projects and to consider whether any practical changes can be made to the existing arrangements for property purchase and compensation, bearing in mind the concerns of the House of Commons Select Committee on the Channel Tunnel Rail Link Bill about those whose properties decline in value because of the perception of potential purchasers rather than because of any physical effects. In meeting this remit the working party will consider in particular:

—whether it is possible to define "generalised blight" in a way which would meet the concerns of the Select Committee without increasing or extending the blighting effects of major proposals;

—the extent and duration of the effects of blight on property values both in the shorter and longer term and the interaction with other local and national valuation effects;

—the scope for minimising blight by adopting a different approach to the provision of infrastructure and the selection of sites and the effect of such an approach on the existing arrangements for public consultation and participation in planning decisions;

—any relevant overseas experience;

—the likely costs of any new arrangements and their effect on the provision of infrastructure;

—any wider effects of any new arrangements on property values generally, including a comparison with the values of properties affected by other development proposals;

—if any remedy for those affected by "generalised blight" is considered appropriate, the practical application of such a remedy including the basis on which it might be determined, the eligibility of property owners, the geographical coverage in relation to the development proposals and the point at which it would be offered; and

—any implications for the existing principles of the land compensation code or for the current arrangements for discretionary purchase.

In carrying though this work, the working party will also have regard to the principles of good administration.

Environmental Protection Advisory Committees

Ms Ruddock: To ask the Secretary of State for the Environment if he will list all the appointees to date to each of the new regional environmental protection advisory committees indicating the criteria by which they were selected. [21091]

Mr. Clappison: My right hon. Friend has appointed the chairmen of six of the seven regional committees in England, as follows:

Brian Alexander: North West

Penny Perry: Midlands

Betty Goble: Anglian

John Ferguson: Thames

Robert Crossett: Southern

Dennis Mitchell: South West

Many nominations for these posts were received in response to our public invitation and candidates were assessed according to their experience and knowledge in relation to the committees' functions and regions and their ability to lead these high profile committees.

My right hon. Friend the Secretary of State for Wales has appointed Graham Court as chairman of the committee in Wales.

Further appointments, of individual members to each committee, are matters for the agency itself in accordance with the membership schemes recently approved by my right hon. Friend.

FOREIGN AND COMMONWEALTH AFFAIRS

Bosnia (Orsac Training Camp)

Mr. Redmond: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he has taken in respect of the training camp set up at Orsac, Bosnia; and if he will make a statement. [20744]

Sir Nicholas Bonsor: It is our understanding that the training camp at Orsac is no longer in operation.

Iran (Baha'i Community)

Mr. Redmond: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Iranian Government in respect of Mr. Dhabihu'llah Mahrami, a member of the Baha'i community in Yazad, charged with apostasy from Islam; and if he will make a statement. [20798]

Mr. Hanley: The Iranian Government are aware of our concern about Mr. Mahrami's situation. We understand that the death sentence imposed by the Islamic revolutionary court in Yazd has been overruled by the supreme court and that legal proceedings are continuing. We and our European partners will continue to monitor developments closely.

Intergovernmental Conference (Disabled People)

Mr. Wigley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to support proposals at the forthcoming intergovernmental conference to safeguard the needs of disabled people; and if he will make a statement. [20799]

Mr. David Davis: We are committed to safeguarding the needs of disabled people and have taken positive action in this area with the Disability Discrimination Act 1995. We believe that the best way of effectively dealing with the problem of discrimination against disabled people is through strong national legislation of this kind.

Hong Kong (Reserves and Bullion)

Mr. Fabricant: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has for the ownership of the foreign reserves and bullion held by the Government of Hong Kong after the transfer of sovereignty to the People's Republic of China; and if he will make a statement. [20826]

Mr. Hanley: Hong Kong's financial reserves will in their entirety become those of the Hong Kong special administrative region.

Mr. Fabricant: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of *(a)* the current value of the bullion and foreign reserves held by the Government of Hong Kong and *(b)* its value when the sovereignty of Hong Kong will be transferred to the People's Republic of China; and if he will make a statement. [20894]

Mr. Hanley: As at the end of December 1995, the value of the bullion and foreign exchange reserves of the Hong Kong exchange fund was US$57.1 billion. It is not possible to forecast the precise value of the reserves on the transfer of sovereignty, but we have every confidence that Hong Kong will maintain one of the highest levels of reserves in the world, especially in relation to the size of its population.

Bosnia

Mr. Redmond: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the agency for intelligence and documentation set up by the Republic of Bosnia's Interior Ministry and of its compliance with the terms of the Dayton agreement. [20743]

Sir Nicholas Bonsor: None.

European Parliament

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what buildings are currently rented by the European Parliament; and what buildings are being built for it. [20987]

Mr. David Davis: The European Parliament currently rents the following buildings:

in Luxembourg:

BAK building

NHE building

Schuman building

Senningerberg building

Tower building

in Strasbourg:

palais de l'Europe

IPE O, IPE I, IPE II, IPE III

in Brussels:

Belliard I, Belliard II, Belliard III and Belliard IV

Eastman building

Remorqueur building

Remard building

Van Maerlant building

D 1, D 2 and D 3 buildings

A new building complex is under construction in Brussels. It should be completed by May 1997.

A second building is under construction in Strasbourg, and is due for completion by the end of 1997.

European Parliament

Mr. Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the allowances payable to Members of the European Parliament in 1996. [20986]

Mr. Davis: The following allowances are available to MEPs in 1996:

Travel—within the EU, 0.76 ecu or £0.64 for every km up to 400km, and 0.38 ecu or 0.32 for every km thereafter. Outside the EU, the cost of the return fare by the most direct route.

Subsistence on official travel—within the EU 219 ecu or £184.05 per day. Half this amount, plus hotel costs, outside the EU.

General office expenses—3,099 ecu or £2,604.40 per month.

Secretarial assistance—8,937 ecu or £7,510.65 per month.

Morocco

Mr. Redmond: To ask the Secretary of State for Foreign and Commonwealth Affairs that representations Her Majesty's Government have made to the Moroccan Government over the sentence imposed on Kelthoum Ahmed Labid El-Ouanat from Western Sahara; and if he will make a statement. [21006]

Mr. Hanley: *The Guardian* article of 9 March drew our attention to this case. We have now raised it with the Ministry of Human Rights in Morocco.

Competitive Tendering (Contracts)

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs how many contracts for goods or services have been awarded in each of the last three financial years by his Department and its executive agencies after competitive tendering; and what was the total combined value of these contracts. [21029]

Mr. Hanley: The number of contracts competitively tendered and their value for each of the last three years is not centrally available.

Council of Minsters (Decisions)

Mr. Spearing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set out each article of the consolidated "Treaties of the European Communities and Union"—cm 3151—which provide for decisions of its

Council of Ministers to be determined by unanimity or common accord, stating the purpose of each and the category of the power so bestowed relating to *(a)* appointment of persons, *(b)* the execution of principal duties or obligations laid down in the treaties, *(c)* decisions concerning future use of qualified majority or other forms of voting for specific purposes, *(d)* requirements for unanimity to prevent action by others, *(e)* approval of conventions under treaty powers and *(f)* other. [21157]

Mr. David Davis: I refer the hon. Member to the European Commission report to the intergovernmental conference study group on the operation of the treaty on European union which was deposited in the House on 12 June. 1995. Annex 7 of the report contains a list of treaty articles subject to unanimity. Unanimity is generally reserved to areas of particular sensitivity. It is not objectively possible to classify articles subject to unanimity on the basis requested by the hon. Member.

Mr. Spearing: To ask the Secretary of State for Foreign and Commonwealth Affairs on what dates and at what locations the Council of Ministers of the European Communities decided under the terms of article 236 of its treaty to convene intergovernmental conferences on *(a)* economic and monetary union and *(b)* political union. [21158]

Mr. Davis: The European Council meeting in Strasbourg in December 1989 convened an intergovernmental conference on economic and monetary union. The June 1990 European Council in Dublin convened a second intergovernmental conference on political union.

European Court of Justice

Mr. Marlow: To ask the Secretary of State for Foreign and Commonwealth Affairs on how many occasions in each of the last 10 years the judgment of the full European Court of Justice has been contrary in principle to that of the advocate general. [21024]

Mr. David Davis: The EC treaty lays on advocates general the duty to assist the European Court of Justice by making reasoned submissions on cases brought before the court, acting with complete impartiality and independence. The ECJ is not bound to follow an opinion. In any given case, it may agree or disagree with any of the legal arguments in the opinion. Notable examples of cases where the court has disagreed strongly with the Advocate General include the recent Graham ruling on invalidity benefit and the Faccini Dori, case, where the court ruled out the possibility of horizontal direct effect for directives. An attempt to make a comparison of the kind requested by the hon. Member would inevitable oversimplify reality. Judgments can of course be contrary to elements of an opinion without overturning it entirely.

Kashmir

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has *(a)* requested and *(b)* received about Indian security forces erecting a fence on land within the United Nations line of control in Kashmir; and if he will make a statement. [21518]

Mr. Hanley: We are aware of recent press reports that the Government of India are erecting fending in the vicinity of the line of control. We have not requested information about this. We remain concerned about the situation in Kashmir and continue to urge restraint by all concerned.

CSV Media

Mrs. Ann Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the sources from within the European Commission from which CSV Media receives financial support, indicating in each case the level of funding. [20510]

Mr. David Davis *[holding answer 12 March 1996]:* CSV Media received the following funding from the European Commission for 1995–96:

£752,247: European social fund

£63,690: European regional development fund

£50,000: European Commission campaign on race

£145,000: Play Safe in Europe campaign

PRIME MINISTER

Ministerial Responsibility (Bristol)

Mr. Flynn: To ask the Prime Minister if he will make a statement on the duties of the hon. Member for Monmouth (Mr. Evans) in respect of the city of Bristol. [20601]

The Prime Minister: My hon. Friend the Member for Monmouth is helping to promote local regeneration in his role as sponsor Minister for Bristol.

Parliamentary Questions

Mr. Donohoe: To ask the Prime Minister (1) what has been the total cost of answering questions to the Prime Minister in each Session since 1989–90; [21175]

(2) what was the cost of answering *(a)* an oral and *(b)* a written parliamentary question to the Prime Minister from (i) Opposition and (ii) Conservative hon. Members in each parliamentary Session since 1989–90. [21455]

The Prime Minister: The information as requested is not available.

Overseas Visits

Mr. Hall: To ask the Prime Minister if he will place in the Library a list of Ministers who have requested prior assent from the Prime Minister under "Questions of Procedure for Ministers", paragraph 74, for payment from public funds to meet the expenses of spouses accompanying Ministers on overseas visits; and if he will indicate which requests were granted and which were refused for each year since 1990. [17494]

The Prime Minister *[holding answer 1 March 1996]:* Complete records of such requests prior to 1995 have not been retained. The following Ministers were accompanied by their spouses on overseas visits at public expense in accordance with "Questions of Procedure for Ministers" from 1995 onwards.

	Country	Minister
1995		
2–10 January	Bangladesh/India/ Pakistan	Mr. and Mrs. Hurd
25–26 January	Paris	Mr. and Mrs. Forsyth
30 January—5 February	Japan	Mr. and Mrs. Heseltine
3–6 February	France	Mr. and Mrs. Gummer
2–5 March	USA	Mr. and Mrs. Rifkind
18–19 March	Carcassone	Mr. and Mrs. Hurd
19–26 March	South Africa	Mr. and Mrs. Hurd
7–9 April	France	Mr. and Mrs. Clarke
7–12 April	Zimbabwe/South Africa/Namibia	Mr. and Mrs. Rifkind
28–30 April	Germany	Mr. and Mrs. Rifkind
21–31 May	USA	Sir Patrick and Lady Mayhew
27 May—6 June	Latin America	Mr. and Mrs. Hunt
17–27 August	Caribbean	Mr. and Mrs. Newton
12–19 September	Russia	Mr. and Mrs. Eggar
16–22 September	Cuba/Jamaica	Mr. and Mrs. Taylor
18–29 September	Australia/New Zealand	Sir Patrick and Lady Mayhew
29 September—1 October	Spain	Mr. and Mrs. Clarke
30 August—15 September	Asia	Mr. and Mrs. Hanley
10–12 October	Slovenia	Lord and Lady Cranborne
20–22 October	Spain	Mr. and Mrs. Gummer
1–8 December	Australia	Lord and Lady Fraser
29 December—10 January	UAE/Far East	Mr. and Mrs. Portillo
29 December—9 January	Indian sub-continent	Mr. and Mrs. Howard
1996		
2–5 January	India	Mr. and Mrs. Arbuthnot
15–25 January	Hong Kong/China	Mr. and Mrs. Nelson
8–15 April	Asia	Mr. and Mrs. Hanley
12–16 April	Bulgaria/Italy	Mr. and Mrs. Clarke

SOCIAL SECURITY

Employee Fraud

Ms Lynne: To ask the Secretary of State for Social Security what data-matching exercises the Benefits Agency has carried out on its own employees; and how many employees have subsequently been discovered to be involved in *(a)* breaches of confidence and *(b)* illegal benefit claims. [19488]

Mr. Heald: In 1994, a limited clerical exercise involving three offices was undertaken to check staff national insurance numbers against records held in the departmental central index. The aim was to protect the interests of staff by checking that their national insurance number was not being used by other persons for fraudulent purposes. The exercise complied fully with Data Protection Act 1984 requirements, including appropriate authorisation, registration and the handling of data.

The appropriate trade union side was kept informed.

No cases of benefit fraud nor any breaches of confidence were found.

Incapacity Benefit

Mr. Bradley: To ask the Secretary of State for Social Security how many people who have been examined for the all-work test of incapacity have been found capable of work *(a)* in total and *(b)* during each month since April 1995, for each of the 11 medical services centres. [20180]

Mr. Burt: The information is not available in the format requested. National figures for the number of claimants disallowed following examination are in the table.

	Number
April 1995	10
May 1995	28
June 1995	1,087
July 1995	3,680
August 1995	5,015
September 1995	5,987
October 1995	7,281
November 1995	8,540
December 1995	5,716
January 1996	9,966
Total	47,310

These figures do not include clerically processed cases, credits-only cases or severe disablement allowance cases.

Mr. Bradley: To ask the Secretary of State for Social Security how many IB50 all-work questionnaires have been issued by his Department in each of the months since April 1995; how many have been returned in the time allowed; and how many people failed to return the questionnaire without good cause in each of the 11 medical services centres. [20174]

Mr. Burt: The information is not available in the format requested. Such information as is available is in the tables:

IB50 Questionnaires issued

	Number
April 1995	59,382
May 1995	140,929
June 1995	114,244
July 1995	87,020
August 1995	77,729
September 1995	93,976
October 1995	115,600
November 1995	124,295
December 1995	96,639
January 1996	156,319
Total	1,066,133

Claims disallowed because of failure to return questionnaire.

	Number
April 1995	0
May 1995	9
June 1995	724
July 1995	855
August 1995	630
September 1995	442
October 1995	608
November 1995	717
December 1995	655
January 1996	1,269
Total	5,909

Figures do not include clerically processed cases, credits-only cases or severe disablement allowance cases.

Mr. Bradley: To ask the Secretary of State for Social Security how many appeals *(a)* have been lodged to date against a decision that the claimant is capable of work and *(b)* have been heard; how many and what percentage were found in the claimant's favour; and how many claimant were represented. [20176]

Mr. Burt: Information is not available in the format requested. Such information as is available as at the end of January 1996, is in the table:

	Number
Appeals lodged against AWT decision	26,506
Appeals heard	3,275
Appeals found in favour of claimant.	1,494
Percentage of appeals heard found in claimant's favour	45.6

Mr. Bradley: To ask the Secretary of State for Social Security what estimate he has made of the savings to his Department from the introduction of incapacity benefit. [20181]

Mr. Burt: I refer the hon. Member to the reply that I gave to the hon. Member for Caernarfon (Mr. Wigley) on 26 January 1996, *Official Report*, column *274*.

Supply Estimates

Mr. Frank Field: To ask the Secretary of State for Social Security, pursuant to his answer of 4 March 1996, *Official Report*, columns *808–82*, if he will set out as much of the information on Supply estimates and supplementary estimates for the DSS votes as is available for 1995–96. [20769]

Mr. Burt: The table sets out the original 1995–96 estimate provision and the changes secured in the summer and spring supplementary estimates for each of the votes accounted for by the Department of Social Security. Outturns for each of the votes will be published in due course in the Department's annual appropriation accounts.

Vote number	*Vote title*	*Original revised*	*Summer*	*Winter*	*Spring*
1995–96					
Class XIII, Vote 1	Central Government Administered Social Security Benefits and Other Payments	33,232,636	—	—	1,151,000
Class XIII, Vote 2[1]	Housing Benefit, Council Tax Benefit, Payments into the NI Fund and Payment into the Social Fund, IRO Regulated Expenditure	12,236,830	—	—	Token IK
Class XIII, Vote 3[2]	Housing Benefit Administration and Council Tax Benefit Administration, Payments into the Social Fund IRO Discretionary Expenditure and other Grants	403,139	—	14,566	1,550
Class XIII, Vote 4[2]	DSS Administration and Miscellaneous Services	2,676,396	—	—	19,355

[1]Vote title changed to housing benefit subsidies, council tax benefit subsidies, payments into the national insurance fund and payments into the social fund in respect of regulated expenditure, in Spring supplementary estimate.
[2]This vote is subject to a cash limit, the figures quoted above represent the NET provision.

Age Allowance

Mr. Hayes: To ask the Secretary of State for Social Security what is the estimated cost of converting the 25p per week age allowance to pensioners on their 80th birthday into an annual £13 lump sum payment; and if he will make a statement. [21020]

Mr. Heald: The cost to the national insurance fund of converting the 25p per week age allowance to pensioners on their 80th birthday into an annual £13 lump sum payment is estimated to be £2 million per annum.

If the lump sum payment is not treated as weekly income for the purposes of calculating entitlement to income-related benefits, it is estimated that there could be income-related benefit costs of £9 million per annum.

Source: Government Actuary.

Disability Discrimination Act 1995

Mr. Milburn: To ask the Secretary of State for Social Security what guidance he plans to issue in respect of the Disability Discrimination Act 1995; and what monitoring will be undertaken of its provisions. [21539]

Mr. Burt: A brief guide to the Disability Discrimination Act 1995 was issued in November 1995 and further information material on the provisions of the Act will follow. There will be statutory guidance related to the definition of disability. My right hon. Friend the Secretary of State for Education and Employment will be issuing a code of practice relating to the employment provisions in the Act. The National Disability Council is currently consulting on its proposals for a code of practice relating to the rights of access to goods, facilities, services and property, which will be published by the Secretary of State in due course. All these items will be published in

time to allow employers and service providers to prepare themselves for the introduction of the new rights and duties.

The Government will monitor the effectiveness of the Act by a range of measures, including research. The National Disability Council is also under a specific duty to advise the Government on the operation of the Act, and can recommend changes if necessary.

Social Fund

Mr. David Martin: To ask the Secretary of State for Social Security what gross budget will be set for the discretionary social fund in 1996–97. [21641]

Mr. Roger Evans: I am pleased to announce that the social fund gross discretionary budget for 1996–97 will be £419.5 million—£97 million will be allocated to grants, £321.5 million to loans and the remaining £1 million will be set aside as a contingency reserve. The new allocations represent an increase of £13.5 million, or 3.3 per cent. over the total gross budget for 1995–96.

This represents a prudent increase, especially at a time when it is essential that every aspect of public expenditure is looked at very carefully. I am pleased that we have once again sustained our record in increasing the social fund budget each year since it began.

The recycling of loans means that we are able to give more help to more people and the loans system is being widely used. For example, between 1 April 1995 and 29 February 1996, over 1.8 million non-repayable grants and interest-free loans were made.

The increase from April 1996 will allow even more people to be helped.

Details of individual district budget allocations have been placed in the Library.

Funeral Expenses

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Social Security what was the average size of loans from the discretionary social fund for additional funeral expenses since June 1995. [19881]

Mr. Roger Evans *[holding answer 12 March 1996]:* The information is set out in the table:

Average size of applications (excluding Northern Ireland)

(£)

Application type	*Average application for flowers/ wreath*	*Average application for funeral expenses*	*Average application for other expenses*	*Average size of all applications*
Community care grant	32.20	499.42	50.00	136.95
Budgeting loan	38.83	383.87	80.94	188.05
Dual application	34.69	434.85	113.64	150.69
Crisis loan	40.49	250.17	50.00	98.23

Average size of applications (excluding Northern Ireland)

(£)

Application type	*Average application for flowers/ wreath*	*Average application for funeral expenses*	*Average application for other expenses*	*Average size of all applications*
Sub-total loans + DAs	36.42	395.59	93.31	153.84
Total	34.96	420.10	86.47	148.66

1. Applications may result in an award of a different payment type. Dual applications are applications for both a community care grant and a budgeting loan.

2. The information covers applications in the period between 5 June and 1 August 1995. It includes help with flowers, wreaths, funeral directors fees and other expenses.

3. Funeral expenses covered by the regulated scheme were specifically excluded from the discretionary fund from 2 August 1995.

Pensioner Incomes

Mr. Denham: To ask the Secretary of State for Social Security what percentage of pensioners receive an income equal to or above the median income of all pensioners; what has been the change in this figure since 1979; and if he will give a regional breakdown. [20021]

Mr. Heald: The definition of median is the income value which divides a population, when ranked by income, into two equal-sized groups. Thus it is always the case that 50 per cent. of pensioners receive an income equal to or above the median income of all pensioners.

ATTORNEY-GENERAL

Public Interest Immunity Certificates

33. **Mr. Winnick:** To ask the Attorney-General what recent representations he has received on the operation of public interest immunity certificates. [19409]

The Attorney-General: As I have told the House, representations have been invited on the use of public interest immunity certificates and the consultation remains open until 1 May.

Mr. Alex Carlile: To ask the Attorney-General if he will make a statement on the circumstances in which it would be correct for a judge to allow a disclosure contrary to a PII claim. [17793]

The Attorney-General: A judge may order disclosure of any documents covered by a PII claim where he judges this to be in the overall public interest. Since Conway *v.* Rimmer, 1968, it has been for Ministers to advance a PII claim for documents falling with a PII class, and for the court to weigh the public interest in non-disclosure against the public interest in disclosure for the purpose of doing justice.

Following the decision of the House of Lords in ex parte Wiley, 1994, it is now open to a Minister to make voluntary disclosure of documents falling within a PII class if he concludes that this is the overall public interest. Where a Minister is not satisfied that disclosure should be made the court remains the ultimate decision-maker and must balance the competing public interests and rule on disclosure.

Departmental Accountability

34. **Mr. Flynn:** To ask the Attorney-General what new proposals he has to improve the accountability of his Department to Parliament. [19410]

The Attorney-General: I am accountable to Parliament for the work of each of my four Departments, namely the Crown Prosecution Service, the Serious Fraud Office, the Treasury Solicitor's Department and my own secretariat. The nature and extent of my future supervision of export control prosecutions by Customs and Excise is under careful consideration.

Serious Fraud Office

35. **Mr. Dykes:** To ask the Attorney-General what plans he has to improve the resources available to the Serious Fraud Office. [19411]

The Solicitor-General: In accordance with the recommendations of the Davie report, the division of resources between the Serious Fraud Office and the Crown Prosecution Service is kept under review following the issue of new criteria for the allocation of cases between them.

Crown Prosecution Service

36. **Mr. Simon Coombs:** To ask the Attorney-General what representations he has received urging improvements in liaison between the police and the Crown Prosecution Service. [19412]

The Attorney-General: No formal representations have been received. The CPS and the police are working closely together on a number of initiatives, including co-ordinated training, greater use of information technology and a scheme involving CPS lawyers giving on-the-spot legal advice in busy police stations.

Mr. Harry Greenway: To ask the Attorney-General if he will make it his policy to impose a ceiling on fees paid to lawyers working for the Crown Prosecution Service; and if he will make a statement. [19686]

The Attorney-General: Fees paid to barristers and solicitors in private practice who are instructed by the Crown Prosecution Service to advise or prosecute are negotiated, for the most part, on an individual case basis and have regard to the work actually and reasonably performed.

Mr. Shiji Lapite

Mr. Cohen: To ask the Attorney-General when he expects the Director of Public Prosecutions to make a decision on whether to bring charges in the case of Mr. Shiji Lapite. [17743]

The Attorney-General: The Crown Prosecution Service has requested transcripts of the evidence given at the inquest into the death of Mr. Lapite together with copies of any documents produced to the jury. It is expected that that material will be delivered to the service within the next few days. That material, together with the evidence available prior to the inquest, will then be carefully considered and, subject to any further inquiries that may prove necessary, the Crown Prosecution Service will then decide whether or not to institute criminal proceedings.

Electro-shock Batons

Mrs. Clwyd: To ask the Attorney-General (1) if he will seek to prosecute companies, a list of which has been sent to him, as being involved in the production and export of electro-shock batons; [21564]

(2) if the inquires by the Ministry of Defence police and Strathclyde police into allegations made by two "Despatches" programmes about electro-shock batons are now complete; and if he will make a statement. [21565]

The Attorney-General: I have not received any such list. With regard to any prosecution in relation to the "Despatches" programme, I refer the hon. Member to the answer given by my hon. Friend the Minister of State, Scottish Office, to the hon. Member for Leyton (Mr. Cohen) on 13 March 1996, *Official Report*, column *603*, and also to my answer to her of 31 January 1996, *Official Report*, column *771*.

NORTHERN IRELAND

Executive Agencies

Mr. Cummings: To ask the Secretary of State for Northern Ireland on how many occasions in each of the past five years Ministers in his Deaprtmetn have passed *(a)* hon. Members' letters and *(b)* hon. Members' questions to agencies for response; and what this figure is as a percentage of the total number of letters and questions received. [19421]

Sir John Wheeler: The number of hon. Members' letters to Ministers in the Northern Ireland Office and Northern Ireland Departments which were passed to agencies for response in each of the last five years are as follows:

1991: 36

1992: 44

1993: 188

1994: 215

1995: 223

It is not possible to give a percentage figure as all the necessary information is not held centrally.

Responses to individual questions is a matter of public record, but composite information could be provided only at disproportionate cost.

Hotel Accommodation (Grants)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many grant applications there were to the Northern Ireland tourist board for the provision of a new hotel accommodation in the borough of Ards in each of the last three years; and how many of these applications were refused. [20465]

Mr. Ancram: Since the beginning of 1993 the number of applications received by NITB for financial assistance to develop the provision of hotel accommodation in the borough of Ards is as follows:

1993: Nil

1994: 1

1995: 1

Both applications were refused on the grounds that they failed to meet the qualifying criteria of the tourism development scheme.

Listed Buildings

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many buildings in each constituency in Northern Ireland are listed *(a)* grade I and *(b)* grade II; and what was the corresponding number in 1990. [20217]

Mr. Moss: Listed buildings in Northern Ireland are graded as grade A, B+ and B2 rather than grade I, II etc. The attached table gives the number of buildings currently listed as grade A and grade B+ in each constituency in Northern Ireland.

On 31 December 1990 the total number of buildings listed as grade A was 153 and the total number listed as grade B+ was 263. It is not however possible to provide a breakdown of these figures by constituency in the time available. I will therefore write to the hon. Gentleman and place a copy in the Library when the information becomes available.

Constituency	*Number of Grade A buildings*	*Number of Grade B+ buildings*
Foyle	6	15
East Londonderry	7	27
North Antrim	7	19
East Antrim	9	6
Mid Ulster	14	38
Fermanagh and South Tyrone	21	69
Upper Bann	3	14
Newry and Armagh	37	56
South Down	13	36
Strangford	6	11
LaganValley	9	14
North Down	11	13
South Antrim	15	18
Belfast North	2	13
Belfast West	24	21
Belfast South	8	18
Belfast East	1	9
Totals	193	397

Anglo-Irish Secretariat

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if he will list by date and department the presentations made in 1995 by civil servants of the Northern Ireland civil service to the Anglo-Irish secretariat in Maryfield and the subjects so covered. [11683]

Mr. Ancram: To ensure that the Government's policies in relation to Northern Ireland are effectively communicated to the Irish side of the secretariat, Irish officials are frequently briefed on a wide range of subjects which come within the scope of the Anglo-Irish Agreement. Details of such briefings and presentations are not, however, available in the form requested.

Departmental Equipment and Furniture

Mr. Ian McCartney: To ask the Secretary of State for Northern Ireland if he will list the cost and number of items of equipment and furniture that *(a)* have been stolen and *(b)* are otherwise unaccounted for from his Department and its agencies in each of the past five years, listing by name any such items valued at £5,000 or more, and showing information technology material separately. [19038]

Sir John Wheeler: The information requested in respect of the Northern Ireland Office, Northern Ireland Departments and their agencies is as follows:

Year	*(a) items[1] stolen*		*(b) items unaccounted for*		*Items value at £5,000 or more*	*IT items[2] (included in previous figures)*
	Number	*Cost £*	*Number*	*Cost £*		
1990–91	38	20,597	—	—	Lorry	—
1991–92	83	16,454	336	6,557	—	—
1992–93	71	20,579	216	6,398	—	10 items totalling £5,260
1993–94	203	27,802	247	4,435	Van	3 items totalling £860
1994–95	282	24,861	107	3,970	—	10 items totalling £8,099

[1]Figures do not include DOE items valued at less than £500 as their inclusion would incur disproportionate costs.
[2]An IT Notebook valued at £2,500 was also stolen, but the year cannot be identified.

Intensive Care Facilities

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many hospitals in Northern Ireland have intensive care units; how many beds there are in each of the units; and what is the annual cost per intensive care bed in each hospital. [20216]

Mr. Moss: The information in the table shows the number of intensive care beds by hospital which were available during the year 1994–95.

	Number
Royal Victoria hospital	11
Antrim hospital	8
Belfast city hospital	6
Craigavon area hospital	6
Royal Belfast hospital for sick children	6
Altnagelvin hospital	5
Ulster hospital	4
Erne hospital	3
Mater Infirmorum hospital	3
Coleraine hospital	2
Tyrone county hospital	2

The information requested about the annual costs of intensive care beds is not held centrally.

Overseas Visits

Mr. Hall: To ask the Secretary of State for Northern Ireland if he will place in the Library a list of all overseas visits made by all Ministers of his Department since 1990, including *(a)* details of the places visited and brief reasons for the visit, *(b)* details of the size, composition and cost to public funds of the delegation and *(c)* the names of non-ministerial members of each delegation and the capacity in which each was present. [17487]

Sir John Wheeler *[holding answer 1 March 1996]:* The requested information for 1990 to 1994 could be provided only at disproportionate cost. However, a list of visits made during 1995 is available and is as follows:

Overseas visits made by the Secretary of State for Northern Ireland and other NIO Ministers in 1995

Date	*Visit*		*Delegation*	
	Place	*Reason*		*Cost (£)*
5–6 February	Brussels	Trade mission	Baroness Denton and private secretary	1,053
12–18 March	Vancouver, Seattle and San Francisco	Trade mission	Baroness Denton and private secretary	9,023
26–29 March	Tokyo	Trade mission	Baroness Denton and private secretary	11,476
11–12 April	France	To promote Her Majesty's Government policy on Northern Ireland	Secretary of State, private secretary and one official	8,563
30 April–2 May	Boston	Trade promotion event	Baroness Denton and private secretary	5,988
21–31 May	Boston, Washington, New York and Chicago	White House Investment Conference, Supporting IDB's Inward Investment Chicago Team and to provide Her Majesty's Government policy on Northern Ireland	Secretary of State, Baroness Denton, Malcolm Moss, three Private Secretaries, four Officials and two Police Officers	36,633
11–12 June	Milan	Trade mission	Baroness Denton, private secretary and press officer	1,500
14 June	Paris	Paris air show/meeting Bombardier	Baroness Denton and private secretary	1,053
3–6 September	Chicago	Support IDB's inward investment team	Baroness Denton and private secretary	7,803
7–8 September	Washington	To brief national security adviser, senators and press on Her Majesty's Government policy on Northern Ireland	Michael Ancram and private secretary	8,024
17–24 September	Atlanta, Denver and Phoenix	Support IDB's inward investment drive in USA	Baroness Denton and private secretary	10,285
18–28 September	Australia and New Zealand	To provide Her Majesty's Government policy on Northern Ireland	Secretary of State, private secretary, Lady Mayhew, two officials and two police officers	33,152
27–29 September	Vienna	Keynote speech, International New Towns Association conference	Malcolm Moss, private secretary and two officials	1,230
2–4 October	Rome	Meeting with Italian Government on criminal justice and security matters	Sir John Wheeler, private secretary and one official	1,644
3–6 October	Boston and New York	Trade mission and ICC USA annual dinner	Baroness Denton, private secretary and press officer	8,500
17–21 October	Dallas	Trade mission	Baroness Denton and private secretary	6,057
12–14 November	Singapore	Trade mission	Baroness Denton and private secretary	4,313
20–21 December	Brussels	Fisheries Council of Ministers meeting	Baroness Denton, private secretary and two officials	676

Non-ministerial members of the delegations have not been named as it is not normal policy to do so. They were in attendance to provide support for Ministers.

AGRICULTURE, FISHERIES AND FOOD

Food Production

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food when he expects the world to be unable to feed its population, given present trends in population growth and food production. [21003]

Mrs. Browning: Given sensible free market policies, I see no reason why the world should not be able to continue to feed is population.

Arable Farming

Mr. Marlow: To ask the Minister of Agriculture, Fisheries and Food if he will list at current and constant prices in respect of arable farming for each of the last 15 years for (i) wheat and (ii) barley the *(a)* cost of input with special reference to seeds, chemicals and fertiliser, *(b)* cost of contracting and machinery, *(c)* total variable costs (*(a)* + *(b)*), *(d)* average yield per acre, *(e)* average sale price per ton, ex farm at standard moisture, *(f)* average income per acre and *(g)* average margin before rent and overheads, interest and capital (*(f)* - *(a)* + *(b)*). [20912]

Mr. Baldry: The information is not readily available in the form requested. However current price estimates of the gross margin of wheat and barley production in England and Wales between 1986 and 1993 are contained in "Farm Incomes in the United Kingdom 1993–94" which was published last March. Copies are available in the Library of the House. Updated information, including some revisions to previous years will be contained in the 1994–95 edition which will be published on 19 March 1996. The estimates are compiled from occasional farm surveys together with information from a range of sources on prices and quantities of inputs and outputs for the intervening years. The yield per hectare, price per tonne and costs are based on the results from the sample of farmers included in the survey; prices are not converted to a standard moisture basis. Estimates in constant prices are not available.

Oil Dispersants (Toxicity)

Mr. Ainger: To ask the Minister of Agriculture, Fisheries and Food (1) what tests and certification procedures have been carried out by his Department into the toxicity of those dispersants used on oil from the Sea Empress and their effect on the marine environment; [20808]

(2) what tests and certification procedures have been carried out by his Department into the toxicity of those dispersants used on oil spilt from the Sea Empress and their effect on human health. [20809]

Mr. Baldry *[holding answer 14 March 1996]:* The Department is responsible for the testing and approval of all products used to disperse oil at sea. Following a recent review, it has been confirmed that dispersants should continue to be tested for their efficacy and toxicity using agreed scientific protocols. These tests ensure that the products work and are no more toxic to marine life than the oil itself. Use of dispersant products in Great Britain is also subject to legislation enforced by the Health and Safety Executive. A copy of the review was placed in the Library of both Houses on completion earlier this year.

Mr. Ainger: To ask the Minister of Agriculture, Fisheries and Food which dispersants sprayed on oil from the Sea Empress have been banned by which *(a)* European and *(b)* North American countries. [20760]

Mr. Baldry *[holding answer 14 March 1996]:* All dispersants are tested for efficacy and toxicity before they can be approved for use in UK waters by the Department. The Ministry holds no information on which dispersants have been approved or banned by European and North American countries. This information could be obtained only at disproportionate cost.

Mr. Ainger: To ask the Minister of Agriculture, Fisheries and Food if he will list the proportion of each chemical which constitutes the dispersants known as *(a)* Finasol OSR 51, *(b)* Slickgone LTSW, *(c)* Slickgone NS, *(d)* Dispolene 345, *(e)* Correctsit 9500, *(f)* Annersperse 9538 and *(g)* Super 25. [20764]

Mr. Baldry *[holding answer 14 March 1996]:* The chemical constituents of dispersants and the proportion in which individual chemicals occur in products are confidential to the manufacturer. I listed all active ingredients of dispersants sprayed on oil from the Sea Empress in a recent answer. I refer the hon. Member to the reply given to the hon. Member for Ceredigian and Pembroke, North (Mr. Dafis) on 4 March 1996, *Official Report,* column *83.* The Department does not recognise Dispolene 345, Correctsit 9500 and Annersperse 9538 as dispersant products and has not approved products with these names.

Mr. Ainger: To ask the Minister of Agriculture, Fisheries and Food when *(a)* Finasol OSR 51, *(b)* Slickgone LTSW, *(c)* Slickgone NS, *(d)* Dispolene 345, *(e)* Correctsit 9500, *(f)* Annersperse 9538 and *(g)* Super 25 were tested and approved for use on oil spills; and which department approved them. [20761]

Mr. Baldry *[holding answer 14 March 1996]:* Dispolene 345, Correctsit 9500 and Annersperse 9538 are not approved dispersant products. All the remaining dispersants listed have been approved by the Department following successful completion of efficacy and toxicity tests.

The approval dates are as follows:

Finasol OSR 51: 1987

Slickgone LTSW: 1984

Slickgone NS: 1988

Super 25: 1990

Riding Stables

Mr. David Nicholson: To ask the Minister of Agriculture, Fisheries and Food what recent representations have been made to him on behalf of small-scale riding stables about problems arising from the cost of implementing regulations. [20215]

Mr. Sackville: I have been asked to reply, in view of the Home Office's responsibilities for the Riding Establishments Acts.

The Home Office has received no recent representations from this sector.

EDUCATION AND EMPLOYMENT

"Employers Guide to Stress"

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment what costs her Department incurred in the production of the document "Employers Guide to Stress". [20548]

Mr. Forth: None.

Barnsley and Doncaster Training and Enterprise Council

Mr. Redmond: To ask the Secretary of State for Education and Employment what funds her Department provided to Barnsley and Doncaster TEC in *(a)* 1994–95 and *(b)* 1995–96; and what amount is planned for 1996–97. [20721]

Mr. Paice: Information on Barnsley and Doncaster training and enterprise council's budget for 1994–95 and 1995–96 was published in a written answer of 1 November 1995, *Official Report*, column *364*, to the hon. Member. The budget for 1996–97 is at present being negotiated by officials from the Government office for Yorkshire and Humberside and representatives from the TEC.

Equal Opportunities Commission

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what has been the budget for the Equal Opportunities Commission in each year since its inception *(a)* in cash, *(b)* in real terms and *(c)* as a percentage change on the previous year. [20739]

Mrs. Gillan: The information is set out in the following table:

Year	*Grant in aid cash terms*	*Percentage change on previous year*	*Grant in aid 1994–95 prices*	*Percentage change on previous year*
1976–77	850,430	0	3,220,000	0
1977–78	1,460,699	71.8	4,869,000	51.2
1978–79	1,644,650	12.6	4,924,000	1.1
1979–80	2,146,109	30.5	5,517,000	12
1980–81	2,520,270	17.4	5,478,000	–0.7
1981–82	2,911,000	15.5	5,764,000	5.2
1982–83	3,046,000	4.6	5,630,000	–2.3
1983–84	3,168,000	4	5,597,000	–0.6
1984–85	3,387,000	6.9	5,702,000	1.9
1985–86	3,434,000	1.4	5,477,000	–4
1986–87	3,538,000	3	5,477,000	0
1987–88	3,716,000	5	5,457,000	–0.4
1988–89	3,810,000	2.5	5,248,000	–3.8
1989–90	3,894,000	2.2	5,012,000	–4.5
1990–91	4,579,000	17.6	5,458,000	8.9
1991–92	4,864,000	6.2	5,459,000	0.02
1992–93	5,282,000	8.6	5,692,000	4.3
1993–94	5,794,000	9.7	6,067,000	6.6
1994–95	5,949,000	2.7	6,114,000	0.8
1995–96	6,429,533	8.1	6,429,533	5.2

1. Between 29 December 1975 and 31 March 1976, while the commission was in the process of being established, its expenditure was met directly by the Home Office and other Government Departments.

2. The amount of grant in aid for 1995–96 includes the supplementary grant of £273,533 recently agreed by the Department to cover expenditure on information technology equipment.

Mr. Cunningham: To ask the Secretary of State for Education and Employment what is the budget for the Equal Opportunities Commission for 1996–97; and what are the planned budgets for future years. [20740]

Mrs. Gillan: The grant in aid for the Equal Opportunities Commission for 1996–97 is £5,820,650. Grant in aid for each of the financial years 1997–98 and 1998–99 is £5,792,150.

Mr. Cunningham: To ask the Secretary of State for Education and Employment if she will make a statement on the future of the Equal Opportunities Commission. [20741]

Mrs. Gillan: The Government are fully committed to the work of the Equal Opportunities Commission. Many thousands of people have cause to thank the commission for its work over the last 20 years and its success in changing attitudes. I have recently paid tribute to that work.

The Government have no plans to seek changes to the legislation which defines the EOC's responsibilities and duties.

Mr. Cunningham: To ask the Secretary of State for Education and Employment how many people are currently employed by the Equal Opportunities Commission. [20738]

Mrs. Gillan: There are currently 187 people employed by the Equal Opportunities Commission.

Nursery Voucher Scheme (Bedfordshire)

Sir Graham Bright: To ask the Secretary of State for Education and Employment what estimate he has made of the number of four-year-olds not at present receiving nursery education in Bedfordshire who would do so with the introduction of nursery vouchers. [20747]

Mr. Robin Squire: The annual school census for January 1996 will give detailed information in the existing provision in maintained schools. The number of additional places created through the nursery voucher scheme in any local authority area will depend on the response of providers to parental demand. We are currently collecting data from every local education authority on its number of four-year-olds, including those in nursery education. I am confident that providers of all types, either alone or in partnership will satisfy parental demand over time.

Jobseeker's Allowance

Mr. Ian McCartney: To ask the Secretary of State for Education and Employment what signing-on arrangements she plans to place on *(a)* existing postal claimants and *(b)* new claimants who reside more than six miles from an Employment Service office when they sign on for jobseeker's allowance; and if she will make a statement. [20785]

Mr. Forth: Most jobseekers will be required to attend a jobcentre every fortnight to sign a declaration that they have been available for employment, have been actively seeking employment and that their circumstances have not changed. Jobseekers will be allowed to provide such a signed declaration by post where:

- their journey between their home and the jobcentre in either direction would take over one hour using appropriate means of transport; or
- attendance would involve an absence from home over four hours; or
- they have a disability which reduces their mobility

They will be required to attend a jobcentre every 13 weeks for an interview with an Employment Service adviser.

Existing postal claimants who do not meet these new criteria will be required to attend the jobcentre fortnightly after their first quarterly review following the introduction of jobseeker's allowance. This conversion process should be completed within three months from 7 October.

Competitive Tendering (Contracts)

Mr. Donohoe: To ask the Secretary of State for Education and Employment how many contracts for goods or services have been awarded in each of the last three financial years by her Department and its executive agencies after competitive tendering; and what was the total combined value of these contracts. [21038]

Mr. Robin Squire: Detailed information in the form requested could be provided only at disproportionate cost, although it is a fundamental principle of DFEE purchasing policy that contracts should generally be let through competitive tender.

Degree Level Examination (Cheating)

Mr. Gordon Prentice: To ask the Secretary of State for Education and Employment how many person taking degree level qualifications in United Kingdom institutions have been found guilty of cheating in examinations in each year since 1979. [20899]

Mr. Forth: Degree-awarding institutions are autonomous bodies responsible for their own examination and assessment procedures. The information requested is not collected by the Department.

State Schools (Self-government)

Mr. Blunkett: To ask the Secretary of State for Education and Employment what plans she has to extend self-governing status to all state schools; and when she expects to make an announcement on her proposals. [21084]

Mr. Robin Squire: The Government are committed to extending the benefits of self-government to all state schools. We are currently looking at the options for achieving this. We will announce our conclusions as soon as we are ready.

Zero-hours Contracts

Mr. Meacher: To ask the Secretary of State for Education and Employment what assessment she has made of the current prevalence of zero-hours contracts; how many employees are estimated to be employed under such contracts; how many companies operate them; and what action she proposes to take in respect of such contracts. [20868]

Mr. Forth: The Department monitors developments in the labour market, including current working practices. Although there is no nationally representative information, the limited evidence available suggests the use of zero-hours contracts is not widespread. The Department believes it is for employers and employees to decide for themselves the form of work that best suits their particular circumstances.

Grant-maintained Status (Ballots)

Mr. Blunkett: To ask the Secretary of State for Education and Employment in respect of which cases of schools holding ballots on grant-maintained status her Department has investigated complaints about the circumstances surrounding the conduct of the ballot; and if she will indicate for each *(a)* how many complaints were received, *(b)* the nature of the complaints, *(c)* the outcome of the investigation and *(d)* what action has been taken. [21083]

Mrs. Gillan: The following table shows such information as is readily available about the 60 investigations of ballots for grant-maintained status which have been completed to date.

GM Ballot Investigations

LEA	*School*	*Ballot (vote)*	*Complainant*	*Outcome*
Ballot irregularity cases—since implementation of the Education Reform Act 1988				
Norfolk	Acle High School	Yes	LEA School	Ballot result upheld
Walsall	Aldridge Comprehensive School	No	Local Councillor	Ballot result upheld
Northumberland	Astley County High School	Yes	Registered electors School	Ballot result upheld
Kirklees	Boothroyd Junior and Infants	No	LEA	Ballot result upheld
Wirral	Calday Grange Grammar School	Yes	LEA	Ballot result declared void
Bedfordshire	Cardinal Newman School	No	Other organisation	Ballot result declared void
Bolton	Crompton Fold County Primary	Yes	LEA	Ballot result upheld
Surrey	de Stafford County Secondary	Yes	LEA	Ballot result upheld

GM Ballot Investigations

LEA	*School*	*Ballot (vote)*	*Complainant*	*Outcome*
Kirklees	Deighton School	Yes	LEA	Ballot result declared void
Derbyshire	Derby Moor School	No	LEA	Ballot result upheld
Kent	Edenbridge Middle School	Yes	LEA	Ballot result declared void
Oldham	Failsworth School	No	Parents	Ballot result upheld
Birmingham	George Dixon School	Yes	LEA	Ballot result upheld
Greenwich	Hawksmoor School	Yes	LEA Another Local School	Ballot result upheld
Kent	Hextable School	No	LEA	Ballot result declared void
Waltham Forest	Highams Park School	Yes	LEA	Ballot result upheld
Cambridgeshire	Jack Hunt, Peterborough School	Yes	LEA	Ballot result upheld
Wiltshire	Kingsdown County Secondary	Yes	LEA	Ballot result upheld
Bromley	Langley Park School for Boys	Yes	Parents	Ballot result upheld
Leicestershire	Manor High School	No	Parent MP	Ballot result upheld
Calderdale	Moorside Junior School, 2nd ballot	No	LEA	Ballot result declared void
Birmingham	Ninestiles	Yes	LEA	Ballot result upheld
Hillingdon	Oak Farm Junior and Infant Schools	Yes	LEA	Ballot result upheld
Bury	Peel Brow County Primary	Yes	LEA	Ballot result upheld
Gloucestershire	Picklenash School	Yes	Parents	Ballot result upheld
Calderdale	Ryburn Valley High School	No	Other organisation	Ballot result upheld
Hampshire	St. Joseph's RC Primary School	Yes	Parent	Ballot result upheld
Kirklees	St. Patrick's Catholic Primary	No	Parent	School told to hold ballot
Lancashire	The Baines School	Yes	LEA	Ballot result upheld
Humberside	Waltham Toll Bar	No	MP	Ballot result upheld
Rochdale	Wardle High School	Yes	Parent LEA	Ballot result upheld
Dudley	Windsor High School	Yes	LEA	Ballot result upheld
Misinformation cases—since implementation of the Education Act 1993				
Staffordshire	Anglesey	Yes	LEA	Ballot result declared void
Staffordshire	Anglesey (2nd Ballot)	Yes	LEA	Ballot result upheld
Lancashire	Ashleigh Primary School	Yes	LEA	Ballot result upheld
Lancashire	Belthorn Primary School	Yes	LEA	Ballot result upheld
Liverpool	Blue Coat School	No	LEA	Ballot result upheld
Kent	Brockhill Park	Yes	LEA	Ballot result upheld
Surrey	Burpham County Primary	Yes	LEA and Parent	Ballot result upheld
Shropshire	Castlefields	No	Parent	Ballot result upheld
Derbyshire	Chinley Primary	Yes	LEA, parents and electors	Ballot result upheld
Staffordshire	Christ Church Middle	No	Other organisation Parent	Ballot result declared void
Staffordshire	Christ Church Middle—2nd Ballot	No	Parent and LEA	Ballot result upheld
Liverpool	Croxteth Community Comp	No	School Parent	Ballot result upheld
Devon	Devonport High School	Yes	Other organisation Parent	Ballot result upheld
Somerset	Enmore Primary School	Yes	Parent	Ballot result upheld
Kent	Gravesend Grammar	Yes	LEA	Ballot result upheld
Hammersmith and Fulham	Holy Cross	No	School and Councillors	Ballot result upheld
Liverpool	King David	Yes	LEA and Parent	Ballot result upheld
Lancashire	Longridge School	Yes	LEA	Ballot result upheld
Avon	Merrywood Girls School	No	Other organisation MP Parent	Ballot result upheld
Leicestershire	New Parks Comm. College	No	Parent	Ballot result upheld
Berkshire	Prospect School	Yes	LEA Councillors	Ballot result upheld
Derbyshire	Ripley Mill Hill School	Yes	LEA	Ballot result upheld
Essex	Rochford Primary	Yes	Parents	Ballot result upheld
Manchester	St. Kentigerns	Yes	LEA	Ballot result upheld
Essex	The Manningtree School	Yes	LEA Parents Electors	Ballot result upheld
Buckinghamshire	Two Mile Ash	Yes	Other organisation	Ballot result upheld
Tameside	Two Trees High School	No	School Parent	Ballot result upheld
Waltham Forest	Whitefields School and Centre	Yes	LEA Parent Other LEAs	Ballot result upheld

School Inspections

Ms Estelle Morris: To ask the Secretary of State for Education and Employment, pursuant to her answer of 28 February, *Official Report*, column *602*, what statistics her Department collates on the number of lay inspectors who have undertaken inspections in the last five years. [21134]

Mr. Jamieson: To ask the Secretary of State for Education and employment how many independent schools have had a full Office for Standards in Eduction inspection in each year since 1993–94; and how many she expects to take place in 1996–97 and 1997–98. [21156]

Mr. Robin Squire: This is a matter for Her Majesty's chief inspector of schools, who heads the Office of Standards in Education. I have asked Mr. Chris Woodhead to write to the hon. Members.

Delegated Schools Budget

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will instigate a further consultation exercise on extending the delegated schools budgets beyond 85 per cent. of the potential schools budget. [21085]

Mr. Robin Squire: I have no immediate plans to do so.

Teachers' Pay and Conditions

Mr. Blunkett: To ask the Secretary of State for Education and Employment how many local education authority maintained schools fall into each of the schoolteachers' pay and conditions groups 1 to 6; and in each case how many of the head teachers' salaries fall into each pay spine point in the scale in the last year for which figures are available. [21057]

Mr. Robin Squire: The following table shows the head teachers, in the local education authority maintained nursery, primary and secondary sector in England and Wales, identified in the Teachers Pensions Agency database of teachers, records on a spine point of at least the minimum for the appropriate school group.

Head teachers in the LEA maintained nursery, primary and secondary sector by school group number and spine point England and Wales—provisional March 1994 data

	School group number					
Spine point	*1*	*2*	*3*	*4*	*5*	*6*
3	113	—	—	—	—	—
4	1,109	—	—	—	—	—
5	182	—	—	—	—	—
6	1,990	—	—	—	—	—
7	239	—	—	—	—	—
8	1,638	131	—	—	—	—
9	308	79	—	—	—	—
10	652	3,120	—	—	—	—
11	177	394	—	—	—	—
12	141	572	—	—	—	—
13	169	2,901	—	—	—	—
14	85	598	—	—	—	—
15	110	716	50	—	—	—
16	25	516	17	—	—	—
17	10	417	33	—	—	—
18	8	555	1,234	—	—	—
19	5	260	106	—	—	—
20	4	261	231	—	—	—
21	3	139	178	—	—	—
22	2	369	550	—	—	—
23	0	29	172	9	—	—
24	0	25	176	9	—	—
25	1	15	123	9	—	—
26	0	11	126	151	—	—
27	0	8	90	30	—	—
28	0	4	42	30	—	—
29	0	7	138	26	—	—
30	0	0	15	272	—	—
31	0	1	9	40	14	—
32	0	1	7	68	8	—
33	0	0	2	42	12	—
34	0	1	6	82	374	—
35	0	0	1	34	55	—
36	0	0	1	17	86	—
37	0	0	2	41	58	—
38	0	2	1	15	536	19
39	0	0	1	5	95	4
40	0	0	0	1	88	7
41	0	0	1	0	99	161
42	0	0	0	1	62	28
43	1	0	0	0	35	91
44	0	0	0	1	55	34
45	0	0	0	0	6	28
46	0	0	0	0	4	25
47	0	0	0	0	3	21
48	0	0	0	0	1	11
49	0	0	0	1	0	9
50	0	0	0	0	0	2
51	0	0	0	0	0	12
Total	6,972	11,132	3,312	884	1,591	452

Youth Training

Mr. Bradley: To ask the Secretary of State for Education and Employment what is *(a)* the number and *(b)* the percentage of youth training trainees who currently have employed status. [21090]

Mr. Paice: As at December 1995, there were 284,500 on youth training in Great Britain. An estimated 54 per cent. had employed status.

Mr. Bradley: To ask the Secretary of State for Education and Employment how many people were on *(a)* youth training and youth credits and *(b)* modern apprenticeship schemes (i) on average for 1994–95 and (ii) at the last date for which figures are available. [21089]

Mr. Paice: On average in 1994–95, there were 278,000 people on youth training in Great Britain. In December 1995, the latest date for which figures are available, there were 284,500 people on YT in Great Britain.

As modern apprenticeship prototypes did not begin until September 1994, it is not possible to give an average figure for the full financial year 1994–95. However, on 7 April 1995 according to training and enterprise council estimates 1,393 people had started modern apprenticeships in the 17 prototype TECs in England.

In December 1995, the latest date for which figures are available, there were over 16,000 people on modern apprenticeships in Great Britain. However, the number is growing rapidly and there are currently estimated to be over 20,000 on modern apprenticeships.

Training and Enterprise Councils

Mr. Bradley: To ask the Secretary of State for Education and Employment what sums from public funds are currently controlled by *(a)* TECs and *(b)* local enterprise companies. [21088]

Mr. Paice: Training and enterprise council budgets on DFEE programmes for 1995–96 are £1,246 million for England. TECs also contract separately with other Government Departments such as the Department for Trade and Industry and the Department of the Environment. Funds controlled by TECs in Wales and LECs in Scotland are a matter for the Secretaries of State for Wales and for Scotland.

Football Players (Transfer System)

Mr. Ashton: To ask the Secretary of State for Education and Employment if she will make a statement on (i) the new criteria for work permits for foreign football players *(a)* when they first enter the country, *(b)* after the first full 12 months and set number of appearances and *(c)* on moving to another United Kingdom football club and (ii) the likely effect on extra work permits of the EC ruling on foreign players; and if she will meet the Football Association and the Professional Footballers Association in the near future to discuss the new situation and the outcome of the Bosman decision. [21260]

Mrs. Gillan: The work permit criteria remain unchanged for foreign footballers when they first enter the country and where they are retained by their club after the first or successive season. Permits are normally issued only for current internationals. To qualify for extension of their work permits, footballers must normally play in approximately 75 per cent. of their club's first team games. The work permit criteria governing transfer to another club have been revised to allow players who are current internationals one work permit transfer to a new club regardless of the number of first team appearances they have made for their existing club. Thereafter, to qualify for a further permit they will again normally be expected to play in approximately 75 per cent. of first team games.

The Department consulted the football bodies about the revised criteria. The decision of the European Court of Justice in the Bosman case concerns transfer fees and rules operated by the sporting bodies. It does not affect the issue of work permits.

Field System Computer Package

Mr. Byers: To ask the Secretary of State for Education and Employment how much was spent by *(a)* her Department and *(b)* training and enterprise councils to develop the field system computer package; and how many TECs are presently using the system. [20524]

Mr. Paice *[holding answer 14 March 1996]:* The Department for Education and Employment spent £12.414 million in developing the field system—TFS. A further £30.222 million was spent on computer equipment, installation and training. Training and enterprise councils did not contribute toward the cost of developing the system. In April 1993, the Department withdrew from supporting TFS, and TECs became fully responsible for meeting their own information technology needs. Up-to-date information on TECs' usage of the system is not available.

TRANSPORT

Global Maritime Distress and Safety System

Mr. Riddick: To ask the Secretary of State for Transport if he is in a position to announce the establishment of a UK A1 area under the provisions of the global maritime distress and safety system. [16340]

Mr. Norris: I am pleased to announce that the seas around the UK coastline will become an A1 area—that is, an area within automated very high frequency radiotelephone coverage of coast stations.

Between now and 1999, VHF digital selective calling—DSC—equipment will be installed in HM Coastguard's radio sites. Implementation will begin this year with stations in the English channel. The GMDSS system is being implemented in line with requirements in the safety of life at sea convention—SOLAS—and applies to passenger and merchant vessels of 300 gross tonnage and upwards, for both national and international voyages.

This decision means that, as implementation progresses, ship operators in the sea area around the UK coast will be able to press a simple distress button automatically to alert shore-based DSC stations as well as other ships. The system does not need voice activation or telegraphy and so will speed up the transmission of distress messages. In order to maintain services for smaller vessels not covered by the new system, HM Coastguard will maintain a listening watch on the present calling and safety channel, channel 16, for as long as necessary after 1 February 1999.

Oil Tankers

Mr. Illsley: To ask the Secretary of State for Transport how many spillages from oil tankers have occurred *(a)* worldwide and *(b)* in European waters in the last 10 years; and how many spillages involved vessels flying flags of convenience. [17593]

Mr. Norris: Estimates from the International Tanker Owners Federation are that there were 366 oil spills from oil tankers, of 7 tonnes or more, worldwide between 1986 and 1995. Of these, 91 were in European waters. Complete information on the flag of the vessels involved is not available.

Milford Haven

Mr. Allen: To ask the Secretary of State for Transport in which circumstances tankers operate in and out of Milford Haven without tugs. [17893]

Mr. Norris: It is normal practice for tankers to use the navigable channels at the entrance of Milford Haven without tugs.

Ms Walley: To ask the Secretary of State for Transport what action he will take to ensure that a salvage tug is located at Milford Haven. [20909]

Mr. Norris: The Coastguard agency continues to keep the supply of emergency tugs under review. In deciding future deployment, we will take into account experience of the Government-funded provision of dedicated emergency tugs at Dover and Stornoway this winter, of liaison arrangements with tug operators, and of any relevant findings of the investigations into the Sea Empress incident.

Transport Policies and Programmes

Mr. Allen: To ask the Secretary of State for Transport what monitoring is undertaken by his Department of the total value of all the bids for *(a)* packages, *(b)* major road schemes and *(c)* bridge strengthening, as submitted by local highway authorities in their transport policies and programmes documents; and in what form this information is publicly available. [18161]

Mr. Norris: My Department keeps records under all headings of bids that local authorities make in their annual TPP submissions. All information kept on the local transport database is publicly available on request. Under the code of practice on access to Government information, a charge may be made where a significant amount of staff time is needed to process the data requested.

Airports

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list for each recommendation set out in the airports policy White Paper 1985 the actions his Department has taken to date. [18290]

Mr. Norris: My Department has submitted a note to the inspector of the current public inquiry into BAA plc's plans for a fifth terminal at Heathrow which addresses the developments in airports policy since the 1985 White Paper. I have placed a copy of this note in the Library of the House.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the major initiatives taken by his Department relating to aviation since the publication of the 1985 airports policy White Paper. [18442]

Mr. Norris: The Department has taken forward a wide range of aviation initiatives in respect of air traffic control, noise and emissions, provision of airport capacity, privatisation of Government and local authority-owned airports, and the liberalisatio of air services between the UK and other countries. Key achievements are summarised in the annual departmental reports since 1991, and prior to that in the transport section of the Government's expenditure plans. In respect of airports policy, I also refer the hon. Member to the answer I am giving today to her Question 18290.

Railway Property (Scotland)

Mr. Galbraith: To ask the Secretary of State for Transport what is the *(a)* area and *(b)* asset value of (i) operational and (ii) non-operational land owned by the British Rail Property Board and other British Railways Board subsidiaries in Scotland. [19303]

Mr. Watts: This is a matter for the British Railways Board but it informs me that the total area owned by British Rail in Scotland is approximately 1,670 acres, the

great majority being non-operational land. British Rail cannot differentiate accurately between operational and non-operational land. British Rail's assets are not analysed geographically in the board's annual accounts.

Mr. Galbraith: To ask the Secretary of State for Transport what is the area of *(a)* operational land and *(b)* non-operational land owned by Railtrack plc in Scotland. [19304]

Mr. Watts: This is a matter for Railtrack but it informs me that the total area owned by Railtrack in Scotland is approximately 14,850 acres, of which the vast majority is operational land. Railtrack cannot differentiate accurately between operational and non-operational land.

Mr. Galbraith: To ask the Secretary of State for Transport what is the estimated asset value of the railway network owned by Railtrack plc in Scotland; and what is the division in value of these assets between *(a)* lines in use by train services, *(b)* stations, *(c)* other operational property and *(d)* non-operational land and property. [19299]

Mr. Watts: Railtrack's assets are not analysed geographically in its balance sheet.

HGV Licences (Eyesight Tests)

Mr. Marlow: To ask the Secretary of State for Transport if he will issue clear guidance to lorry drivers on EU policy in respect of lorry drivers' eye tests without the use of spectacles; and if he will place a copy of such guidance in the Library. [19664]

Mr. Norris: The regulations including provisions on new eyesight standards for drivers of group 2 vehicles—lorries and buses—will be laid shortly. Full guidance on interpretation and introduction will be issued before the regulations become effective and a copy will be placed in the Library.

Driving Tests

Mr. Waller: To ask the Secretary of State for Transport what action he intends to take to inform those who passed their car driving test before 1 December 1990 that they will need to take a compulsory basic training course to ride motor cycles of 50 cc and over from 1 July onwards. [20784]

Mr. Norris: A press notice was issued last August 1995 when the proposal was first announced, and a further press notice was issued in December when the plans were confirmed. Guidance on the amended position regarding CBT has been included in a revised factsheet on motorcycles that is made generally available, and will also be included in the advice leaflet planned to accompany vehicle excise duty reminders. Further, the Department is working with the motor cycle retailing and training industries on a media campaign involving press articles, interviews and public information announcements in national and local media.

Northern Line Trains

Mr. John Marshall: To ask the Secretary of State for Transport what compensation GEC will be required to pay for the late delivery of trains for the Northern line. [20612]

Mr. Norris: I understand that GEC Alsthom's contract with London Underground for the supply of new trains for the Northern line provides for full compensation in the event of late delivery of trains. The terms for payment of such compensation are commercially confidential.

Traffic Congestion

Mr. Llwyd: To ask the Secretary of State for Transport what steps are being taken by his Department to discourage the use of private cars in town and city centres; and if he will make a statement. [20652]

Mr. Norris: It is for local authorities to determine the traffic management strategy most appropriate to their area, having regard to local circumstances. Some measure of restraint, for instance parking controls or restrictions on vehicular access, is likely to feature in an effective strategy. The Government encourage people to travel by means other than the private car—cycling, walking and public transport—where that option is open to them.

Public Transport

Mr. Llwyd: To ask the Secretary of State for Transport (1) what steps are being taken by his Department to promote public transport in and around traffic congested towns and cities; and if he will make a statement; [20737]

(2) what provisions are being made by his Department to improve the quality of public transport; and if he will make a statement. [20728]

Mr. Norris: The Department's spending plans for 1996–97 provide extensive support for public transport. These plans include £1.6 billion for passenger rail services, nearly £1 billion for London Transport, some £79 million for local transport packages which focus on promotion of alternatives to the car and many of which include ambitious programmes of public transport priorities, and some £55 million for larger public transport schemes. Under my chairmanship, the bus working group, comprising representatives of bus operators, local authorities and bus users, has been considering ways to improve bus services. I announced on 8 January a number of practical steps to promote the use of the bus and a programme of further work, which is being actively pursued in co-operation with operators and local authorities. Finally, the Government are actively promoting the role of the private sector in the funding and operation of public transport, notably through rail privatisation, the aim of which is to improve the quality of rail services by giving the private sector the opportunity to bring about the further improvements to services that customers want.

Stretch Limousines

Mr. Sheerman: To ask the Secretary of State for Transport (1) what measures are in force to ensure that stretch limousines imported from the United States of America conform with all safety standards for use in the United Kingdom; [20573]

(2) when the construction specifications for stretch limousines were established; and what advice was sought in their preparation; [20580]

(3) what construction and use regulations apply to stretch limousines imported from the United States of America and operated in the United Kingdom. [20720]

Mr. Norris: There are no special regulations relating to stretch limousines imported from the United States of America: they have to comply, like other motor vehicles, with all applicable requirements of the Road Vehicles (Construction and Use) Regulations 1986, as amended, and of the Road Vehicles Lighting Regulations 1989, as amended, which are subject to wide consultation with interested parties. All such vehicles have to be type approved unless they come into the UK as personal imports. Compliance with key safety and environmental standards is checked annually at MOT tests and also at the roadside by police.

Car Number Plates

Mr. Sheerman: To ask the Secretary of State for Transport what discussions his Department has had with the Association of Chief Police Officers on the visibility and legibility of the different print types used on car number plates. [20575]

Mr. Norris: The Association of Chief Police Officers was consulted by this Department recently on possible refinements in the character font for vehicle number plates to improve legibility. ACPO was also represented, along with this Department, on the British standards committee reviewing the standard for the physical characteristics—for example, visibility, strength, reflectivity—of the number plate.

Mr. Sheerman: To ask the Secretary of State for Transport what regulations govern the specifications of car number plates. [20574]

Mr. Norris: The relevant legislation is the Road Vehicles (Registration and Licensing) Regulations 1971.

Seat Belts

Mr. Pike: To ask the Secretary of State for Transport what estimate he has made of the percentage of car occupants who he estimates currently wear seat belts in *(a)* front seats and *(b)* rear seats; and if he will make a statement. [20864]

Mr. Norris: The latest survey by the Transport Research Laboratory, in October 1995, showed that 91 per cent. of drivers, 92 per cent. of front seat passengers and 64 per cent. of rear seat passengers in cars were wearing seat belts.

Mr. Pike: To ask the Secretary of State for Transport what changes he proposes in the legislation regarding use of seat belts in respect of *(a)* those at present excluded and *(b)* enforcement of existing regulations; and if he will make a statement. [20865]

Mr. Norris: No changes are currently planned to the exemptions from seat belt wearing. Enforcement of the existing regulations is a matter for the police.

Charter Flights (Safety)

Mr. David Marshall: To ask the Secretary of State for Transport what plans he has to check the airworthiness of all aircraft used in the holiday charter market; and if he will make a statement. [21116]

Mr. Norris: All international public transport aircraft are required to have a certificate of airworthiness issued by the aviation authority of their state of registration. Before permission is granted for a non-European Economic Area aircraft to fly to the United Kingdom, the Department of Transport seeks confirmation that such a certificate has been issued in respect of the aircraft. If there is any doubt about the safe operation of the aircraft, no permit will be issued until the Department is satisfied as to its safety. This may involve the Department asking the Civil Aviation Authority to conduct a physical check of the aircraft.

Buses (Safety)

Mr. Pike: To ask the Secretary of State for Transport what restrictions apply to passenger carrying buses operating on motorways in respect of *(a)* standing passengers and *(b)* type of entry and exit; and if he will make a statement. [20863]

Mr. Norris: The measures controlling standing passengers set out in my answer of 1 February, *Official Report,* column *844,* apply to all bus and coach operations. There are no additional restrictions for motorways. Regulations governing the number, position and size of the entrance and exits are contained in the Road Vehicles (Construction and Use) Regulations 1986, as amended, and the Public Service Vehicles (Condition of Fitness, Equipment, Use and Certification) Regulations 1981.

Traffic and Economic Growth

Dr. Lynne Jones: To ask the Secretary of State for Transport if he will make a statement on the relationship between economic growth and traffic growth; and what assessment he has made of changes in that relationship in the future. [21135]

Mr. Norris: Road traffic levels have in the past been driven largely by economic growth. Any significant change in that relationship would have to flow from major changes in present policies, lifestyles and industrial practices.

Competitive Tendering (Contracts)

Mr. Donohoe: To ask the Secretary of State for Transport how many contracts for goods or services have been awarded in each of the last three financial years by his Department and its executive agencies after competitive tendering; and what was the total combined value of these contracts. [21030]

Mr. Norris: The Department's normal practice is to secure the goods and services it requires through competitive tendering. Departmental expenditure on goods and services in each of the last three years is set out in the table.

Year	*Expenditure £ million*
1992–93	500.9
1993–94	490.1
1994–95	473.0

Details of the number of contracts awarded in the above years are not held centrally and could be obtained only at disproportionate cost.

Road Accidents

Mr. Callaghan: To ask the Secretary of State for Transport how many *(a)* deaths and *(b)* injuries resulting from road accidents have been recorded in each year of the last 10 years (i) nationally and (ii) in the Greater Manchester area; and how many of those affected were under the age of 16 years. [21419]

Mr. Norris: The information requested is shown in the following table.

Severity	*Age*	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*
Casualties by age and severity: Greater Manchester: 1985–94											
Fatal	0–15	23	26	24	23	20	17	28	22	17	18
	16+	146	162	155	156	169	157	142	138	123	95
Serious	0.15	479	391	380	409	403	461	429	432	329	335
	16+	1,565	1,395	1,357	1,355	1,394	1,440	1,341	1,160	1,136	1,078
Slight	0–15	2,344	2,426	2,393	2,579	2,646	2,716	2,454	2,559	2,359	2,553
	16+	9,208	9,791	10,351	10,697	11,800	12,406	11,680	12,188	12,228	12,793
Total	0–15	2,846	2,843	2,797	3,011	3,069	3,194	2,911	3,013	2,705	2,906
	16+	10,919	11,348	11,863	12,208	13.363	14,003	13,163	13,486	13,487	13,966
Casualties by age and severity: Great Britain: 1985–94											
Fatal	0–15	515	450	466	462	440	417	377	310	306	299
	16+	4,647	4,926	4,653	4,565	4,906	4,765	4,169	3,908	3,493	3,320
Serious	0–15	10,614	9,621	9,087	8,909	8,965	8,870	7,683	7,434	6,670	7,226
	16+	59,721	58,542	54,516	53,945	53,648	50,958	43,281	41,134	37,642	38,543
Slight	0–15	37,649	36,472	35,399	36,541	38,502	39,353	36,349	36,442	35,614	37,626
	16+	200,085	207,137	203,430	213,865	230,791	232,534	215,079	215,998	216,659	221,822
Total	0–15	48,778	46,543	44,952	45,912	47,907	48,640	44,409	44,186	42,590	45,151
	16+	264,453	270,605	262,599	272,375	289,345	288,257	262,529	261,040	257,794	263,685

Note:
The tables do not include data where the age of the casualty was not recorded.

Ferries (Safety)

Mr. Flynn: To ask the Secretary of State for Transport (1) what plans he has to encourage ferry companies to install watertight internal doors on the vehicle decks on roll-on roll-off vessels in a similar manner to those being fitted in Norway; [20602]

(2) when roll-on roll-off ferries using British ports will meet the safety standards shortly to be universally applied to Norwegian ferries. [20163]

Mr. Norris: All ferry operators operating to and from the UK will be required to apply, within the agreed time scales, the survivability standard agreed with Norway and other maritime administrations last month at the Stockholm conference. The measures necessary to comply with the standard will depend on the characteristics of the individual ships.

Orimulsion

Mr. Clapham: To ask the Secretary of State for Transport if he will make a statement about the precautions to be taken to protect the Pembroke coastline against a spill of orimulsion from ships delivering to Pembroke power station. [20849]

Mr. Norris: Like all ships carrying oils in bulk, ships transporting orimulsion are required to be constructed and operated in compliance with the UK regulation giving effect to internationally accepted rules and standards on the prevention of pollution. Any additional conditions attached to the grant of planning permission in respect of the current applications for the construction of a jetty and for the conversion of Pembroke power station are matters for the local authority and the President of the Board of Trade respectively.

EU Driving Licence

Mr. Marlow: To ask the Secretary of State for Transport what EU symbols the new driving licence will incorporate; by whom and when this was agreed; and what parliamentary approval was sought. [21213]

Mr. Norris: Gold stars which encircle the letters indicating the member state appear on a blue panel in the top left hand corner of the proposed plastic photocard driving licence. The proposal for an amending directive which will allow member states the option of introducing licences in a common plastic format has not yet been adopted, but a common position was adopted at the Council of Transport Ministers of 7 and 8 December 1995. An explanatory memorandum on the proposal was submitted to the House of Commons Select Committee on European Legislation in July 1995, and was considered by the Committee on 18 October 1995.

HOUSE OF COMMONS

Upper Waiting Hall Exhibition

Mr. Harris: To ask the Chairman of the Administration Committee if he has considered an application for an exhibition relating to the coverage of Parliament by PA News in the Upper Waiting Hall. [21672]

Mr. Michael J. Martin: I understand that, under procedures agreed by the Administration Committee, arrangements have been made for the exhibition to be held in the Upper Waiting Hall from Monday 13 May to Friday 17 May 1996.

Advisory Committee on Works of Art

Mr. Jessel: To ask the right hon. Member for Berwick upon Tweed, representing the House of Commons Commission, what changes have been made to the membership of the Advisory Committee on Works of Art. [21690]

Mr. Beith: I understand that Madam Speaker has appointed to the Advisory Committee on Works of Art the hon. Member for Wantage (Mr. Jackson) in place of the right hon. Member for Horsham (Sir P. Hordern).

TRADE AND INDUSTRY

Research Councils

Mr. Miller: To ask the President of the Board of Trade what was *(a)* the total amount of funding allocated by the Government to each of the research councils, indicating what proportion of that funding was allocated in respect of indirect costs, *(b)* the total amount of funding awarded by each of the research councils in respect of indirect costs for research projects supported by the councils and *(c)* the total number of research projects supported by the research councils in each of the financial years from 1990–91 to 1994–95; how many applications for funding to the research councils claimed for indirect costs and how many of these were supported; into what specific categories funding awarded for projects by each research council was divided; and how much was allocated to each category. [18807]

Mr. Ian Taylor: The information is not all available in the form requested.

(a)

Announced Allocations to the Research Councils 1990–91 to 1994–95

£ million

	1990–91	*1991–92*	*1992–93*	*1993–94*		*1994–95*
AFRC	86.6	93.5	107.3	110.4	BBSRC[1]	171.8
ESRC	36.2	35.5	45.1	53.9	ESRC	58.9
MRC	185.7	200.4	227.6	256.9	MRC	269.2
NERC	136.0	122.6	129.7	141.0	NERC	155.4
SERC	437.1	451.3	520.8	587.0	EPSRC	364.0
					PPARC	184.9

[1] The new research council system was set up from 1 April 1994.

From 1 August 1992, there was a shift in the dual support boundary which involved the redefinition of responsibilities—and the transfer of appropriate funding to the research councils—for meeting costs associated with research projects. The above figures therefore include the funds transferred to the research councils. This transfer of funds is known as the dual support transfer.

Research councils are now responsible for funding all the direct costs—other than the costs of permanent academic staff—associated with the projects that they fund and a contribution to the indirect costs or overheads. The institution receiving the research council grant is still responsible for meeting the costs of the maintenance of premises, the permanent academic staff, and central computing costs.

The new funding arrangements applied in full to new grants beginning on or after 1 August 1992. Grants that started before that date were subject to transitional arrangements: no additional direct costs were payable on these grants, but indirect costs were paid as for new grants.

No funding is specifically allocated to the research councils in respect of indirect costs.

(b) The total amount of funding awarded by each of the research councils in respect of indirect costs for research projects from 1990–91 to 1994–95.

Research councils contribute to indirect costs through a standard percentage addition—40 per cent.—to any direct staff costs. All awards to higher education institutions with staff costs will therefore automatically be awarded indirect costs.

(c) The total number of research projects in higher education institutions supported by the research councils from 1990–91 to 1994–95.

The information available gives the number of new awards in each academic year.

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*
BBSRC	362	438	576	446	578
EPSRC	1,316	1,801	2,278	2,078	1,300
ESRC	366	356	357	438	416
MRC	453	504	492	473	393
NERC	165	211	208	155	151
PPARC	266	284	251	259	346

The funding awarded by each research council in various categories is as follows, in academic years unless otherwise stated:

Biotechnology and Biological Sciences Research Council—BBSRC

For 1990–91 to 1993–94, BBSRC data are compiled from Agricultural and Food Research Council—AFRC—data on responsive-mode awards and on all SERC award data relevant to the BBSRC portfolio. The AFRC and SERC data are therefore shown separately; the 1994–95 data are for BBSRC responsive-mode awards.

AFRC *£ thousand*

	1990–91	*1991–92*	*1992–93*	*1993–94*	*BBSRC*	*1994–95*
Staff costs	7,860	11,020	11,250	13,500	—	27,100
Travel and subsistence	280	210	240	400	—	700
Consumables	2,760	3,670	3,975	5,100	—	9,700
Exceptional items	—	10	50	100	—	0
Equipment	870	1,220	2,080	2,400	—	3,800
Indirect costs	—	1,810	4,470	5,400	—	10,800

SERC data on all awards relevant to BBSRC portfolio for 1990–91 to 1993–94

£ thousand

	1990–91	*1991–92*	*1992–93*	*1993–94*
Staff costs	15,910	13,560	26,370	7,920
Travel and subsistence	420	375	800	220
Consumables	4,300	5,050	9,310	2,900
Exceptional items	—	40	1,470	36
Equipment	4,140	3,150	8,770	2,020
Indirect costs	—	2,710	10,550	3,170

Engineering and Physical Sciences Research Council—EPSRC

£ thousand

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Staff costs	63,700	102,000	130,000	131,800	76,100
Travel and subsistence	3,900	6,200	6,900	9,100	5,100
Consumables	11,800	21,500	26,100	29,300	14,200
Exceptional items	—	400	1,700	1,300	800
Equipment	23,500	33,100	41,000	40,600	27,000
Indirect costs	—	19,100	52,000	52,700	30,400

Economic and Social Research Council—ESRC *£ thousand*

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Staff costs	11,013	11,556	12,100	16,367	19,690
Travel and subsistence	1,469	1,932	1,602	1,893	2,359
Consumables	1,212	1,225	571	952	1,316
Exceptional items	17	128	1,765	2,242	2,466
Equipment	195	191	273	477	689
Indirect costs	—	—	4,734	6,420	7,644

The information available relates to financial years and is the actual expenditure on each category for the year

Medical Research Council—MRC *£ thousand*

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Staff costs	34,692	40,815	41,101	48,150	46,309
Travel and subsistence[1]	—	—	—	—	405
Consumables	12,031	13,709	14,260	17,395	20,160
Exceptional items[1]	—	—	—	—	11
Equipment	7,452	5,297	4,979	6,641	9,272
Indirect costs	—	—	5,559	17,486	18,072

[1] Recorded in accounts as consumables until 1994–95.

Natural Environment Research Council—NERC *£ thousand*

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Staff costs	7,337	10,874	10,626	8,309	8,707
Travel and subsistence	866	1,152	957	654	881
Consumables	1,602	1,930	2,009	2,083	1,993
Exceptional items	—	119	248	100	195
Equipment	896	2,254	1,920	1,854	1,939
Indirect costs	—	1,557	3,660	3,307	3,258

Particle Physics and Astronomy Research Council—PPARC

£ thousand

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Staff costs	8,862	34,952	21,718	47,795	21,440
Travel and subsistence	3,156	2,068	3,733	3,058	1,359
Consumables	1,336	3,589	3,346	3,838	4,514
Exceptional items	—	54	872	437	668
Equipment	3,255	3,767	4,656	11,044	1,360
Indirect costs	—	8,884	8,646	19,118	8,576

Burma (Trade Missions)

Mr. Fatchett: To ask the President of the Board of Trade what plans he has for future trade missions to Burma. [21066]

Mr. Nelson: Two DTI-supported trade missions were planned for 1996. The first took place from 26 February to 1 March. We intend to evaluate the results of this mission before deciding on supporting the second.

Companies (Financial Assistance)

Mr. Jamieson: To ask the President of the Board of Trade what financial assistance has been given since 1980 by his Department to *(a)* MGC Technical Services Ltd., Plymouth, *(b)* Ivens Electronics Ltd., Plymouth, *(c)* Ridgewood Industries Ltd., Plymouth, *(d)* Ridgewood Electronics Ltd., Plymouth, *(e)* Ridgewood Engineering Ltd., Plymouth, *(f)* Ridgewood Holdings Ltd., Plymouth and *(g)* Avocet (UK) Ltd. by (i) type of grant and (ii) date. [19468]

Mr. Oppenheim *[holding answer 7 March 1996]:* Two of the companies have received assistance under the Department's principal regional, enterprise and technology schemes since 1980:

Company	*Scheme*	*Payment £*	*Year*
MGC Technical Services Ltd.	Consultancy Initiative (CI)	4,521	1991
Ivens Electronics Ltd.	Regional Selective Assistance	50,000	1989
Ivens Electronics Ltd.	CI	5,185	1990

Mr. Jamieson: To ask the President of the Board of Trade if he will list the financial assistance that has been given since 1980 by his Department to *(a)* Queensbury International Ltd., Plymouth, *(b)* Pendennis Shipyard Ltd., Falmouth, *(c)* H. Beare and Sons Ltd., Newton Abbot, *(d)* Bredy Agricentre Ltd., Newton Abbot, *(e)* Cox and Sons (Wellington) Ltd., *(f)* Drilldown Ltd., *(g)* Brompton House plc and *(h)* Graffiti Management Ltd., by (i) type of grant and (ii) date. [19470]

Mr. Oppenheim *[holding answer 7 March 1996]:* Two of the companies have received assistance under the Department's principal regional, enterprise and technology schemes since 1980:

Company	Scheme	Payment £	Year
Queensbury International Ltd.	Consultancy Initiative	3,284	1993
Pendennis Shipyard Ltd.	Regional Selective Assistance	350,000	1993 and 1995

In addition, a loan to Queensbury International Ltd. was guaranteed under the loan guarantee scheme in 1994.

Mr. Jamieson: To ask the President of the Board of Trade what financial assistance has been given since 1980 by his Department to *(a)* Country Farm Inns Ltd., *(b)* CFI Ltd., *(c)* Dellcourts Ltd. Totnes, *(d)* Sandy Beach Freehold Ltd., *(e)* Porthcurno Management Co. Ltd., *(f)* KJH Consultants Ltd. and *(g)* South West Farm Processors Ltd. by (i) type of grant and (ii) date. [19469]

Mr. Oppenheim *[holding answer 7 March 1996]:* Only one of these companies—South West Farm Processors Ltd.—received assistance under the Department's principal regional, enterprise and technology schemes since 1980: £1,800 under the consultancy initiative in 1989 and £100,000 regional selective assistance in 1992.

A loan to Porthcurno Management Company Ltd. was guaranteed under the loan guarantee scheme in 1993.

TREASURY

Taxation

Mr. Hall: To ask the Chancellor of the Exchequer if he will list all tax threshold rates and personal allowances for each year since 1976–77 (i) at 1976 constant prices and (ii) at 1996 constant prices. [19813]

Mr. Jack: Available information is given in the table. As the retail price index is not yet available for calendar year 1996, earnings tax thresholds have been given at 1995 constant prices.

Tax thresholds 1976–77 to 1996–97

	Single person		Married man without children	
	Threshold at			
	1976 prices	1995 prices	1976 prices	1995 prices
1976–77	707	2,647	1,044	3,908
1977–78	798	2,986	1,228	4,597
1978–79	768	2,874	1,196	4,479
1979–80	784	2,934	1,221	4,571
1980–81	795	2,976	1,240	4,642
1981–82	713	2,669	1,112	4,164
1982–83	758	2,839	1,185	4,435
1983–84	827	3,095	1,294	4,846
1984–85	883	3,307	1,390	5,204
1985–86	918	3,435	1,438	5,383
1986–87	941	3,524	1,473	5,516
1987–88	940	3,521	1,472	5,510
1988–89	953	3,567	1,498	5,607
1989–90	945	3,537	1,484	5,556
1990–91	930	3,481	1,462	5,474
1991–92	973	3,642	1,481	5,543
1992–93	986	3,693	1,479	5,536
1993–94[2]	970	3,630	1,454	5,442
1994–95[2]	944	3,533	1,415	5,296
1995–96[1 2]	929	3,478	1,269	4,751
1996–97[1 2]	971	3,633	1,317	4,929

[1] Provisional

[2] Assuming husband receives full married couple's allowance

Income Tax

Mr. Forman: To ask the Chancellor of the Exchequer, pursuant to his answer of 26 February 1996, *Official Report,* column *372,* what would be the estimated full-year costs at 1996–97 income levels of introducing a single positive rate of income tax at 20 per cent., assuming transferable personal allowances of £5,000 per person and the abolition of all other tax expenditures, exemptions and reliefs now allowable against income tax. [20334]

Mr. Jack: The estimated full-year cost of introducing a single 20 per cent. rate of income tax at 1996–97 income levels would be about £12 billion. This assumes a personal allowance of £5,000 transferable between spouses and the abolition of all other income tax allowances, and mortgage interest relief, tax relief on employee's contributions to occupational and personal pension schemes, reliefs for TESSAs, PEPs and profit-related pay, national savings certificates, employee share schemes and charitable giving.

This estimate does not take into account the substantial behavioural effects which might result from the introduction of such a change nor do they allow for any subsequent changes to the tax system, such as changes to tax relief on employer's contributions to pension schemes or relief for investment income in pension funds.

Mr. Forman: To ask the Chancellor of the Exchequer what was the total cost of all tax expenditures, reliefs, exemptions and allowances allowable against income tax excluding personal allowances *(a)* in 1979, *(b)* 1983, *(c)* 1987, *(d)* 1992 and *(e)* in the latest year for which figures are available. [20343]

Mr. Jack: The available historical information about the costs of income tax allowances and reliefs have been published in Inland Revenue Statistics. Table 1.6 of Inland Revenue Statistics 1995 contains figures for the latest years. Copies can be found in the Library.

Mr. Fabricant: To ask the Chancellor of the Exchequer what estimate he has made of the total revenue that would be raised from personal income tax for the year 1996–97 if there were a flat rate of 20 per cent., no deductible allowances, but the first £10,000 of income was tax free. [20825]

Mr. Jack: Available information was given in my answer to the hon. Member for Dover (Mr. Shaw) on 7 February 1996, *Official Report,* column *186.*

Mr. Clifton-Brown: To ask the Chancellor of the Exchequer what percentage of income tax is paid by the top 5 per cent. of income tax payers; and what was the figure in 1979. [20731]

Mr. Jack: It is estimated that in 1996–97 the top 5 per cent. of income tax payers will pay 34 per cent. of the total income tax liability compared with 24 per cent. in 1978–79.

Government Grants

Mr. Blunkett: To ask the Chancellor of the Exchequer what guidelines there are on income tax liability for Government grants made to individuals to meet the costs of non-statutory services. [19136]

Mr. Jack: The income tax liability on any particular Government grant would depend on the nature of the grant and the circumstances of the individual. For example, a grant provided by Government which is not income or benefit from employment or profit from a trade or profession, would not be liable to income tax under schedule D or E.

Departmental Equipment and Furniture

Mr. Ian McCartney: To ask the Chancellor of the Exchequer if he will list the cost and number of items of equipment and furniture that *(a)* have been stolen and *(b)* are otherwise unaccounted for from his Department and its agencies in each of the past five years, listing by name any such items valued at £5,000 or more, and showing information technology material separately. [19041]

Mrs. Angela Knight: Available information in respect of the Treasury and the Chancellor's four agencies is as follows, all values being approximate:

HM Treasury

Over the last five years 61 items have been recorded as stolen collectively valued at £31,000. The item valued over £5,000 is uninterruptable power supply, £9,000.

Paymaster Agency

No IT equipment was stolen in the last five years. Two other items were stolen in 1995–96, together valued at £520.

Royal Mint

No equipment stolen in the last five years.

Central Statistical Office

The total amount of equipment recorded as stolen is as follows:

1993–94: £3,590

1994–95: £300

1995–96: £5,500

No data exist for previous years. The only recorded loss over £5,000 occurred in 1995–96, this was a Panasonic Pentium laptop computer.

Valuation Office

1991–92		*1992–93*		*1993–94*		*1994–95*		*1995–96*	
Items	*Value £*	*Items*	*Value £*	*Items*	*Value £*	*Items*	*Value £*	*Items*	*Value £*
56	6,439	14	1,010	47	28,699	31	7,655	11	990
5	330	5	1,206	6	300	13	825	7	352
3	6,000	4	8,000	52	44,830	51	27,300	32	61,300

Note:
No items lost or stolen are valued at £5,000 or more.

Paymaster Agency

Mr. Redmond: To ask the Chancellor of the Exchequer (1) if the staff of the Paymaster agency were consulted before the announcement of its privatisation; and if he will make a statement; [20610]

(2) what length of notice the Paymaster agency gave to customer organisations regarding its intended privatisation; and if he will make a statement; [20607]

(3) what will be the length of the terms of contract to the successful bidder for the Paymaster agency in the event of privatisation and if he will make a statement; [20600]

(4) what assessment he has made of the benefits of privatising the Paymaster agency; [20669]

(5) what steps he is taking to protect the pension entitlements of staff of the Paymaster agency after privatisation; what assessment he has made of efficiency gains from the privatisation; and if he will make a statement; [20665]

(6) what value he has set on the skills of the Paymaster agency staff for the purposes of privatisation; and if he will make a statement; [20611]

(7) what factors led him to set the proposed time scale for privatising the Paymaster agency; and if he will make a statement; [20609]

(8) what public consultation process has been arranged in respect of privatising the Paymaster agency; and if he will make a statement; [20606]

(9) which functions of the Paymaster agency are to be sold in the course of its privatisation; and if he will make a statement. [20654]

Mr. Heathcoat-Amory: A prior options review of all the activities of the Paymaster agency was announced on 4 December 1995, *Official Report,* columns *15–16.* The review still in progress, and no decision for or against privatisation has yet been taken.

All interested parties were invited in that announcement to submit contributions to the Treasury by 26 February. On the same day the agency's staff were advised of the review and my officials wrote to the relevant trade unions, customer organisations and pensioner bodies to solicit comments within the same period. The response has been very good, and the review team is pursuing specific points where appropriate.

The review, which was envisaged for this period when agency status was first granted in 1993, is considering to what extent the functions performed by the Paymaster agency need to remain with the Government. If any do not, the costs and benefits of transfer to the private sector will be examined along with how this might best be achieved.

As my December statement made clear, I will be reporting back to the House on the outcome of this review in due course.

National Lottery

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what assessment he has made of the effect on the public sector borrowing requirement in 1995–96 to date of cash flows associated with national lottery funds; and if he will make a statement. [20910]

Mr. Waldegrave: The table gives the relevant figures. The direct impact of the lottery, before allowing for the displacement of other indirect tax receipts, was to reduce the PSBR by £1.8 billion in the 11 months to February 1996.

The effect of the lottery on the PSBR will be largely unwound in due course, as the national lottery distribution fund runs down its surplus by increasing its grants to the good causes.

The direct effects of the lottery on the PSBR in the first 11 months of 1995–96 (£ million)

Receipts
Lottery duty: 566
Income of the distribution fund: 1,407
Total general Government receipts: 1,973
Payments
Expenditure of the distribution fund: 128
Total general Government expenditure: 128
Public Sector Borrowing Requirement:–1,845

Uncertificated Securities Regulations

Mr. Matthew Banks: To ask the Chancellor of the Exchequer when the powers in the Uncertificated Securities Regulations 1995 will be delegated to the Securities and Investments Board. [21191]

Mrs. Angela Knight: The Treasury has now delegated to the Securities and Investments Board the relevant powers in the Uncertificated Securities Regulations 1995, SI 1995 No. 3272. This gives to the SIB the role of approving and supervising Crest as the current operator of the forthcoming paperless securities settlement system. Copies of the delegation instrument have been placed in the Libraries of the House.

SCOTLAND

Roads

Mr. Galbraith: To ask the Secretary of State for Scotland what was spent on *(a)* road infrastructure in Scotland, *(b)* new roads and road improvements and *(c)* road maintenance in Scotland at outturn prices in each year between 1975 and 1995. [19302]

Lord James Douglas-Hamilton: The information is not available in the requested format. The table details capital and current expenditure between 1975–76 to 1994–95:

£ million

Year	*Capital expenditure*	*Current expenditure*	*Other*	*Total*
1975–76	91	53	10	154
1976–77	92	59	13	164
1977–78	109	85	13	207
1978–79	122	98	16	236
1979–80	150	113	19	282
1980–81	157	131	20	308
1981–82	187	148	24	359
1982–83	211	158	25	394
1983–84	204	163	26	393
1984–85	202	169	15	386
1985–86	228	173	16	417
1986–87	219	180	15	414
1987–88	232	185	18	435
1988–89	231	203	21	455
1989–90	273	229	20	522
1990–91	303	250	37	590
1991–92	314	262	37	613
1992–93	349	294	39	682
1993–94	353	312	36	701
1994–95	355	315	37	707

1. Capital expenditure includes new roads and improvements on all roads; and structural maintenance on trunk roads. Current expenditure includes routine and winter maintenance on all roads; and road lighting and structural maintenance on local authority roads. Other expenditure includes administration, car parks, road safety, traffic management and surveys.
2. Minor changes in the classification of expenditure have occurred during the above period.
3. Expenditure for 1994–95 is provisional.

Cairngorm Funicular Railway

Mr. Galbraith: To ask the Secretary of State for Scotland how many representations he has received concerning the proposed railway development on Cairngorm; how many of these support the development; and how many oppose it. [19989]

Mr. Kynoch: To date, my right hon. Friend has received a total of 1,848 letters about the Cairngorm funicular railway. Of these, 81 support the proposal with 1,767 opposed to the development.

Lothian Scaffolding Services Ltd.

Mr. Home Robertson: To ask the Secretary of State for Scotland (1) what factors led to the delay by the procurator fiscal after court proceedings were initiated against Lothian Scaffolding Services Ltd.; and what assessment he has made as to whether the procurator fiscal was in possession of all relevant information before that date; [20019]

(2) what factors governed the length of the interval between the completion of police scientific evidence of material seized from Lothian Scaffolding Services Ltd. and the service of an indictment on Mr. Gilbert Mackie; [20228]

(3) what is the cost to public funds of the police investigation, storage charges and jury trial arising from allegations concerning Lothian Scaffolding Services Ltd.; and if he will make a statement; [20020]

(4) what consideration was given to evidence provided by Lothian Scaffolding Services Ltd. about the ownership of material before it was seized by the police in 1991; [20034]

(5) what factors governed the length of the interval between the procurator fiscal receiving the police report on Lothian Scaffolding Services Ltd. and his decision to proceed with a prosecution. [20230]

Lord James Douglas-Hamilton: I am advised by the Lord Advocate that the procurator fiscal at Haddington received a report in this case on 20 May 1993. A decision was taken to precognosce the case prior to placing the accused on petition. This was a complex case involving numerous witnesses. During the course of precognition, it became apparent that further forensic examination, in addition to that already conducted by the police, would be required. This examination was carried out at the university of Edinburgh.

The investigation involved considering in detail evidence about ownership of the property in question, including documentary evidence produced to the police on the accused's behalf.

Once the case had been precognosced, it was submitted for Crown counsel's instructions. Crown counsel considered there to be sufficient evidence and instructed that proceedings should be taken on indictment. The accused, Gilbert Mackie, was placed on petition on 20 September 1994. The case was initially indicted for a sitting of the sheriff court on 15 March 1995, but was adjourned on the motion of the accused. The case was re-indicted for trial on 19 September 1995 but was adjourned on this occasion because the Crown had not received a list of defence witnesses. This list was provided in November 1995 and the case was re-indicted for trial on 12 February 1996.

The other information sought about the cost to public funds of the case is not readily available and could be obtained only at disproportionate cost.

Mr. Home Robertson: To ask the Secretary of State for Scotland (1) what steps were taken to ensure that materials taken from Lothian Scaffolding Services Ltd. on and after 12 April 1991 were stored in a satisfactory and secure environment; [20033]

(2) if he will make a statement on the decision taken by the police to make arrangements with companies which had claimed to be the legal owners of material seized from Lothian Scaffolding Services Ltd. in 1991, to remove and store that material; [20035]

(3) if he will make a statement on the change in the condition of timber and other materials stored on behalf of the police pending court proceedings against Lothian Scaffolding Services Ltd.; and if it is in a satisfactory condition for *(a)* production at a criminal trial and *(b)* further use by its rightful owner; [20018]

Lord James Douglas-Hamilton: I am advised by the Lord Advocate that storage of the material taken from Lothian Scaffolding Services Ltd. pursuant to the police inquiry was arranged with a haulage contractor. The equipment has been stored out of doors since 1991. The storage arrangements were as satisfactory as circumstances would allow, having regard to the nature of the equipment and the fact that scaffolding equipment is exposed to weather and adverse elements throughout its normal usage.

Mr. Home Robertson: To ask the Secretary of State for Scotland (1) if he will make a statement on the length of the interval between notification by the police that certain items would be returned to Lothian Scaffolding Services Ltd. and the actual delivery; [20017]

(2) if *(a)* the Crown Office and *(b)* the police have a full list of material taken by the police from Lothian Scaffolding Services Ltd. on and after 12 April 1991; and if he will make a statement. [20032]

Lord James Douglas-Hamilton: I am advised by the Lord Advocate that the Crown Office has a list of material seized by the police following identification of the material by others as being their property. This material has not been returned because ownership is disputed. If this dispute cannot be resolved, civil court proceedings may be required. Further inquiries are being made as to whether the police seized other material which was not the subject of charges. This additional information is not available and I will reply further as soon as possible.

Derelict Land (Glasgow)

Mr. David Marshall: To ask the Secretary of State for Scotland what public funds have been spent cleaning up derelict land in the city of Glasgow *(a)* in 1994–95 and *(b)* in 1995–96. [21093]

Mr. Kynoch: The main source of public funds for the treatment of derelict land in Glasgow is the local enterprise company, the Glasgow development agency. The expenditure of local enterprise companies is an operational matter for Scottish Enterprise and I have asked the chairman of that organisation to write to the hon. Member.

Police

Mr. David Marshall: To ask the Secretary of State for Scotland when police authority establishment figures were last revised; and if he will make a statement. [21100]

Lord James Douglas-Hamilton: Statutory controls by police authorities and the Secretary of State over the authorised regular police establishments of forces were removed on 13 December 1995. The number of police officers in each force is now determined by individual chief constables.

Responsibility for the number of police civilians in each force will be determined by individual chief constables from 1 April 1996 when the statutory controls by police authorities and the Secretary of State over authorised civilian establishments are removed.

Police establishment figures were last revised for each force on the dates set out in the table.

Force	*Month and year police establishment figures last revised*	*Month and year civilian establishment figures last revised*
Central Scotland	November 1994	April 1994
Dumfries and Galloway	August 1991	March 1993
Fife	July 1990	May 1994
Grampian	August 1991	March 1995

Force	Month and year police establishment figures last revised	Month and year civilian establishment figures last revised
Lothian and Borders	January 1994	April 1994
Northern	August 1995	August 1995
Strathclyde	August 1995	December 1995
Tayside	August 1995	October 1994

Glasgow Development Agency

Mr. David Marshall: To ask the Secretary of State for Scotland what was Glasgow development agency's budget in 1995, in current prices; and what is the budget for 1996. [21094]

Mr. Kynoch: The allocation of local enterprise company budgets is an operational matter for Scottish Enterprise. I have asked the chairman to write to the hon. Member.

Reconviction Rates

Mr. Connarty: To ask the Secretary of State for Scotland if he will list the reconviction rates two years and four years after release for *(a)* adults, *(b)* 15 to 17-year-olds and *(c)* 18 to 21-year-olds, breaking down the figures by gender. [21018]

Lord James Douglas-Hamilton: The information requested is not available.

Population Statistics (Hawick)

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will list the level of population in the Hawick area of Roxburghshire in *(a)* the 1991 census population and *(b)* each earlier census in the last years. [19852]

Lord James Douglas-Hamilton: The information requested is given in the table. Hawick locality covers the urban area and is the nearest equivalent to the small burgh that existed before 1974.

	Resident population Hawick small burgh	Hawick locality
1961	16,324	—
1971	16,530	16,726
1981	—	16,213
1991	—	15,812

Mr. Kirkwood: To ask the Secretary of State for Scotland (1) if he will estimate the recent trends in population in the Hawick area of Roxburghshire since the 1991 census; and what assessment he has made of the scale of these changes relative to corresponding changes in other towns in the Borders region; [19853]

(2) what assessment he has made of the degree of statistical variation in respect of recent changes in level of population in the Hawick area of Roxburghshire; [19855]

(3) what assessment he has made of the factors underlying the recent changes in the level of population in the Hawick area of Roxburghshire. [19856]

Lord James Douglas-Hamilton: In periods between censuses, population estimates are normally prepared only for local authority areas because no source provides reliable estimates of migration at small area levels. The Registrar General estimates that between mid-1991 and mid-1994, the population of Roxburgh district as a whole fell by 90 from 35,320 to 35,230. The factors underlying this change are a small set migration gain offset by an excess of deaths over births. Complete figures for Borders region and its four districts are given in the table, from which it can be seen that recent growth has mainly been in Ettrick and Lauderdale district.

Borders region: Components of population change by district; 1991–94

	Estimated population 30 June 1991	Births	Deaths	Natural change	Estimated net civilian migration	Estimated population 30 June 1994	Population change	
							Number	Percentage
Borders Region	104,100	3,582	4,225	–643	2,243	105,700	1,600	1.5
Berwickshire	19,120	662	733	–71	371	19,420	300	1.6
Ettrick and Lauderdale	34,390	1,232	1,364	–132	1,232	35,490	1,100	3.2
Roxburgh	35,320	1,174	1,522	–348	258	35,230	–90	–0.3
Tweedale	15,270	514	606	–92	382	15,560	290	1.9

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will now conduct sample surveys of recent population levels in the Hawick area of Roxburghshire. [19854]

Lord James Douglas-Hamilton: No.

Housing Finance

Mr. Donohoe: To ask the Secretary of State for Scotland when his Department first received reports of an adverse impact on the bids of local authorities bidding for new town housing caused by the changes in the handling of capital receipts from local authorities last year. [21060]

Mr. Kynoch: West Lothian district council wrote to the Department on 6 December 1995. Its views, with those expressed by other parties, were carefully considered by my right hon. Friend and his decision as conveyed to the local authorities on 15 February.

Mr. Donohoe: To ask the Secretary of State for Scotland what considerations led his Department not to exclude the bids lodged by local authorities involved in the bidding process for the housing stock of Scotland's development corporations from the effects of his changes in the handling of capital receipts by local authorities. [21063]

Mr. Kynoch: The Government consider it important that the overall level of local authority debt in Scotland should be reduced. My right hon. Friend's decision

ensures that a proportion of any receipts from ex-new town stock sold by a local authority under the right-to-buy scheme will reduce that authority's debt.

Mr. Donohoe: To ask the Secretary of State for Scotland what delay has been caused in the bidding process for the housing stock of Scotland's development corporations by the changes in the Scottish Office rules on the handling of capital receipts by Scottish local authorities; and when his Department decided not to exempt local authorities in the bidding process for the housing stock of Scotland's development corporations from these changes in capital receipts. [21062]

Mr. Kynoch: The transfer of the housing stocks of the development corporations is to be completed before wind-up on 31 December 1996. The decision on the treatment of local authority capital receipts will alter the time scale of the interim stages. Letters conveying my right to hon. Friend's decision not to exempt local authorities involved in the bidding process from the revised capital receipt rules were issued on 15 February 1996.

Mr. Donohoe: To ask the Secretary of State for Scotland if he will make it his policy to allow the relevant existing local authorities and their successor councils to be included on the ballots for the housing stock of Irvine, Cumbernauld and Livingston development corporations. [21241]

Mr. Kynoch: The Government's policy is to admit local authorities to the ballots provided that their final bids are considered to be value for money.

Exel Logistics

Mr. Canavan: To ask the Secretary of State for Scotland if he will intervene to stop the threatened job losses at Exel Logistics in Falkirk. [21154]

Mr. Kynoch: I understand that this company, which offers transport services to industry and the retail trade from 14 depots in the UK, intends to rationalise its entire UK operations. This is a matter for the commercial judgment of management in the company. The company's announcement to its work force was accompanied by the offer of counselling and of a transfer to the company's headquarters. Forth Valley Enterprise will offer to all affected by the announcement its range of retraining and counselling services.

Local Enterprise Companies

Mr. Bradley: To ask the Secretary of State for Scotland in what ways the eligibility, financial and operating rules which apply to LECs in Scotland differ from those outlined in the 1996–97 technical operating agreement for *(a)* youth training/youth credits and *(b)* training for work; and if he will make a statement. [21026]

Mr. Raymond S. Robertson: The rules which govern the delivery by local enterprise companies in Scotland of the principal Government-funded training and enterprise programmes for 1996–97 are set out in an operating agreement between Scottish Enterprise, Highlands and Islands Enterprise and their respective networks of local enterprise companies which follows closely that for training and enterprise councils.

Renfrewshire Healthcare Trust

Mr. Graham: To ask the Secretary of State for Scotland what factors led Renfewshire Healthcare NHS trust to reduce nursing costs; and if contracts with purchasers of the Renfrewshire Healthcare NHS trust are dependent on reducing costs. [21174]

Lord James Douglas-Hamilton: The review of nursing management and organisational structures within the Renfrewshire Healthcare NHS trust was driven by the objective of improving patient care and providing nursing services which would best meet the health care needs of the people of Renfrewshire for the future.

All NHS trusts and health boards in Scotland are required to identify efficiency savings to release resources for re-investment in direct patient care. It is for the trusts and boards to determine how this is to be achieved.

Mr. Graham: To ask the Secretary of State for Scotland what considerations led Renfrewshire Healthcare NHS trust to remove the position of ward sister and charge nurse from hospitals in its responsibility. [21173]

Lord James Douglas-Hamilton: Renfrewshire Healthcare NHS trust has reviewed its nursing management and organisational structure and is embarking on a two-year implementation programme. The revised staffing structure will change the current configuration of nurse grades and increase the number of nurses involved in direct patient care.

It is for the trust to decide on the implementation of the revised structure, but I welcome this initiative if it improves the quality fo patient care and offers an opportunity for nurses in the trust to develop further their skills and expertise.

Surgery Cancellations

Mr. Milburn: To ask the Secretary of State for Scotland if he will place in the Library a breakdown by health board of *(a)* the number of operations cancelled for non-medical reasons on or after the day of admission and *(b)* the number of patients not re-admitted within one month after a cancellation for each quarter since records began. [21444]

Lord James Douglas-Hamilton: The information requested is not held centrally.

Departmental Equipment and Furniture

Mr. Ian McCartney: To ask the Secretary of State for Scotland if he will list the cost and number of items of equipment and furniture that *(a)* have been stolen and *(b)* are otherwise unaccounted for from his Department and its agencies in each of the past five years, listing by name any such items valued at £5,000 or more, and showing information technology material separately. [19039]

Lord James Douglas-Hamilton *[holding answer 11 March 1996]:* A variety of items are periodically reported missing. The following items valued at £5,000

or more have been formally recorded since 1991 as losses to the Scottish Office, including those attributable to theft.

Year	Item	Approximate value
1992	Car	£8,000
1995	Van	£13,000

DEFENCE

Art Thefts

Mrs. Clwyd: To ask the Secretary of State for Defence what plans he has to co-ordinate art theft investigations conducted by MOD police and the special investigations branches of the various armed services police. [20834]

Mr. Soames: The chief constable MoD police and provost/marshals of the service policing organisations meet as the Defence Police Chiefs Forum to discuss and plan the joint investigation of such matters.

Mrs. Clwyd: To ask the Secretary of State for Defence how many MoD police officers are trained in art theft detection techniques. [20831]

Mr. Soames: I am unaware of specific courses in art theft detection techniques. All Ministry of Defence police CID officers attend Home Office detective training and specialisation courses. Furthermore, all police agencies pool their expertise to combat specific areas of concern.

Dr. John Cunningham: To ask the Secretary of State for Defence (1) if he will list the works of art belonging to the departmental art collection which are considered missing or stolen; [20561]

(2) if he will list the works of art on loan from the Government art collection that are considered missing or stolen. [20565]

Mr. Arbuthnot: I am placing the information requested in the Library of the House.

Menwith Hill

Mrs. Mahon: To ask the Secretary of State for Defence what is the cost to public funds of the RAF's present responsibilities at Menwith Hill. [20625]

Mr. Soames: Most costs at RAF Menwith Hill to my Department are reimbursed by the US Government. The principal cost for which my Department receives no reimbursement is for the Ministry of Defence police overtime occasioned by activities of protesters, which amounted to approximately £100,000 in 1994–95.

Mrs. Mahon: To ask the Secretary of State for Defence who owns the 23 radomes and signals interpretation equipment at Menwith Hill. [20623]

Mr. Soames: The radomes and most of the equipment at RAF Menwith Hill are owned by the United States Government.

Mrs. Mahon: To ask the Secretary of State for Defence how many residents at Menwith Hill station are entitled to vote in British elections. [20633]

Mr. Soames: None.

Mrs. Mahon: To ask the Secretary of State for Defence how many *(a)* British and *(b)* United States personnel work at, or for, both Forest Moor royal naval communications base and RAF Menwith Hill. [20645]

Mr. Soames: There are currently 600 UK employees and 1,200 United States personnel employed at RAF Menwith Hill, and 132 UK employees and no United States personnel employed at Forest Moor royal naval communications base. No personnel work for both bases.

Mrs. Mahon: To ask the Secretary of State for Defence if the squadron leader in charge is resident at Menwith Hill. [20632]

Mr. Soames: No.

Mrs. Mahon: To ask the Secretary of State for Defence if the squadron leader in charge at Menwith Hill is security cleared for access to intercepted data. [20628]

Mr. Soames: It is not our policy to comment on specific security arrangements.

Mrs. Mahon: To ask the Secretary of State for Defence how many people are currently employed at Menwith Hill; and of these how many are US personnel. [20626]

Mr. Soames: There are currently 1,800 personnel employed at RAF Menwith Hill, of whom 1,200 are United States personnel.

Mrs. Mahon: To ask the Secretary of State for Defence how much the United States Government reimburses the British Government for the salaries of his Department's staff at Menwith Hill. [20624]

Mr. Soames: Approximately £5.4 million per annum.

Mrs. Mahon: To ask the Secretary of State for Defence how many employees at Menwith Hill are security cleared for access to intercepted data. [20630]

Mr. Soames: It is not our policy to comment on specific security arrangements.

Armed Forces Bases

Mrs. Mahon: To ask the Secretary of State for Defence which US National Security Agency bases in Britain have RAF status. [20644]

Mr. Soames: All bases made available by the Ministry of Defence for the use of United States visiting forces have RAF status.

Mrs. Mahon: To ask the Secretary of State for Defence which RAF bases in the United Kingdom have no *(a)* runways, *(b)* jets and *(c)* other aeroplanes; how many United States personnel are stationed at each; and how much each base cost in the last year for which figures are available. [20642]

Mr. Soames: The information given in the following table covers all RAF bases in the UK where US personnel are present and which do not have an operational runway or aircraft:

RAF base	Approximate number of US personnel
RAF Croughton/RAF Barford St. John	580
RAF Daws Hill/RAF High Wycombe/RAF West Ruislip	570
RAF Digby	12
RAF Edzell	530
RAF Hythe	5
RAF Menwith Hill	1,200
RAF Molesworth/RAF Alconbury	1,100
RAF Northwood	30
RAF Oakhangar	30
RAF Spadeadam	5
RAF Uxbridge	70

Arrangements that exist between the UK and US Governments provide for the reimbursement to the UK of most of the support costs associated with the US visiting forces. The exception is certain administrative and personnel costs. These are not separately recorded for each of the bases listed above but the total cost incurred in supporting the US visiting forces during 1994–95 was approximately £10.7 million.

Mrs. Mahon: To ask the Secretary of State for Defence on what basis and by whom it is decided that a base is to be designated as an Army, Navy or Air Force base; and what guidelines are available to inform that decision. [20643]

Mr. Soames: There is no specific definition of the term "base". The decision as to which service is responsible for a particular Ministry of Defence site is made on the basis of who is the major occupier and who has responsibility for matters such as security and maintenance. Sites used by US visiting forces are designated as RAF stations.

Interception of Information

Mrs. Mahon: To ask the Secretary of State for Defence (1) what are the present arrangements between the British Government and other European Governments to allow the RAF to intercept electronic telecommunications from Europe; [20634]

(2) what procedures govern the sharing by the RAF of trade, commercial and other kinds of intercepted information with the United States National Security Agency. [20635]

Mr. Soames: It is not our practice to comment on such matters.

Mrs. Mahon: To ask the Secretary of State for Defence if the Morwenstowe interception station at Bude, in Cornwall, is classified as having RAF status. [20636]

Mr. Soames: No.

Armed Services Budget

Ms Walley: To ask the Secretary of State for Defence what proportion of gross domestic product is budgeted for the three armed services in the current financial year in *(a)* the United Kingdom and *(b)* France. [21050]

Mr. Soames: In calendar year 1995, the most recent period for which information is available, both the UK and France spent approximately 3.1 per cent. of gross domestic product on the armed services.

Nuclear Capability Budget

Ms Walley: To ask the Secretary of State for Defence what is the current budget for Britain's nuclear capability; and if he will make a statement. [20855]

Mr. Arbuthnot: I refer the hon. Member to the answer that I gave to the hon. Member for Tooting (Mr. Cox) on 6 March 1996, *Official Report*, column *232*.

Franco-German-British Armaments Agency

Mr. Wilkinson: To ask the Secretary of State for Defence (1) what measures he will take to ensure that the commercial interests of the British defence equipment industry are protected in programmes managed by the Franco-German-British Armaments Agency in Bonn; [21203]

(2) how many personnel of the Franco-German-British Armaments Agency in Bonn will be drawn from *(a)* the European Commission, *(b)* the Western European Union, *(c)* the French Government and armed forces, *(d)* the German Government and armed forces and *(e)* NATO; [21207]

(3) how many personnel from the Procurement Executive of his Department will be transferred to Bonn to work for the Franco-German-British Armaments Agency; and on what date their transfer will be effective; [21211]

(4) what proportion of the Franco-German-British Armaments Agency's budget in its first year of operation will be derived from *(a)* the British Government, *(b)* the French Government, *(c)* the German Government, *(d)* the European Union, *(e)* the Western European Union and *(f)* NATO; [21205]

(5) what is the name, rank, nationality and style of the first head of the Franco-German-British Armaments Agency in Bonn; [21204]

(6) what measures he will take to ensure the maximum export potential for tri-national defence equipment programmes managed by the Franco-German-British Armaments Agency in Bonn; [21202]

(7) if he will require the Franco-German-British Armaments Agency in Bonn to submit annual financial accounts to the British Parliament; [21206]

(8) what local overseas allowance personnel from his Department serving on the Franco-German-British Armaments Agency in Bonn will be eligible for; and what will be the total annual cost of this allowance. [21210]

Mr. Arbuthnot: As I announced on 13 March 1996, *Official Report*, columns *648–49*, discussions with France and Germany on participation in the Franco-German Armaments Agency will commence following completion of work on the tender documents for the armoured utility vehicle. The agency's policy, staffing, and operating procedures remain to be determined in these discussions, as do the detailed management arrangements for any collaborative projects involved.

Mr. Wilkinson: To ask the Secretary of State for Defence if the multi-role armoured vehicle programme for the British Army will be managed by the Franco-German-British Armaments Agency in Bonn. [21209]

Mr. Arbuthnot: It is not yet possible to determine in detail how the collaborative multi-role armoured vehicle programme will be managed under the auspices of the armaments co-operative structure.

Mr. Wilkinson: To ask the Secretary of State for Defence what assessment he has made of the British industrial work loads and contract values of a multi-role armoured vehicle *(a)* procured solely from British manufacturers and *(b)* procured on a Franco-German-British basis. [21208]

Mr. Arbuthnot: The implications for British industry were taken into account in our decision to join the current competition which is planned to lead to a collaborative programme for a multi-role armoured utility vehicle. Industries of all three countries will take part on an equal basis, providing British industry with an opportunity to carry out a share of a substantial programme to meet the requirements of France, Germany and the UK for armoured vehicles. A competition to meet only the British requirement would not have been restricted to British manufacturers alone. The value of any contracts will depend on the outcome of competition.

Ship Maintenance and Refitting Costs

Dr. David Clark: To ask the Secretary of State for Defence what have been the total *(a)* maintenance costs and *(b)* refitting costs for (i) HMS Fearless and (ii) HMS Intrepid since the ships were last removed from operational capability. [21065]

Mr. Arbuthnot: HMS Fearless was last at sea operationally in June 1995. The cost of her recent maintenance period was some £32 million. HMS Intrepid has been maintained in a state of extended readiness since 1989; by the end of her ongoing maintenance period maintenance costs during this time will total some £33 million.

Contracts (Transfer)

Mr. Jamieson: To ask the Secretary of State for Defence what contracts were transferred from MGC Technical Services Ltd. to *(a)* Ridgewood Industries Ltd., *(b)* Ridgewood Engineering Ltd., *(c)* Ridgewood Electronics Ltd. and *(d)* Ridgewood Holdings Ltd.; on what date they occurred; and what was the value of these contracts. [21179]

Mr. Arbuthnot: The central records of contracts held by the Ministry of Defence Procurement Executive do not show any contracts placed on the Ridgewood Engineering, Electronics or Holdings companies during the past five years. While this Department had numerous contracts with both MGC Technical Services Ltd. and Ridgewood Industries Ltd. up to 1992, MOD can trace no record of any transfer of prime contracts from MGC Technical Services Ltd. to Ridgewood Industries Ltd. Research of earlier records could be undertaken only at disproportionate cost.

Mr. Jamieson: To ask the Secretary of State for Defence (1) what representations his Department received from hon. Members about the transfer of contracts from Ridgewood Industries Ltd. to Avocet Ltd.; and on what date they were received; [21178]

(2) what contracts were transferred from Ridgewood Industries Ltd. to Avocet Ltd.; on what date they occurred; and what was the value of these contracts. [21180]

Mr. Arbuthnot: The central records held by the Ministry of Defence Procurement Executive do not indicate that there has been any request to transfer any contracts from Ridgewood Industries Ltd. to Avocet Ltd. during the last five years and consequently no record of any representations has been traced. Research of earlier records could be undertaken only at disproportionate cost.

There is no record of any prime contracts between this Ministry and Avocet Ltd. in the past five years.

Mr. Jamieson: To ask the Secretary of State for Defence what representations his Department received from hon. Members about the transfer of contracts from MGC Technical Services Ltd. to *(a)* Ridgewood Industries Ltd. *(b)* Ridgewood Engineering Ltd. *(c)* Ridgewood Electronics Ltd. and *(d)* Ridgewood Holdings Ltd.; and on what date they were received. [21181]

Mr. Arbuthnot: I am not aware of any recent such representations from hon. Members. A search of records of earlier years could not be completed except at disproportionate cost.

Aircraft Crashes

Dr. David Clark: To ask the Secretary of State for Defence, pursuant to his answer of 18 January, *Official Report*, columns *739–40*, if he will list the dates and types of aircraft his Department has lost through crashes since 11 January; and what were the causes of these accidents. [21021]

Mr. Soames: The information requested is given in the table.

Date	*Aircraft type*	*Cause*
1996		
23 January	Jaguar GR1B	Under investigation by board of inquiry
13 February	Hawk T1	Under investigation by board of inquiry
13 February	Sea Harrier FA2	Under investigation by board of inquiry
19 February	Harrier GR7	Under investigation by board of inquiry
23 February	Harrier T4N	Under investigation by board of inquiry
26 February	Tornado GR1	Under investigation by board of inquiry

Service Family Quarters (Rents)

Mr. Jamieson: To ask the Secretary of State for Defence, pursuant to his answer of 5 March, *Official Report*, column *117*, what additional financial assistance he will give to service personnel to compensate for the rises in rents on service family quarters. [21188]

Mr. Soames: We do not propose to introduce any additional financial assistance to compensate for the rises in service accommodation charges.

In recommending increases to pay and family quarter charges this year, the Armed Forces Pay Review Body—while continuing to follow the principle that charges

levied on service personnel should compare fairly with the costs civilians have to incur for comparative housing—have also sought to ensure that no personnel will experience a net decrease in pay.

Nimrod Aircraft

Mr. Cohen: To ask the Secretary of State for Defence, pursuant to his answer of 12 March, *Official Report*, columns *508–09*, when the Nimrod R aircraft first entered service with the Royal Air Force. [21648]

Mr. Soames: The Nimrod R's in-service date was July 1974.

Heavy Vehicles (Train Transportation)

Dr. David Clark: To ask the Secretary of State for Defence, which vehicles returning from Bosnia were loaded on to trains at Marchwood on 28 December for transportation to Ashworth; when they were unloaded at Ashworth; what facilities exist for unloading heavy vehicles at Ashworth; and if he will make a statement. [20750]

Mr. Soames *[holding answer 14 March 1996]:* This is a matter for the Defence Transport and Movements Executive under its framework document. I have asked the chief executive to write to the hon. Member.

Letter from Michael Hodson to Dr. David Clark, dated 18 March 1996:

I am replying to your Question to the Secretary of State for Defence, about vehicle movements from Marchwood, as this matter falls within my area of responsibility as Chief Executive of the Defence Transport and Movements Executive Agency.

First, I must apologise for the delay in answering your question but some considerable investigation was necessary, as we could not identify the movement you refer to as taking place on 28 December. Furthermore, I believe you were intending to quote Ashchurch, instead of Ashworth.

The nearest instance that we can identify is the return of some light "A" vehicles which arrived in Marchwood Military Port (MMP) on 4 January. These included vehicles which could not be driven under their own power. They were loaded to rail to remove them from the immediate working area of the port side as MMP was at that time subject to intense activity arising from the deployment of I-FOR.

Arrangements were then made with Railfreight Distribution (RfD) to move the train from Marchwood to Ashchurch in early January. Carrying out the "can consignee accept" procedure with Ashchurch, RfD/MMP were informed that the facilities at Ashchurch were not suitable. The only alternative was to move the vehicles by road and this was arranged.

You will appreciate that in a very busy port, identifying specific vehicles and movements, in retrospect, is not easy. I hope that we have managed to pin down the one to which you were referring.

Fast Jet Aircraft

Mr. Cohen: To ask the Secretary of State for Defence if he will list *(a)* the number of operational fast jet aircraft in the RAF, *(b)* the number of operational fast jet aircraft pilots in the RAF, *(c)* the aggregate number of flying hours for operational fast jet aircraft in the RAF and *(d)* the aggregate number of flying hours at low level for operational fast jet aircraft in the RAF for (i) 1990 and (ii) 1995. [19957]

Mr. Soames: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

NATIONAL HERITAGE

National Lottery

Mr. Gordon Prentice: To ask the Secretary of State for National Heritage how many recipients of national lottery awards have made representations about the difficulty in raising the required matching amount. [20549]

Mr. Sproat: This information is not held centrally.

Mr. Llwyd: To ask the Secretary of State for National Heritage which projects in the county of Gwynedd have benefited from lottery funding; what sums they have received; and if she will make a statement. [20742]

Mr. Sproat: To date, 36 awards totalling £6.6 million have been made to projects in Gwynedd. They are:

National lottery awards in Gwynedd

Body	*Announced*	*Recipient*	*Location*	*Amount*
NHMF	08 June 1995	6 Palace Street, Caernarfon	Gwynedd	55,760.00
MC	02 October 1995	Restoration of the Glan-Llyn Youth Centre	Gwynedd	390,000.00
MC	02 October 1995	Welsh Highland Railway Restoration	Porthmadog, Gwynedd	4,300,000.00
NLCB	23 October 1995	Gwynedd Pre-school Playgroup Association	Gwynedd	17,000.00
NHMF	23 November 1995	Hafod Garregog Estate	Gwynedd	372,000.00
NLCB	15 December 1995	Antur Nantlle Cyf.	Penygroes, Caernafon, Gwynedd	92,003.00
NLCB	15 December 1995	Beddgelert Community Hall	Beddgelert Gwynedd	30,000.00
NLCB	15 December 1995	Clwydd and Gwynedd Advice and Advocacy	Llanfairfechan, Gwynedd	239,918.00
NLCB	15 December 1995	Cylch Meithrin Penmachno	Betws y Coed, Gwynedd	700.00
NLCB	15 December 1995	Cylch Meithrin Rhosybol	Ynys Mon, Gwynedd	710.00
NLCB	15 December 1995	Epilepsy Wales	Dolgellau, Gwynedd	300,000.00
NLCB	15 December 1995	Holyhead Opportunities Trust	Gwynedd	144,007.00
NLCB	15 December 1995	Llandudno and District Mencap Society Gateway Clu	Llandudno, Gwynedd	20,000.00
NLCB	15 December 1995	Llanfairfechan, Playgroup	Llanfairfechan, Gwynedd	13,923.00
NLCB	15 December 1995	Mudiad Ysgolion Meithrin, Gwynedd	Gwynedd	20,000.00
NLCB	15 December 1995	Neuadd Bentreff Llanfachraeth	Ynys Mon, Gwynedd	26,523.00
NLCB	15 December 1995	Neuadd y Pentref, Llanystumdwy Village Hall	Criccieth, Gwynedd	90,250.00
NLCB	15 December 1995	North Wales Association for Spina Bifida and Hydra	Llandudno, Gwynedd	11,970.00
NLCB	15 December 1995	Pentrefelin Community Centre	Criccieth, Gwynedd	34,000.00
NLCB	15 December 1995	Samaritans—Gwynedd Branch	Bangor, Gwynedd	10,000.00

National lottery awards in Gwynedd

Body	*Announced*	*Recipient*	*Location*	*Amount*
NLCB	15 December 1995	St Michael's Church—Valley	Anglesey, Gwynedd	35,000.00
NLCB	15 December 1995	Taran Mon Ltd.	Holyhead, Gwynedd	147,221.00
NLCB	15 December 1995	The Abbeyfield Bangor/UCNW Society	Gwynedd	6,000.00
NLCB	15 December 1995	Ti a Fi Canolfan Noddfa	Caernarfon, Gwynedd	3,560.00
NLCB	15 December 1995	Ynys Mon Volunteers	Talwrn, Ynys Mon, Gwynedd	68,804.00
NLCB	15 December 1995	Ysgol Feithrin Amlwch	Amlwch, Anglesey, Gwynedd	2,000.00
NLCB	15 December 1995	Ysgol Feithrin Brynaerail	Porthmadog, Gwynedd	2,600.00
NLCB	15 December 1995	Ysgol Feithrin Criccieth	Criccieth, Gwynedd	3,000.00
NLCB	15 December 1995	Ysgol Feithrin Y Parc	Holyhead, Gwynedd	500.00
NLCB	15 December 1995	Ysgol Meithrin Dwyran	Newborough, Anglesey, Gwynedd	1,073.00
Arts	13 February 1996	Cor Meibion Prysor	Gwynedd: Meirionnydd	20,726.00
Arts	13 February 1996	Cymdeithas Theatr Cymru	Gwynedd: Dwyfor	2,455.00
Arts	13 February 1996	Neuadd Gyhoeddus Trawsfynydd	Gwynedd: Meirionnydd	49,500.00
Arts	13 February 1996	Neuadd Ysgol Botwnnog	Gywnedd: Dwyfor	57,068.00
Arts	13 February 1996	Royal Cambrian Academy	Gwynedd: Aberconwy	8,343.00
Arts	13 Feburary 1996	Ysgol Uwchradd Bodedern	Gwynedd: Ynys Mon	43,327.00
Total				6,619,941.00

Dr. John Cunningham: To ask the Secretary of State for National Heritage which projects in *(a)* Wales, *(b)* Scotland, *(c)* Northern Ireland and *(d)* the English lottery regions have benefited from lottery funding; and what sums they have received. [20802]

Mrs. Virginia Bottomley: To date, Wales has received £126.6 million towards 485 projects. Some 633 projects in Scotland have received a total of £128.4 million. Over £27.7 million has been awarded to 348 projects in Northern Ireland and England has received £957.9 million towards 3,562 projects.

Reports on the distribution of national lottery proceeds are placed in the Library of the House on a monthly basis. The reports include the information requested. The March edition will be placed in the Library of the House in early April.

Dr. Cunningham: To ask the Secretary of State for National Heritage what the total value of national lottery awards has been; and how much has been awarded by *(a)* the sports councils, *(b)* the Arts Council, *(c)* the National Heritage Memorial Fund, *(d)* the Millennium Commission and *(e)* the National Lottery Charities Board in each of the national lottery regions. [20780]

Mrs. Bottomley: To date, over £1.3 billion has been awarded to 5,312 projects throughout the UK. A breakdown is contained in the following table.

Breakdown of National Lottery Awards

	SPORT		*ARTS*		*HERITAGE*		*MILL. COMM*		*CHARITIES*		*TOTAL*	*TOTAL*
	Value of awards	*Number of awards*	*Value of awards*	*Number of awards*	*Value of awards*	*Number of awards*	*Value of awards*	*Number of awards*	*Value of awards*	*Number of awards*	*Value of awards*	*Number of awards*
	£		£		£		£		£		£	
England (83.3 per cent of population)												
London	26,368,530.00	56	131,392,378.00	95	23,899,436.00	26	116,000,000.00	5	17,830,854.00	253	315,491,198.00	444
North West	13,582,243.00	96	49,610,723.00	58	14,531,294.00	14	31,455,500.00	8	14,799,050.00	268	123,978,810.00	444
North East	21,164,197.00	69	14,485,644.00	39	2,407,278.00	11	4,650,000.00	2	8,684,004.00	111	51,391,123.00	232
Yorkshire and Humberside	17,414,401.00	115	10,689,306.00	59	11,479,537.00	20	52,112,000.00	5	12,730,874.00	193	104,426,118.00	392
Eastern	14,549,404.00	127	11,599,544.00	53	21,988,297.00	23	11,379,890.00	3	8,592,052.00	122	68,109,187.00	328
East Midlands	12,635,468.00	94	8,170,515.00	40	498,165.00	8	2,529,600.00	5	8,600,222.00	166	32,433,970.00	313
West Midlands	17,467,594.00	86	16,552,659.00	61	6,303,728.00	12	6,227,540.00	4	13,669,261.00	200	60,220,782.00	363
South West	22,641,333.00	159	15,099,988.00	48	7,021,686.00	28	4,013,000.00	3	9,228,414.00	161	58,004,421.00	399
South East	28,062,265.00	198	34,414,181.00	57	5,640,257.00	22	41,570,000.00	6	11,981,236.00	230	121,667,939.00	513
Merseyside	4,654,140.00	13	3,416,201.00	12	170,000.00	2	3,168,500.00	2	4,422,072.00	59	15,830,913.00	88
All England	—	0	—	0	—	0	—	0	6,405,600.00	46	6,405,600.00	46
Total	178,539,575.00	1,023	295,431,139.00	522	93,939,678.00	166	273,106,030.00	43	116,943,639.00	1,808	957,960,061.00	3,562
Scotland (8.9 per cent. of population)												
	23,051,239.00	187	22,986,792.76	142	24,011,239.00	31	40,782,180.00	50	17,593,170.00	223	128,424,620.76	633
Wales (5.0 per cent. of population)												
	9,763,218.00	111	10,263,012.00	159	2,513,850.00	19	94,287,500.00	11	9,799,686.00	185	126,627,266.00	485
Northern Ireland (2.8 per cent. of population)												
	6,587,309.00	*100*	*5,407,067.00*	*75*	*2,536,880.00*	*6*	*6,855,675.00*	*5*	*6,400,474.00*	*162*	*27,787,405.00*	*348*
Total	39,401,766.00	398	38,656,871.76	376	29,061,969.00	56	141,925,355.00	66	33,793,330.00	570	282,839,291.76	1,466
United Kingdom Wide	—	0	—	0	—	0	58,417,000.00	202	8,344,977.00	82	66,761,977.00	284
Grand Total	217,941,341.00	1,421	334,088,010.76	898	123,001,647.00	222	473,448,385.00	311	159,081,946.00	2,460	1,307,561,329.76	5,312

Dr. Cunningham: To ask the Secretary of State for National Heritage what percentage of national lottery awards have been made in *(a)* Wales, *(b)* the English regions, *(c)* Scotland and *(d)* Northern Ireland. [20917]

Mrs. Bottomley: The information is in the following table:

Breakdown of National Lottery Awards

	Value of awards Total £	*Value of awards Percentage of total*	*Number of awards Total*	*Number of awards Percentage of total*
England (83.3 per cent. of pop.)				
London	315,491,198.00	24.13	444	8.36
North West	123,978,810.00	9.48	444	8.36
North East	51,391,123.00	3.93	232	4.37
Yorkshire and Humberside	104,426,118.00	7.99	392	7.38
West Midlands	60,220,782.00	4.61	363	6.83
South West	58,004,421.00	4.44	399	7.51
South East	121,667,939.00	9.30	513	9.66
Merseyside	15,830,913.00	1.21	88	1.66
All England	6,405,600.00	0.49	46	0.87
Total	957,960,061.00	73.26	3,562	67.06
Scotland (8.9 per cent. of pop.)	128,424,620.76	9.82	633	11.92
Wales (5.0 per cent. of pop.)	126,627,266.00	9.68	485	9.13
Northern Ireland (2.8 per cent. of pop.)	27,787,405.00	2.13	348	6.55
Total	282,839,291.76	21.63	1,466	27.60
UK Wide	66,761,977.00	5.11	284	5.35
Grand total	1,307,561,329.76	100.00	5,312	100.00

Ariane Programme

Mr. Win Griffiths: To ask the Secretary of State for national Heritage what representations she has received on the European Commission's Ariane programme; and if she will publish them. [20258]

Mr. Sproat: My Department has received a number of letters concerning the proposed Ariane programme. The Department has no present plans to publish them.

Mr. Griffiths: To ask the Secretary of State for National Heritage if she will make a statement about the promotion of a wider knowledge of *(a)* the Welsh language and *(b)* other languages in the European Union under the European Commission's Ariane programme. [20261]

Mr. Sproat: One of the aims of the Ariane programme—which is still under discussion and not yet finalised—is to support the translation of literary works into and out of one Community language to another with a priority being given to lesser-used ones, including Welsh.

Riding Stables

Mr. David Nicholson: To ask the Secretary of State for National Heritage what representations have been made to her over the past two years about the effect on tourism of financial difficulties facing small-scale riding stables. [20213]

Mr. Sproat: My right hon. Friend the Secretary of State has received one, direct, letter about the importance of riding stables to tourism and the financial burdens such businesses face. My hon. Friend the Paymaster General has forwarded a further letter on this issue for reply by my Department. In addition, I have also received a number of oral representations on the subject.

The Government are very conscious of the needs of small businesses and the valuable contribution that they make to the economy. On 11 March, the Prime Minister announced a package of measures to help reduce burdens on small firms. My Department is also pursuing sponsorship initiatives which will assist small firms in the tourism industry in particular.

Royal Palaces Estate

Mr. Tony Banks: To ask the Secretary of State for National Heritage if she will list the residential accommodation available within the unoccupied palaces and its occupants. [19436]

Mr. Sproat *[holding answer 8 March 1996]:* The information is as follows:

Number of residences	*Occupied by*
Hampton Court Palace	
6	Grace and Favour
5	Historic Royal Palaces Agency Management (Gardens Manager, Operations Manager, Nurseries Manager, Deputy Estates Manager, Duty Manager)

Number of residences	Occupied by
5	Historic Royal Palaces Agency former staff
4	Royal Household former staff
2	Landmark Trust
2	Unoccupied
1	The Royal Collection
1	Residents Wardens for Grace and Favour residents
1	Chaplain
1	Vine Keeper
1	Royal Parks Constabulary
1	Real Tennis Club
The Tower of London	
36	Yeoman Warders
5	Unoccupied—undergoing maintenance
3	Historic Royal Palaces Agency Management (Resident Governor, Deputy Governor Operations, Deputy Operations Manager)
2	Unoccupied-vacant
2	Used on occasion by other senior staff on duty
2	Yeoman Warder supervisors
1	Jewel House Curator
1	Master of the Armouries
1	Chaplain
1	Doctor

Broadcasting Licences

Mr. Whittingdale: To ask the Secretary of State for National Heritage what representations she has received from the Association of Independent Radio Companies on relaxing the Broadcasting (Restrictions on the Holding of Licences) Order 1991. [20587]

Mr. Sproat: The Association of Independent Radio Companies has made several representations on this subject, in writing and at meetings. Following debate on Report on the Broadcasting Bill in the House of Lords on 5 March, columns 258 to 263, the Government are considering with the Radio Authority whether the current arrangements can be improved.

HEALTH

Coronary Heart Disease

Mr. Barron: To ask the Secretary of State for Health what guidance he has issued on the use of *(a)* agnio-tensin-converting enzyme inhibitors, *(b)* aspirin, *(c)* beta-blockers and *(d)* cholesterol lowering agents in the treatment of coronary heart disease; and if he will make a statement. [19562]

Mr. Horam: Guidance is contained in "Assessing the Options: CHD/Stroke", published by my Department in 1995. Advice on cholesterol lowering agents is covered in the effective health care bulletin on "Cholesterol Screening and Treatment", published in June 1993 by the NHS centre for reviews and dissemination. Copies of both of these documents will be placed in the Library.

Information on these subjects is also contained in the health care needs assessment on coronary heart disease which was commissioned by the Department of Health and published in 1994 by the Wessex Institute of Public Health and Radcliffe Medical Press.

Mr. Barron: To ask the Secretary of State for Health how many operations were performed in each of the last three years for *(a)* percutaneous transluminal coronary angioplasty and *(b)* coronary artery bypass grafting by (i) age and (ii) sex of patient and by (1) NHS trust, (2) district and (3) region. [19563]

Mr. Horam: The information requested will be placed in the Library.

Personal Health Data

Mr. Miller: To ask the Secretary of State for Health (1) what safeguards will be put in place to prevent identifiable personal health data held on the NHS-wide clearing system which are provided by patients and health professionals for the purpose of medical treatment and care from being marketed outside the NHS; [20211]

(2) which company has become the operator of the NHS-wide clearing system and what rights the contract gives that company to market identifiable personal health data, provided by patients and health professionals for the purpose of medical treatment and care *(a)* inside the NHS and *(b)* outside the NHS. [20212]

Mr. Horam: The contract for operating the NHS-wide clearing system has been awarded to AT and T Istel. The contract gives no right to the company to market identifiable personal health data. Services providing analyses of such data will be provided only to NHS organisations which are the registered data users.

The contract will prevent AT and T Istel from marketing personal health data, and security policy and safeguards will prevent any release of such data to third parties.

Dentists and Pharmacists (Premises)

Mr. Gordon Prentice: To ask the Secretary of State for Health, pursuant to his answer of 6 March, *Official Report*, column *288*, what schemes within the NHS allow *(a)* dentists and *(b)* pharmacists to bid for money to fund the improvement of their premises. [20322]

Mr. Malone: No central funding is available for improvements to dentists' and pharmacists' premises. National health services fees cover remuneration and expenses including the cost of improvements.

Community Care

Mr. Thurnham: To ask the Secretary of State for Health how many households are estimated to be eligible for direct payments for community care on eligibility criteria *(a)* if restricted to physically disabled recipients aged under 65 years, *(b)* if restricted to physically or mentally disabled recipients with no age limit and *(c)* as

listed in paragraph 15 of the consultants paper on the Community Care (Direct Payments) Bill. [20455]

Mr. Bowis: It is not possible to estimate accurately how many households will be eligible for direct payments. The number of households receiving home help and home care services provides an indication, but it cannot give a complete picture as direct payments will also be available in lieu of other non-residential community care services.

In 1994, local authorities provided home help and home care services to 538,900 households in England. Households may, of course, include more than once client. The oldest client was aged 65 or over in 478,600 households—89 per cent. of the total. Out of the total of 54,500 households receiving home help and home care services where the oldest client was between the ages of 18 and 64, 32,500 households were receiving services for clients with physical and/or sensory disabilities, and 4,110 were receiving such services for clients with learning disabilities. Figures are not available by client group for those aged 65 or over, but a substantial proportion of clients in the 478,600 households are likely to be people with physical or learning disabilities.

Fraud

Mr. Nicholas Baker: To ask the Secretary of State for Health what action he is taking to eliminate the fraudulent obtaining of the free provision of dental services, optical treatment and prescription. [20359]

Mr. Malone: The Government are determined to eliminate fraud in the national health service wherever it occurs.

From April 1995, amended prescription forms have asked patients to sign a declaration indicating the charge paid or the reason for exemption.

The Department of Health has set up a prescription fraud unit at the Prescription Pricing Authority which will operate from 1 April 1996. The unit will provide an expert service for health authorities in the prevention, detection and prosecution of prescription-related fraud.

Declarations by patients have been changed to clarify the basis of exemption or remission from dental charges from 1 April 1996 and will be used for post-payment checks on claims for remission of charges during 1996–97.

Health authorities are asked to undertake post-payment checks on patient eligibility for NHS sight tests and spectacle vouchers.

Mr. Milburn: To ask the Secretary of State for Health how many cases of fraud took place in *(a)* his Department and *(b)* the NHS in each of the last five years; and what sums of money were involved. [21540]

Mr. Horam: I refer the hon. Member to the reply that my hon. Friend the Parliamentary Under-Secretary of State gave to the hon. Member for Gordon (Mr. Bruce) on 26 October 1995 at column *784*, for the available information relating to the Department of Health.

National health service losses from fraud are not separately identified from other losses recorded in returns to the Department. The Audit Commission has identified cases of detected fraud in the NHS as follows:

Year	*Number of cases*	*Sums involved (£ million)*
1991–92	300	4.5
1992–93	332	0.4
1993–94	328	1.0
1994–95	350	0.75

These figures represent on average slightly less than 1p for every £100 spent in the NHS.

Communicable Diseases

Mr. Redmond: To ask the Secretary of State for Health if he will list the number of cases of *(a)* diphtheria, *(b)* syphilis, *(c)* tuberculosis, *(d)* cholera and *(e)* malaria in each of the past four years and in the current year to date; and if he will make a statement. [20658]

Mr. Horam: Notification—as opposed to number of cases—in England and Wales are as follows:

	1992	*1993*	*1994*	*1995 Provisional*	*1996 First nine weeks highly provisional*
Diphtheria	8	6	9	12	2
Tuberculosis, excluding chemoprophylaxis	5,799	5,921	5,591	5,608	964
Cholera	25	23	30	32	3
Malaria	1,189	1,198	1,139	1,300	151

Source:
OPCS.
Figures are notifications, not confirmed cases.

Syphilis is not a notifiable disease and the figures given are from the Department of Health's statistics division's KC60 returns and relate to the number of new cases seen in England. Figures for 1995 are not yet available.

	Syphilis
1991	1,349
1992	1,312
1993	1,347
1994	1,393

Rabies

Mr. Sheerman: To ask the Secretary of State for Health how many cases of rabies have been reported in the United Kingdom in the last 10 years. [20576]

Mr. Horam: There have been three reported cases of rabies in the United Kingdom since 1986: one in each of the years 1986, 1987 and 1988. All were in people who were infected abroad.

Mental Health

Ms Harman: To ask the Secretary of State for Health what estimate he has made of the total number of people with mental health problems requiring 24-hour care in each of the last five years. [20857]

Mr. Bowis: For working purposes in producing the report "24-hour nursed care for people with severe and enduring mental illness", the average prevalence for people requiring such care was estimated at one per 10,000 members of the national population, although there will be significant variations between districts.

Mr. David Atkinson: To ask the Secretary of State for Health, pursuant to his oral statement of 20 February, *Official Report,* column 175, if he will make a statement on the provision of crisis accommodation for mentally-ill people; for whom it is intended; how it will be staffed; and which authority will provide it. [21007]

Mr. Bowis: The provision of crisis accommodation forms one part of a spectrum of care for those who are unable to cope, and should be purchased by every health authority. It could be provided by a range of statutory or independent providers, in a variety of settings, which would include hostels or supported housing.

Ms Harman: To ask the Secretary of State for Health how many patients aged 16 to 64 years have been readmitted to the care of a psychiatric specialist within 90 days of discharge in each of the last five years *(a)* by health authority, *(b)* by regional health authority and *(c)* nationally. [20881]

Mr. Bowis: This information is not available centrally.

NHS Executive (Posts)

Mr. Jim Cunningham: To ask the Secretary of State for Health how many advertisements for NHS executive staff posts in 1995 received no applicants. [20916]

Mr. Horam: There were no advertisements for posts in the national health service executive in 1995 for which there were no applicants.

Emergency and Intensive Care (Leeds)

Mr. Gunnell: To ask the Secretary of State for Health, pursuant to his oral statement of 6 March, *Official Report,* column 356, how much money will be made available for additional beds in Leeds hospitals. [21255]

Mr. Horam: As my right hon. Friend the Secretary of State said in his statement of 6 March, this is a matter for local health authorities working with national health service trusts.

Medical and Dental Education and Research

Mr. Stephen: To ask the Secretary of State for Health what will be the publication date of the fourth report of the steering group on undergraduate medical and dental education and research; and if he will make a statement. [21702]

Mr. Dorrell: I am pleased to announce that the fourth report of the steering group on undergraduate medical and dental education and research is published today, and copies will be placed in the Library. My right hon. Friend the Secretary of State for Education and Employment and I welcome and endorse the report.

The steering group brings together all the main bodies involved in the management of undergraduate medical and dental education and research, and we are grateful to the representatives of these bodies who have served on the group.

Close co-operation between the national health service and the universities is essential for the successful management of medical and dental education and research. The report acknowledges and welcomes the close co-operation that already exists between the NHS and the universities and explores how this can be further developed. It includes a revision of the 10 key principles which help to define the shared goals of the two parties.

Benzodiazepines

Mr. Alex Carlile: To ask the Secretary of State for Health what quantity of each individual type of benzodiazepine was prescribed via community pharmacists in England and Wales in each of the last four years for which figures are available; and if he will make a statement. [20621]

Mr. Malone: The available information for England will be placed in the Library. Information relating to Wales is a matter for my right hon. Friend the Secretary of State for Wales.

Bed Closures (South Manchester)

Mr. Alfred Morris: To ask the Secretary of State for Health what representations he has had from the South Manchester community health council in regard to the closure of 64 hospital beds, including four intensive care beds, in consequence of the accounting error made in the South Manchester University Hospitals NHS trust; what reply he is sending; if he will be instituting an independent public inquiry; and if he will make a statement. [20614]

Mr. Horam: We have received a letter from South Manchester community health council and will be replying shortly. An independent inquiry is already under way.

Pharmaceutical Services Negotiating Committee

Mr. Hinchliffe: To ask the Secretary of State for Health if he will place in the Library a copy of his speech of 4 March to the Pharmaceutical Services Negotiating Committee. [20870]

Mr. Dorrell: My speech was delivered from notes and I regret that a full text is not available.

Rehabilitation Services (West Yorkshire)

Mr. Hinchliffe: To ask the Secretary of State for Health what action has been taken on the resolution contained in minute 71 of the proceedings of the meeting of the Yorkshire regional health authority held on 8 March 1994 with regard to *(a)* the overall development of rehabilitation services in West Yorkshire, *(b)* the establishment of a centre of excellence in rehabilitation at Pinderfields hospital, Wakefield and *(c)* the establishment of a chair in rehabilitation at Pinderfields hospital, Wakefield; and if he will make a statement. [20871]

Mr. Bowis: This is a matter for Northern and Yorkshire regional health authority. The hon. Member may wish to contact the chairman of the authority for further details.

General Practitioners (Malpractice)

Mr. Pickthall: To ask the Secretary of State for Health how many general practitioners were accused by patients of malpractice or incompetence; how many were disciplined following such accusations; and how many successfully appealed to industrial tribunals in the last 12 months for which he has figures. [20921]

Mr. Malone: This information is not available centrally.

Doctors and Nurses

Mr. Milburn: To ask the Secretary of State for Health (1) what plans he has to increase the nursing student intake over the next 12 months; [21537]

(2) what estimate he has made of the annual requirement of *(a)* doctors and *(b)* nurses in each specialty. [21566]

Mr. Malone: My right hon. Friend the Secretary of State for Health takes advice from the medical work force standing advisory committee on the required student intake to medical schools. The Government have accepted the recommendations of the medical work force standing advisory committee to increase the medical student intake target by 500, or 11 per cent., to reach 4,970 by 2000.

Advice is also received from the specialist work force advisory group on the number of doctors needed in higher specialist training in each specialty, to ensure that there are sufficient trained candidates to fill consultant posts in the future. Following the specialist work force advisory group's recommendations, I recently announced additional funding of £5.7 million in 1996–97 to provide a significant increase in training opportunities for doctors wishing to become consultants, including the creation of at least 300 new higher specialist training posts.

With regard to the requirement for nurses, it is for local employees to determine the work force required to deliver the services they have been contracted to provide. This is set in the context of annual planning guidance issued by the NHS executive, which maintains a national overview. Planned commissions for nurse trainees are expected to rise by 14 per cent. in 1996–97.

Deregulation and Contracting Out Act

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 4 March, *Official Report,* column *68,* when he plans to publish his response to the consultation document. [21561]

Mr. Bowis: Responses to the consultation are being considered but I have decided not to take any decision on this until the Cullen inquiry has reported.

Transplant Surgery

Mr. Milburn: To ask the Secretary of State for Health how many patients received transplant surgery for each organ in each region for each year since 1991 and for 1996 to date. [21568]

Mr. Horam: The number of transplants carried out by organ and region for 1991 and 1995 and 1996 to date are shown in the table. The figures for 1995 and 1996 are provisional. For the years 1992, 1993 and 1994, I refer the hon. Member to the reply I gave him on 31 October 1995, *Official Report,* column *207.*

Cadaveric (live) transplants in United Kingdom

Region	*Kidney*	*Kidney and pancreas*	*Pancreas*	*Heart*	*Heart and lung*	*Lung*	*Liver*
1991							
Northern	131 (4)	—	—	43 (1)	7	19	—
Yorkshire	90 (1)	—	—	3	1	2	31
Trent	95 (7)	—	—	18	—	—	—
East Anglian	56 (6)	—	—	41 (13)	23	11	90
North West Thames	91 (5)	—	—	67 (20)	31	38	11
North East Thames	116 (7)	—	—	16 (1)	6	—	38
South Thames	224 (6)	—	—	36 (1)	—	—	129
Wessex	83 (2)	—	—	—	—	—	—
Oxford	83 (7)	—	—	—	—	—	—
South Western	90 (5)	—	—	—	—	—	—
West Midlands	151 (1)	—	—	1	—	—	122
Mersey	65 (11)	5	—	—	—	—	—
North Western	107 (4)	—	—	19 (5)	11	2	—
Wales	62 (11)	3	—	—	—	—	—
Scotland	130 (7)	—	—	—	—	—	—
Northern Ireland	47 (2)	—	—	—	—	—	—
Total	1,621 (86)	8	—	244 (41)	79	72	421
1995							
Northern and Yorkshire	213 (9)	4	1	49	4	20	116
Trent	123 (11)	—	10	24	—	2	—
Anglia and Oxford	122 (14)	—	3	42 (3)	20	20	88
North Thames	204 (35)	9	—	69 (21)	26	36 (2)	71
South Thames	166 (19)	—	1	33 (1)	—	4	189 (1)
South West	172 (13)	—	—	—	—	—	—
West Midlands	140 (3)	—	—	25	3	9	157
North West	225 (20)	8	—	19 (2)	5	20	—
Wales	78 (4)	2	—	—	—	—	—
Scotland	140 (11)	—	—	32	—	—	46

Cadaveric (live) transplants in United Kingdom

Region	*Kidney*	*Kidney and pancreas*	*Pancreas*	*Heart*	*Heart and lung*	*Lung*	*Liver*
Northern Ireland	45 (2)	—	—	—	—	—	—
Total	1,628 (141)	23	15	293 (27)	58	111 (2)	667 (1)
1996 (to 1 March)							
Northern and Yorkshire	34	1	—	8	1	3	18
Trent	19 (3)	—	3	3	—	—	—
Anglia and Oxford	17 (1)	—	—	9	1	1	13
North Thames	31	1	—	8 (2)	5	4	6
South Thames	29 (1)	—	—	7	—	3	20 (1)
South West	20	—	—	—	—	1	27
West Midlands	19 (1)	—	—	2	—	—	—
North West	26	—	—	4	1	3	—
Wales	11	—	—	—	—	—	—
Scotland	26 (2)	—	—	5	—	—	4
Northern Ireland	7	—	—	—	—	—	—
Total	239 (8)	2	3	46 (2)	8	15	88 (1)

Source:
United Kingdom Transplant Support Service Authority (UKTSSA).

Childhood Cancer

Mr. Marlow: To ask the Secretary of State for Health if he will make a statement on the findings of the National Radiological Protection Board, NRPB-R276, pages 100 and 109, in respect of the incidence of childhood cancer linked to natural background alpha radiation. [21533]

Mr. Horam: The report NRPB-R276 entitled "Risks of Leukaemia and other Cancers in Seascale from all Sources of Ionising Radiation", copies of which are available in the Library, calculates radiation doses and associated risks of cancer to children and young persons in Seascale village in west Cumbria. The calculations were based on a population of 1,348 children born and living in the village between 1945 and 1992 and followed to age 24 years, or 1992, whichever came sooner.

In this population, the total number of radiation-induced fatal leukaemias and non-Hodgkin's lymphomas arising from natural background radiation over this time period was calculated to be 0.28. High-LET—high energy—radiation was calculated to contribute about 0.12 cases. Leukaemia in children is now more successfully treated and estimates of fatality from leukaemias these days would be substantially lower than those calculated for the study population. The risk of fatal cancers in this population, other than leukaemia and NHL, was calculated to be 0.02 for high-LET radiation.

If my hon. Friend wishes to know more about this study, perhaps he would care to write to me.

Managers (Redundancy Payments)

Mr. Milburn: To ask the Secretary of State for Health what redundancy payments were made to general and senior managers and chief executives in *(a)* trusts and *(b)* health authorities in 1994–95 and 1995–96, indicating the number of payments and their values. [21563]

Mr. Malone: All redundant staff are entitled to either statutory or contractual redundancy compensation if they satisfy the relevant criteria. The specific information requested is not available centrally.

Education and Training Expenditure

Mr. Milburn: To ask the Secretary of State for Health what has been spent on education and training by *(a)* health authorities and *(b)* trusts in each of the last three years. [21541]

Mr. Malone: This information is not available centrally.

Market Testing

Mr. Milburn: To ask the Secretary of State for Health if he will list the services *(a)* that have been market tested and *(b)* are planned to be market tested by NHS trusts and in each case the outcome. [21544]

Mr. Horam: A list of services market tested by one or more national health service trust and their outcome is as shown. It is based on information supplied to the NHS executive's market testing database and indicates the number of known contracts awarded in-house, or to another NHS contractor or to a non-NHS contractor. None of the planned future exercises notified to the NHS executive add to the list of services indicated.

Service tested	*In-house*	*NHS contractor*	*Commercial contractor*
Advertising and recruitment	1	0	15
Agency staffing	4	1	29
Clerical and Secretarial	7	0	17
Audit	14	9	101
Banking	0	0	60
Management services	4	2	3
Computing	7	3	71
Financial services	17	13	45
Human resources	1	1	11
Insurance	0	0	62
Legal	2	3	48
Consultants	0	1	21
Micro-filming	0	0	3
Fire systems	0	0	1
Design	0	0	1
Electrical	0	0	5
Energy management	0	0	2
Estates management	5	4	13
Flooring	0	0	2
Repairs and maintenance	0	0	1

Service tested	In-house	NHS contractor	Commercial contractor
Glazing	0	0	1
Lighting	0	0	4
Painting	11	0	13
Gas supply	0	0	1
Water services	0	0	11
Building and engineering	35	6	95
Estates maintenance	2	1	7
Equipment/system	32	18	317
Accommodation	1	0	1
Car parks	2	0	40
Hotel services	59	2	50
Catering	336	4	122
Domestic	353	5	320
Laundry	128	67	158
Supplies	6	11	21
Pest control	7	6	221
Portering	7	2	30
Security	9	0	114
General patient services	3	1	5
Switchboard/reception	9	1	15
Transport	52	35	138
Window cleaning	9	1	302
Waste disposal	10	22	190
Continuing care—elderly	0	1	2
Bio-engineering	0	2	0
Clinical coding	0	2	0
CSSD[1]	13	6	19
Dental	0	0	1
HSDU[1]	2	0	1
Infection control	0	1	0
Medical physics	0	1	0
Medical photography	0	1	1
Nuclear medicine	0	1	0
Opthamology	0	0	2
Magnetic resonance imaging	0	1	1
Occupational health	9	5	7
Orthotics	1	0	2
Occupational therapy	1	0	0
Prosthetics	0	0	2
Pathology	3	14	2
Pharmacy	5	3	2
Physiotherapy	0	1	0
Patient appliances	0	1	12
Radiology	0	1	0
Speech therapy	2	0	0
Termination of pregnancy	1	0	0
Psychology	1	0	0
Education and staff training	2	1	6

[1]CSSD = Central sterile supply department, HSDU = Hospital sterilising and disinfecting unit, IVF = *In-vitro* fertilisation.

Notes:

1. There is no standard definition of services or list of services within the NHS and those listed above relate to provider units' interpretation.

2. Service headings such as "Hotel Services" and "Facilities Management" include a wide and varying range of individual services, e.g., catering, portering, security, car parking. Again there is no set pattern of which services make up hotel services, etc., but relates to individual provider units' interpretation.

Pinderfields Hospitals NHS Trust

Mr. Hinchliffe: To ask the Secretary of State for Health if he will instruct the chairman of Pinderfields Hospitals NHS trust to issue a statement outlining the reasons for the departure of the former chief executive of the trust. [21212]

Mr. Malone: This is a matter for Pinderfields Hospitals national health service trust. The hon. Member may wish to contact Mr. Roy Cusworth, chairman of the trust, for details.

Consultancy Service Index

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 4 March, *Official Report*, column *68*, what information his Department collates on the consultancy service index. [21560]

Mr. Bowis: Information is available on the overall number of names on the consultancy index, and on the number of checks sought by prospective employers.

Hospital Closures

Mr. Milburn: To ask the Secretary of State for Health if he will list the hospital closures which have been referred to his Department for decision in the last five years, indicating in each case the nature of the organisations objecting, the decision and the date. [21567]

Mr. Horam: I refer the hon. Member to the reply that my hon. Friend the Minister for Health gave to the right hon. Member for Derby, South (Mrs. Beckett) on 17 May 1995, *Official Report*, column *279*. A list of proposed closures referred to Ministers for the period January 1992 to December 1995 is in the Library and is updated quarterly. These proposals have, except where indicated, been referred following objections by community health councils, but other organisations may also have objected to the proposals.

WALES

Ministerial Visits

18. **Mr. Nigel Evans:** To ask the Secretary of State for Wales how many visits he has made to the Principality since becoming Secretary of State to discuss tourism. [19390]

Mr. Hague: Tourism is raised regularly on my visits to Wales, among a number of other issues, and I have recently met the chief executive of the Wales tourist board.

Family Doctors

19. **Mr. Harry Greenway:** To ask the Secretary of State for Wales what recent measures he has taken to encourage patients to make the best use of their family doctors. [19393]

Mr. Richards: I launched a patient education campaign in Wales on Wednesday 28 February, together with representatives from the British Medical Association and community health councils in Wales. The campaign has the theme "doctor-patient partnership".

Advertisements in the national press will run throughout March to promote the partnership and encourage people to use GP services responsibly. This will be followed by a series of local campaigns run by health authorities.

Welsh Assembly

20. **Sir Wyn Roberts:** To ask the Secretary of State for Wales what recent representations he has received urging the establishment of a directly elected legislative assembly. [19394]

Mr. Hague: Since 1 September 1995 I have received two written representations in favour of the establishment of a directly elected legislative assembly, together with one which asked simply for an assembly, but did not mention legislative powers, and five which opposed the establishment of an assembly.

School Teachers and Governors

21. **Mr. Garnier:** To ask the Secretary of State for Wales what action has been recently taken to provide support for teachers and school governors in Wales. [19395]

Mr. Richards: As part of the "Bright Future" programme in Wales the grant for education support and training—GEST—arrangements provide support and training for teachers and school governors. Taking all elements into account, the GEST programme will be worth £24.7 million in 1996–97.

Community Hospitals (Gwynedd)

22. **Mr. Wigley:** To ask the Secretary of State for Wales when he next plans to meet the chairman of the Gwynedd community health trust to discuss the provision of community hospitals in Gwynedd. [19396]

Mr. Richards: Neither my right hon. Friend or I have plans to meet the chairman, but Welsh Office officials are in regular contact with the trust to discuss the provision of community hospitals in Gwynedd.

Local Authorities (Maladministration)

23. **Dr. Howells:** To ask the Secretary of State for Wales when he last met the local government commissioner for Wales to discuss reports of maladministration by local authorities. [19397]

Mr. Gwilym Jones: The Commissioner for Local Administration in Wales—the local Government ombudsman—acts independently of central government and it would not be appropriate for my right hon. Friend to seek to become involved in his work.

Toxic Waste (Abercwmboi)

24. **Mrs. Clwyd:** To ask the Secretary of State for Wales what action he will take following the expert reports on the toxic waste at Abercwmboi in the Cynon valley. [19398]

Mr. Gwilym Jones: This is an operational matter for the Welsh Development Agency. I will arrange for the chief executive of the agency to write to the hon. Member and for a copy of his letter to be placed in the Library of the House.

Male Unemployment

25. **Mr. Roy Hughes:** To ask the Secretary of State for Wales what was the number of men unemployed in Wales at the latest available date; and what this is in percentage terms. [19399]

Mr. Hague: In February 1996, the seasonally adjusted number of males on the claimant unemployment count in Wales was 80,700, which is 11 per cent. of the male work force.

Intergovernmental Conference

26. **Mr. Ieuan Wyn Jones:** To ask the Secretary of State for Wales what representations he has received about the impact on Wales of the forthcoming European Union intergovernmental conference; and if he will make a statement. [19402]

Mr. Hague: I have received two representations in the past year which relate circumstances in Wales to the intergovernmental conference. The conference will affect Wales in the same way as it affects the rest of the United Kingdom.

Inward Investment

Lady Olga Maitland: To ask the Secretary of State for Wales if he will list the most recent instances of major inward investment by companies into Wales. [19385]

Mr. Hague: Some welcome announcements have been made over the past few months. Among them are Ford's £340 million expansion at Bridgend; Newport Wafer-Fab's £230 million expansion near Newport and Halla's £17 million investment at Pentrebach. In the space of a few months, almost 2,500 new jobs and investment of over £600 million has been announced and I expect more to come soon.

Mr. Wigley: To ask the Secretary of State for Wales how many of the inward investment projects recorded for Wales by the Invest in Britain Bureau during 1995 were in the counties of *(a)* Gwynedd and *(b)* Dyfed. [20255]

Mr. Hague: Of the inward investment projects recorded with the Invest In Britain Bureau during the calendar year 1995, three will be located in Gwynedd and three in Dyfed.

Car Use (City Centres)

Mr. Llwyd: To ask the Secretary of State for Wales what steps are being taken by his Department to discourage the use of private cars in town and city centres; and if he will make a statement. [20651]

Mr. Gwilym Jones: It is for local authorities to determine the traffic management strategy most appropriate to their area, having regard to local circumstances. The Government's role is to set the framework, through the publication of advice and guidance, including advice on traffic restraint measures. The Government encourage people to travel by means other than the private car—cycling, walking and public transport—where that option is open to them.

Public Transport

Mr. Llwyd: To ask the Secretary of State for Wales (1) what plans his Department has to improve the quality of public transport in Wales; and if he will make a statement; [20661]

(2) what steps are being taken by his Department to promote public transport in and around traffic congested towns and cities; and if he will make a statement. [20653]

Mr. Gwilym Jones: I refer the hon. Member to the answer that I gave on 5 February 1996, *Official Report*, column 55. Since then my right hon. Friend has published "A Working Countryside for Wales", a White Paper in

which he announces that the rural transport innovation grant scheme will be reviewed to see if ways can be found to increase its effectiveness.

Listed Buildings

Mr. Llwyd: To ask the Secretary of State for Wales how many buildings in Wales are listed *(a)* grade I and *(b)* grade II; and what was the corresponding number in 1985. [20647]

Mr. Gwilym Jones: Responsibility for the subject of the question has been delegated to Cadw: Welsh Historic Monuments under its chief executive, Mr. T. J. Cassidy. I have asked him to arrange for a reply to be given.

Letter from T. J. Cassidy to Mr. Elfyn Llwyd, dated 18 March 1996:

The Secretary of State has asked me to reply to your recent Parliamentary Question about the current number of listed buildings in Wales and the corresponding figure for 1985.

As you will recall from previous correspondence, Cadw is taking forward a national resurvey of historic buildings in Wales which we expect to be completed by 2005. As part of this programme the Agency's target for 1995–96 is that 60 community council areas shall be surveyed and I am pleased to tell you that this has been achieved.

The number of buildings listed on 1 January 1985 was:

Grade I: 228

Grade II*: 525

Grade II: 8,935

Churches[1]: 714

Total: 10,412

The Corresponding number at 1 January 1996 was:

Grade I: 302

Grade II*: 978

Grade II: 15,975

Churches[1]: 604

Total: 17,859

[1]Anglican churches in use in Wales were at one time separately graded (A, B or C as appropriate) but this practice has been discontinued. As they arise in our resurvey, ecclesiastical buildings are now regraded on the same basis as secular (I, II* or II) which is why this separate category is diminishing.

I attach a copy of Cadw's recent leaflet "What is Listing?", which I hope you will find helpful and I should be glad to provide any further information you need. I will continue to send you copies of new lists for communities in your constituency when they are published.

Homelessness

Mr. Llwyd: To ask the Secretary of State for Wales if he will break down the number of people who were accepted as homeless in Gwynedd over the last five years by *(a)* sex and *(b)* age group; and if he will make a statement. [20646]

Mr. Gwilym Jones: The information requested is not collected centrally.

Wrexham-Bidston Railway Line

Mr. Barry Jones: To ask the Secretary of State for Wales what discussions he has had with North West Regional Railways and Railtrack concerning the long-term future of the Wrexham-Bidston railway line; and if he will make a statement. [21130]

Mr. Gwilym Jones: I have no plans to meet North West Regional Railways, but I intend to meet the directors of Railtrack soon to discuss their investment plans for all lines in Wales.

Mr. Barry Jones: To ask the Secretary of State for Wales when he next plans to travel on the Wrexham-Bidston railway line; and if he will make a statement. [21129]

Mr. Gwilym Jones: My right hon. Friend and I currently have no plans for travelling on the Wrexham-Bidston line.

Federation of Clwyd Headteachers

Mr. Barry Jones: To ask the Secretary of State for Wales if he will meet the Federation of Clwyd Headteachers to discuss the Nursery Education and Grant-maintained Schools Bill; and if he will make a statement. [21133]

Mr. Richards: I have seen a copy of a letter issued by the federation which I consider to be misleading. I intend to write to all schools in Clwyd to set the record straight and will send a copy to the hon. Member. I see no need for a meeting at this time.

Nurses' Pay

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how many trusts agreed to a 3 per cent. pay award for nursing staff for the full financial year 1995–96; and what proportion of trusts in Wales this represents. [20405]

Mr. Richards: Twenty-four of the 25 trusts which employ nursing staff agreed to a 3 per cent. pay award for 1995–96 which represent 96 per cent. of such trusts in Wales. Ambulance trusts do not employ nurses and are not included in the total.

Mr. Jones: To ask the Secretary of State for Wales how many trusts in Wales have yet to settle the pay award for nursing staff for the full financial year 1995–96. [20406]

Mr. Richards: One.

Rural Affairs White Paper

Mr. Alex Carlile: To ask the Secretary of State for Wales when he plans to publish a White Paper on rural affairs; and if he will make a statement. [20620]

Mr. Hague: I published the Government's White Paper for rural Wales, "A Working Countryside for Wales", on Wednesday, 13 March 1996.

I refer the hon. Member to my answer of 12 March 1996, *Official Report*, column *560*.

Rats

Mr. Alex Carlile: To ask the Secretary of State for Wales what representations he has received relating to recent changes in the level of the rat population in Wales; what estimate he has made of the estimated rat population in each of the last 10 years for which figures are available; and if he will make a statement. [20615]

Mr. Hague: None. Annual figures on rat populations are not collected centrally. The 1993 national rodent survey of England and Wales, conducted by the Ministry of Agriculture, Fisheries and Food and the Chartered Institute of Environmental Health estimated the percentages of properties with a rat presence at 7.6 per cent. for north Wales and 4.6 per cent. for south Wales. The average for England and Wales is 4.8 per cent.

Alcohol, Tobacco and Drugs

Mr. Flynn: To ask the Secretary of State for Wales what proposals he has to reduce deaths and serious illnesses caused by alcohol, tobacco and medicinal drugs. [20603]

Mr. Richards: Improving health, including the reduction of deaths and serious illnesses related to risky behaviour, is identified in "Caring for the Future" as a priority for action. It is for a number of different agencies to take action forward.

Welsh Language

Mr. Ron Davies: To ask the Secretary of State for Wales if he will consult the Welsh Language Board on the use of the Welsh language in proceedings of the Welsh Grand Committee at meetings in Wales. [20821]

Mr. Hague: This is for the Procedure Committee, but I understand that the views of the Welsh Language Board will be sought.

A55 (Mobile Snack Bars)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what representations he has received concerning the provision of snack bar facilities in lay-by areas along the A55 in north Wales. [21068]

Mr. Gwilym Jones: North Wales police and local authorities expressed concern for safety of road users because of trading on lay-bys along this busy route and I subsequently announced on 23 January that the Highways Directorate will shortly initiate statutory procedures necessary to prohibit the practice.

Since the announcement, four informal representations have been made in favour of the prohibition and seven against.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what objections he has received to the proposal to introduce clearway orders to effect a trading ban in the A55 in north Wales in respect of mobile snack bars. [21067]

Mr. Gwilym Jones: None, as the draft orders have yet to be published.

Emergency Medical Admissions

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answers of 4 March 1996, *Official Report*, column 99 and 12 March 1996, *Official Report*, column *536*, (1) what approval was *(a)* sought and *(b)* given from his Department for the inclusion of the undertaking in the emergency admissions action plan to discuss levels of community care with unitary authorities; [21160]

(2) what consent was *(a)* sought and *(b)* given from his Department prior to the inclusion in the emergency admissions action plan of the undertaking for his Department to oversee and ensure adequate consideration and liaison between trust commissions and general practitioners concerning proposed general practitioner out of hours schemes. [21161]

Mr. Hague: The NHS representatives who prepared the action plan proposed a number of recommendations, only some of which were addressed to my Department. It would have been surprising had the NHS team involved felt they had needed to ask my Department for permission to make recommendations that they felt could form part of an effective response to the demand for emergency admissions.

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 4 March 1996, *Official Report*, column 99, if he will list the number and ranks of his departmental officials who took part in the emergency admissions action plan; and what part they took in the proceedings. [21159]

Mr. Hague: None of my permanent civil servants were directly involved in the development of the NHS action plan to address the issue of rising emergency admissions. Mr. David Cliffe, an NHS manager seconded to the Health Department, contributed to the work on developing a best practice guide to inform the contracting process.

Before embarking on the exercise, representatives of the NHS discussed the main issues involved and possible approaches with the Health Department's executive committee, which is chaired by Mr. Peter Gregory, director of the Health Department, and includes as members Dr. Deirdre Hine, chief medical officer, and Miss Marion Bull, chief nursing officer. The authors of the action plan met the executive committee on 29 February 1996 to present their report and its recommendations.

Community Initiative Funding

Mr. Martyn Jones: To ask the Secretary of State for Wales what plans he has to widen the access to community initiative funding in *(a)* Clwyd and *(b)* Wales. [19392]

Mr. Richards: My right hon. Friend and I are always ready to put the case forward for EC funding for the whole of Wales, but this can be done only where the relevant conditions and criteria can be met.

Departmental Changes

Mr. Morgan: To ask the Secretary of State for Wales if he will list the changes which have taken place in respect of his *(a)* responsibilities, *(b)* budget and *(c)* staff numbers between 1979 and 1996. [21162]

Mr. Hague: The functions which have transferred from my Department since 1979 are:

1986: Small Firms Service to the Welsh Development Agency

1988: Artificial Limb and Appliance Centre to the Welsh Health Common Services Authority

1992: Office of Her Majesty's Chief Inspector of Schools in Wales established as a separate Government Department

1993: Orbital Prosthetist Service to the Welsh Health Common Services Authority

1993: Dental Services to the Dental Practice Board

1993: Divisional Medical Office to the Benefits Agency

In addition, NHS litigation work will transfer to the Welsh Health Common Services Authority on 1 April 1996.

The functions which my Department has gained since 1979 are:

1984: Regional development grant work

1992: Training, including responsibility for training and enterprise Councils

1993: Responsibility for the further and higher education funding councils.

Details of my Department's running costs and staff numbers are as follows:

	Running costs (£ million)	*Permanent staff (April)*
1979–80	17.8	2,599
1980–81	22.6	2,430
1981–82	24.7	2,363
1982–83	25.4	2,212
1983–84	31.5	2,177
1984–85	32.9	2,207
1985–86	32.8	2,279
1986–87	37.9	2,271
1987–88	39.2	2,278
1988–89	40.5	2,162
1989–90	45.7	2,203
1990–91	51.4	2,308
1991–92	58.1	2,326
1992–93	70.4	2,535
1993–94	76.5	2,430
1994–95	77.4	2,376
1995–96	76.1	2,229

These figures are not comparable over time. For example, running costs in 1979–80 did not include superannuation charges, the training and enterprise councils management fee and various overhead costs including accommodation, which have added at least £22 million to the 1995–96 figure.

NHS Trusts

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairmen of the NHS trusts in Wales concerning mergers of trusts; what representations he has received from trusts concerning proposed *(a)* mergers and *(b)* takeovers, and if he will make a statement. [21058]

Mr. Hague: None. It is for the trust and health authorities themselves in the first instance to agree proposals which can demonstrate improved patient care. I would consider such proposals if they were put to me.

Mr. Morgan: To ask the Secretary of State for Wales what is the external financing limit for the *(a)* total and *(b)* individual borrowings of national health service trusts in Wales. [21061]

Mr. Hague: The total external financing limit in 1995–96 is £57.016 million. Information on long-term borrowing of individual NHS trusts in Wales in this financial year is shown in the following table:

NHS Trust	*Amount £*
Bridgend and District	4,020,000
Carmarthen and District	1,842,000
Ceredigion and Mid Wales	900,000
Clwydian Community Care	5,842,000
East Glamorgan	4,798,760
Glan Clwyd District General Hospital	304,000
Glan Hafren	2,562,000
Gwent Community Health	3,350,000
Gwynedd Community	2,600,000
Gwynedd Hospitals	476,000
Llandough Hospital	4,404,000
Mid Glamorgan Ambulance	268,000
Nevill Hall and District	632,000
North Wales Ambulance	301,000
Pembrokeshire	162,000
Powys Healthcare	227,000
South and East Wales Ambulance	2,653,000
Swansea	4,817,000
University Hospital of Wales Healthcare	5,414,000
University Dental Hospital	208,000
Velindre	3,260,000

Note:
There has also been a further issue of public dividend capital to East Glamorgan NHS trust of £9,315,240.

Surgery Cancellations

Mr. Milburn: To ask the Secretary of State for Wales if he will place in the Library a breakdown by district health authority of *(a)* the number of operations cancelled for non-medical reasons on or after the day of admission and *(b)* the number of patients not re-admitted within one month after a cancellation for each quarter since records began. [21441]

Mr. Richards: Information on the number of cancelled operations is not collected centrally. Information on the number of patients not re-admitted within one month after a cancellation is given in the following table. The data are collected from individual NHS trusts in Wales and figures may not, therefore, relate to residents of the health authority area in which the trust is situated.

Number of patients admitted and treated more than one month after cancelled operation

Health authority area/NHS trust	*Quarter ending* 30 June 1994	30 September 1994	31 December 1994	31 March 1995	30 June 1995	30 September 1995	31 December 1995
Clwyd:							
Wrexham Maelor Hospital	—	—	—	—	—	—	3
Dyfed:							
Ceredigion and Mid Wales	—	—	—	—	4	2	3
Llanelli Dinefwr	—	2	—	—	—	—	1
Pembrokeshire	1	—	2	—	—	—	—

Number of patients admitted and treated more than one month after cancelled operation

Health authority area/NHS trust	*Quarter ending* 30 June 1994	30 September 1994	31 December 1994	31 March 1995	30 June 1995	30 September 1995	31 December 1995
Gwent:							
Glan Hafren	—	—	1	1	—	—	—
Nevill Hall and District	—	—	—	3	1	1	4
Gwynedd:							
Gwynedd Hospitals	—	—	—	1	—	—	—
Mid Glamorgan:							
East Glamorgan	—	—	2	5	11	—	19
Rhondda Health Care	—	2	—	1	—	—	—
South Glamorgan:							
University Hospital of Wales Healthcare	1	—	6	11	46	25	12
West Glamorgan:							
Glan-y-Mor	—	—	1	5	3	2	1
Wales	2	4	12	27	65	30	43

Written Answers to Questions

Tuesday 19 March 1996

DUCHY OF LANCASTER

Access to Government Information

Mr. Pawsey: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the operation of the code of practice on access to Government information during 1995. [22057]

Mr. Freeman: I have today announced the publication of the Government's report on the operation of the code of practice during 1995, copies of which have been placed in the Library of the House.

Executive Agencies

Mr. Cummings: To ask the Deputy Prime Minister on how many occasions in each of the past five years Ministers in his Department have passed *(a)* hon. Members' letters and *(b)* hon. Members' questions to agencies for response; and what this figure is as a percentage of the total number of letters and questions received. [19420]

Mr. Willetts: Records are not held centrally for letters received before July 1993, when computer records began. The table covers the number of hon. Members' letters passed to agencies for response and this figure as a percentage of the total number of letters from July 1993:

	1993 (from 1 July 1993)		*1994*		*1995*		*1996 (up to 14 March 1996*	
	Number	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
CCC	—	—	—	—	1	0.07	—	—
COI[1]	1	0.3	1	0.15	8	0.5	1	0.2
CSC	1	0.3	2	0.3	4	0.25	—	—
HMSO[1]	2	0.6	10	1.6	13	0.9	8	1.6
OHSA	1	0.3	—	—	5	0.3	1	0.2
RAS	5	1.6	10	1.6	10	0.6	4	0.8
SAFE[1]	—	—	—	—	—	—	2	0.4
TBA[2]	—	—	—	—	—	—	—	—

[1]Agencies which are Government Departments in their own right, reporting to the Chancellor of the Duchy of Lancaster.
[2]Agencies which transferred to the Office of Public Service on 1 January 1996.

Secondly, since this Department was formed in May 1992 the number of hon. Members' questions passed to agencies for response and this figure as a percentage of the total number of letters received is shown in the table:

Parliamentary years

	1992–93	*1993–94*	*1994–95*	*1995 (up to 14 March 1996)*
Total PQs	778	768	791	477
Agency answers	2	nil	8	6
Percentage of total	0.25	nil	1.01	1.25

Recruitment and Assessment Services

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster what steps he has taken to protect the pension entitlement of staff of Recruitment and Assessment Services; what assessment he has made of efficiency gains from privatisation; and if he will make a statement. [20663]

Mr. Willetts: All those bidding to acquire Recruitment and Assessment Services will have to offer its staff a pension scheme certified by the Government Actuary as offering broadly comparable benefits to those available in the principal civil service pension scheme, or to offer sufficient compensation—such as a higher rate of pay—where benefits are not comparable. Bidders not fulfilling this requirement will be disqualified.

Further efficiency gains can be expected after privatisation. RAS will be free to pursue new business in the private and public sectors and so will be able to spread its overheads over a wider customer base.

HMSO (Privatisation)

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster what length of notice customer organisations of the HMSO agency were given regarding its proposed privatisation; and if he will make a statement. [20605]

Mr. Freeman: I announced a review of options for the future of HMSO, with a view to privatisation, on 27 September 1995 and confirmed the Government's intention to sell the business on 13 December. Customers have been aware of our proposals since then.

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster which functions of HMSO are to be sold in the course of its privatisation; and if he will make a statement. [20667]

Mr. Freeman: HMSO's business includes print, publishing and distribution, office supplies, business systems, office furniture and copiers. It has facilities across the UK to serve its almost exclusively public sector customers.

As I said in the House on 13 December last year, at column 989, the Government intend to privatise the whole of HMSO, apart from a small residual body carrying out statutory and quasi-statutory functions.

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster what factors underlay his decision on the time scale for privatising HMSO; and if he will make a statement. [20622]

Mr. Freeman: My aim is to complete the privatisation as soon as possible, subject to the need to ensure that the process is fully controlled and that all relevant concerns have been addressed.

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster what consultations he held with staff of HMSO prior to the announcement of its privatisation; and if he will make a statement. [20662]

Mr. Freeman: I gave details of my contacts with HMSO staff and unions in my answer of 4 December 1995 to the hon. Member for Coventry, South-East, column *33*. Since then, I have had a further meeting with national and local trade union representatives.

The Government are committed to ensuring that staff are treated fairly during the privatisation, and to ensuring that their legal rights are fully respected. I and my colleagues and officials will continue to keep HMSO staff informed, and are willing to hold further meetings as necessary.

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster what plans he has for a public consultation in respect of the privatisation of HMSO; and if he will make a statement. [20668]

Mr. Freeman: I and my officials are naturally willing to discuss matters with those with an interest in HMSO. In particular, we have already been in contact with customers and suppliers of HMSO, trade associations, unions and others with a direct interest in HMSO's privatisation.

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster what steps he is taking to protect the pension entitlement of staff of HMSO after privatisation; what assessments he has made of efficiency gains from the privatisation; and if he will make a statement. [20666]

Mr. Freeman: All those bidding to acquire HMSO will have to offer its staff a pension scheme certified by the Government Actuary as offering broadly comparable benefits to those available in the principal civil service pension scheme. Bidders not fulfilling this requirement will be disqualified.

Privatisation should result in efficiency gains in several areas. Trading in wider markets will enable the privatised business to spread its overheads over a wider customer base, the stationery office will become free to borrow and invest without seeking prior Treasury approval, and it will be freely able to diversify as business opportunities become available. This is consistent with the experience of previous privatisations.

By contrast, if HMSO were to remain in the public sector, it would continue to be constrained by its shrinking market and the rigours of public expenditure controls. In these circumstances, further widespread job losses would be inevitable, resulting in an added burden to the taxpayer.

Mr. Redmond: To ask the Chancellor of the Duchy of Lancaster what assessment he has made of the market value of the skills of HMSO staff for the purposes of privatisation; and if he will make a statement. [20725]

Mr. Freeman: The skills of HMSO's staff contribute to its performance. HMSO's trading record, together with its prospects and the value of its physical assets, provide the basis for the benchmark valuation which will be constructed by my advisors. It is not possible to separate out a value for staff skills, nor is it desirable to make public the overall valuation, since that would damage the Government's negotiating position and their ability to secure the best deal.

Parliamentary Questions

Mr. Donohoe: To ask the Deputy Prime Minister (1) what has been the total cost of answering questions to the Deputy Prime Minister; [21176]

(2) what was the cost of answering *(a)* an oral and *(b)* a written parliamentary question to the Deputy Prime Minister from (i) Opposition and (ii) Government Members in each parliamentary Session since 1989–90. [21456]

The Deputy Prime Minister: The information as requested is not available.

TRANSPORT

Newbury Bypass

Mr. Rendel: To ask the Secretary of State for Transport what has been the total cost since 29 February to the sheriffs of enforcing eviction orders against protestors camped on the route of the Newbury bypass; and how much of this cost is expected to be recovered from the protestors who have been evicted. [21270]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. David Rendel, dated 19 March 1996:

The Secretary of State for Transport has asked me to reply to your recent Parliamentary question about the costs incurred by the Sheriff in evicting protestors from the route of the Newbury Bypass.

No figures are yet available but the costs are not expected to be recovered from protestors. Costs orders awarded by the courts against defendants only cover the legal expense of bringing the action to court, not the Sheriff's costs.

Sir Peter Fry: To ask the Secretary of State for Transport what estimate he has made of the levels of congestion which would apply to the A34 around Newbury by *(a)* 2005 and *(b)* 2015 if the current bypass project was not constructed. [20895]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to my hon. Friend.

Letter from Lawrie Haynes to Sir Peter Fry, dated 19 March 1996:

The Secretary of State for Transport has asked me to reply to your recent Parliamentary Question about the levels of congestion which would apply to the A34 around Newbury by (a) 2005 and (b) 2015 if the current by-pass project was not being constructed.

The existing Annual Average Daily Traffic (AADF) flows on the A34 Inner Relief Road in Newbury are approximately 50,000 vehicles per day and this already results in significant congestion during weekday peaks and at times during summer weekends. Within these periods the road operates close to its maximum capacity. Conditions for long distance through traffic are generally very poor and intolerable at times. The overall level of service is very low.

The levels of congestion that would arise in the future without the bypass would be very much worse. It is difficult to quantify just how bad conditions would become because the exact level of congestion would depend on many factors including the general growth in travel demand, changing driver behaviour and the capacity of the A34.

The ultimate carrying capacity of an urban road over a whole day depends on many factors. These include the urban nature of the road, the proportion of heavy vehicles, the effects of junctions and their capacities, the interaction of local and longer distance through traffic, the variation in traffic flows throughout the day and how traffic demand spreads from peak to off peak periods.

The capacity also depends on the interaction of these factors which is complex. It is therefore very difficult to state a precise daily flow which represents the maximum flow the A34 could carry. In theory there is some scope for traffic flows to increase above existing levels outside the peak periods. But in practice, this would require a significant change in driver behaviour for instance travelling in the relatively less busy parts of the day.

Any increase in flow would of course mean very much more serious congestion, for longer and longer periods than happens now, and a very poor level of service. In practice the very worst conditions that are experienced now would become a normal event; stop-start driving conditions through the town would extend over much of the working day. These conditions are likely to occur within the next five to ten years if there is significant growth in traffic levels.

In the long term, traffic flows and congestion levels are much more di2fficult to assess. Our traffic forecasts go as far as 2010, the design year for the bypass. These imply very serious congestion on the A34 if nothing is done. We have not attempted to forecast the flows beyond 2010. The table below shows flows on the A34 within Newbury without the Bypass.

Year	*A34 Inner Relief Road*	
	Low growth	*High growth*
2005	61,000	70,000
2010	65,000	78,000

The flows given are Annual Average Daily Traffic for low and high growth.

I think it is also worth pointing out that congestion, as well as being a serious problem in terms of the delays and disruption to traffic, also leads to a significant environmental impact; heavy queuing traffic wastes fuel, causes greater air pollution and spoils the environment for the local community in Newbury.

Transport Research Laboratory

Mr. Whittindale: To ask the Secretary of State for Transport when he now expects to complete the privatisation of the Transport Research Laboratory. [21765]

Mr. Norris: Negotiations with the preferred bidder, the Transport Research Foundation, are continuing. I expect the sale to be completed shortly.

Rail Privatisation

Mr. Evennett: To ask the Secretary of State for Transport whether he has issued any further guidance to the franchising director. [21970]

Sir George Young: I have today written to the franchising director confirming that I am content for him to correct a minor error in the passenger service requirement for the InterCity east coast franchise. I am placing a copy of my letter in the Library of the House.

Ms Short: To ask the Secretary of State for Transport what research he has commissioned into the effects of rail privatisation on the number of passengers using the national rail network; and what was the cost of that research. [20779]

Mr. Watts: None.

Vehicle Emissions

Mr. French: To ask the Secretary of State for Transport (1) if he will list the vehicles which are currently exempt from the emissions test of the MOT; [21251]

(2) when he plans that all vehicles over three years old will be subject to the MOT emissions test; and if he will make a statement. [21250]

Mr. Norris: The emissions test has been suspended simply in relation to a number of car models registered on or after 1 August 1992. Full details are contained in "Special Notice 2/96", issued to authorised testing stations by the Vehicle Inspectorate, a copy of which has been placed in the Library of the House. This includes some or all relevant models from: Alfa Romeo, Aston Martin Lagonda, Caterham, Coleman Milne, Daihatsu, Fiat, Ford, HMC Sportscars, Isuzu, Jaguar, Lada, Lamborghini, Lancia, Mazda, Mercedes Benz, Nissan, Porshe, Renault, Rover, Saab, Subaru, Toyota, TVR, Vauxhall.

We intend very shortly to consult on the necessary amending regulations for reintroducing the test for all affected vehicles.

Sea Empress

Mr. Wigley: To ask the Secretary of State for Transport what directions were given *(a)* by him and *(b)* by officials of his Department to the harbourmaster dealing with the Sea Empress on the day on which the disaster first occurred; and if he will make a statement. [21580]

Mr. Norris: None.

Mr. Allen: To ask the Secretary of State for Transport if the pilot on the Sea Empress had been subject to routine drug and alcohol testing before he boarded the vessel. [18584]

Mr. Norris: There is no statutory requirement for routine drug and alcohol testing of harbour pilots. The investigation into the incident by the marine accident investigation branch will consider whether alcohol or drugs had a bearing on the incidents.

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the Secretary of State for Transport how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21515]

Mr. Norris: All civil servants in the Department work conditioned hours—that is, 36 hours per week net of lunch breaks in London and 37 hours elsewhere.

Staff in senior grades down to and including grade 6 are not entitled to compensation in respect of hours worked in excess of conditioned hours. The Department holds no records which would identify which individuals in these grades had worked more than their conditioned hours or how many hours had been worked.

Staff in grades up to grade 7 are entitled to take time in lieu or to claim overtime in respect of extra hours worked. No records exist in respect of those staff who have made arrangements with their line managers to take time in lieu. Where staff have claimed overtime payments, records are held by the Chessington Computer Centre. Although an analysis of records could be undertaken by the Chessington Computer Centre, this would be at disproportionate cost.

Airport Development

Mrs. Dunwoody: To ask the Secretary of State for Transport, pursuant to his answer of 6 March, *Official Report*, column *212*, if he will make a statement on the action taken by the BAA to investigate the possibility of less environmentally damaging options for runway development. [21379]

Mr. Norris: I understand that BAA plc is currently engaged in the first phase of this work, focusing on the technical feasibility of a close parallel runway at Gatwick.

Institute of Advanced Motorists

Mr. Gordon Prentice: To ask the Secretary of State for Transport what steps he is taking to *(a)* publicise and *(b)* promote the Institute of Advanced Motorists. [21222]

Mr. Norris: I welcome the valuable contribution that organisations such as the Institute of Advanced Motorists make to improving road safety by raising awareness of driving standards. I would encourage all drivers to consider taking additional training throughout their driving careers.

Oil Spills

Mrs. Ray Michie: To ask the Secretary of State for Transport (1) what steps he has taken to ensure that adequate compensation is paid to all those who can prove loss of property or financial loss as a result of oil spills at sea; [21234]

(2) what measures he has taken to ensure that companies which are affected indirectly from oil spills at sea are adequately compensated. [21235]

Mr. Norris: The 1969 international convention on civil liability for oil pollution damage and the 1971 international convention on the establishment of an international fund for compensation for oil pollution damage, implemented in the United Kingdom by the Merchant Shipping Act 1995, provide for compensation for pollution damage caused by spills from vessels carrying oil in bulk. The criteria for admissibility of these claims is described in the claims manual produced by the International Oil Pollution Compensation Fund. Copies of the claims manual have been placed in the Library of the House.

Eyesight Regulations

Sir Harold Walker: To ask the Secretary of State for Transport what steps he is taking to ensure that drivers of vehicles entering the United Kingdom comply with United Kingdom eyesight regulations for driving. [21658]

Mr. Norris: Visitors to the United Kingdom are entitled by international convention to drive for up to one year on licences issued by their national authorities. For drivers from within the EU, minimum standards of medical fitness for driving, including eyesight requirements, are set in the first and second directives on driving licences, and implemented in national legislation. If it were to become clear that the eyesight standards of any visiting drivers were unacceptable in terms of road safety, we would take the matter up, in the first instance, with the relevant national authority.

Birmingham Northern Relief Road

Ms Short: To ask the Secretary of State for Transport what is the cost to date of the public inquiry into the Birmingham northern relief road; what is the estimated total cost of the inquiry; and what is the estimated total cost of the Birmingham northern relief road scheme. [20776]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Ms Clare Short, dated 19 March 1996:

You asked the Secretary of State for Transport about costs in respect of the Birmingham Northern Relief Road (BNRR).

The public inquiry into the scheme closed on 4 October last year. The total cost to the Highways Agency was about £1.2 million.

BNRR is a privately funded scheme and the total cost is a matter for Midland Expressway Ltd, the concessionaire.

Road Schemes

Ms Short: To ask the Secretary of State for Transport what estimate he has made of the cost to public funds of the first three tranches of shadow toll road contracts over the period of each contract; and what would have been the cost of building these roads had they been built under the old procedures. [20781]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Ms Clare Short, dated 19 March 1996:

The Secretary of State for Transport has asked me to reply to your recent question about the cost of public funds of the first three tranches of shadow toll road contracts over the period of each contract, compared with the cost of building them under the old procedures.

As part of the process of evaluating bids for a DBFO contract, we compare those bids with an analysis of the costs of procuring the new construction and maintenance by more conventional means. This enables us to satisfy ourselves that the proposed DBFO represents genuine value for money.

Railway Timetabling

Mr. Gordon Prentice: To ask the Secretary of State for Transport what assessment he has made of the proposal to invite the train operators to take lead responsibility for compiling the railway timetable. [20902]

Mr. Watts: No such proposal has been received.

North West Regional Railways

Mr. Gordon Prentice: To ask the Secretary of State for Transport when he now expects North West Regional Railways to be franchised. [21000]

Mr. Watts: I refer the hon. Member to my answer on 5 December 1995, *Official Report*, column *189*.

Vessels (Pilots)

Mr. Gordon Prentice: To ask the Secretary of State for Transport which types of vessels are required to have a pilot on board when navigating in United Kingdom coastal waters. [20523]

Mr. Norris: Pilotage is compulsory only in the waters of statutory harbour authorities. Section 7 of the Pilotage Act 1987 provides for such an authority to direct that pilotage shall be compulsory if it considers that, in the interests of safety, it should do so. A pilotage direction may apply to all vessels over 20 m in length or to all ships of specified descriptions, and may relate to part or all of the harbour. Section 8 provides for pilotage exemption certificates to be granted to suitably qualified masters and first mates. There are three harbours where these are not available by virtue of an order under section 8(3)—Aberdeen, Forth and Sullom Voe.

TREASURY

Taxation

Mr. Hall: To ask the Chancellor of the Exchequer how many people pay tax at each rate as a percentage of (i) those in work and (ii) the total available for work; and how many of those in work pay no tax on income. [19814]

Mr. Jack: The latest estimate is that 25.8 million individuals will pay income tax in 1996–97. Of these, 6.3 million will be lower rate taxpayers, 17.3 million basic rate taxpayers and 2.2 million higher rate taxpayers.

The summer 1995 labour force survey shows that, in the UK, 28.8 million people are available for working, including 26.3 million who are in employment.

It is inappropriate to calculate the number of taxpayers as a percentage of the working population because the taxpayer population includes individuals who are not in employment but pay tax on pensions and investment income.

Low Pay

Mr. Ian McCartney: To ask the Chancellor of the Exchequer if he will list the number of people, by gender and region, who earn less than £58 per week, who are aged *(a)* 16 to 24 years, *(b)* 25 to 49 years and *(c)* 50 to 64 years. [20783]

Mrs. Angela Knight: Information at this level of detail is not readily available. Summary data from the labour force survey (spring 1995) are shown in the table.

Labour force survey—Spring 1995 (GB)

Age group	*All: 16–24*		*All: 25–64*		*Males: 16–64*		*Females: 16–24*	
Region of work	*Employees earning less than £58 per week (thousands)*	*Percentage of total age group*	*Employees earning less than £58 per week (thousands)*	*Percentage of total age group*	*Employees earning less than £58 per week (thousands)*	*Percentage of total age group*	*Employees earning less than £58 per week (thousands)*	*Percentage of total age group*
South East	222.3	20.4	368.6	6.3	128.4	3.6	462.5	16.5
East Anglia	—	—	75.6	11.2	[1]—	[1]—	80.4	26.8
South West	53.7	22.8	157.9	10.4	54.2	6.4	157.4	22.6
West Midlands	77.6	21.3	159.0	9.7	[1]—	[1]—	157.3	20.7
East Midlands	60.7	22.4	103.3	8.0	[1]—	[1]—	61.2	10.2
Yorkshire and Humberside	61.2	25.3	200.4	11.8	51.5	5.3	210.0	29.5
North West	93.1	24.7	155.4	7.8	[1]—	[1]—	201.0	21.3
North	—	—	109.7	12.3	[1]—	[1]—	[1]—	[1]—
Wales	51.1	29.3	73.7	9.4	[1]—	[1]—	[1]—	[1]—
Scotland	59.3	15.7	123.6	7.8	[1]—	[1]—	116.9	14.2

[1] Sample size too small to give reliable estimate.

Government Bonds

Mr. Renton: To ask the Chancellor of the Exchequer what is the current different of yield between long United Kingdom bonds and long German bonds; and how much interest would be saved annually if these United Kingdom bonds had the same yield as their German equivalent. [21555]

Mrs Angela Knight: On 15 March 1996, the standardised yield differential between 10-year UK and German Government bonds was 1.7 per cent. The average differential for the first 11 months of this financial year has been 1.5 per cent. For every £1 billion borrowed, the current yield differential would save £17.3 million per year until the bonds mature. The Government aim to issue around £31.5 billion of bonds including redemptions in 1995–96.

Vat on Fuel (NHS)

Ms Primarolo: To ask the Chancellor of the Exchequer, pursuant to his answer of 12 March, *Official*

Report, columns *552-53*, what estimates he has made of VAT receipts in respect of expenditure on fuel from the NHS in each year 1979 to 1995. [21398]

Mr. Heathcoat-Amory: All supplies of fuel and power were zero-rated before 1 July 1990. Estimates of VAT receipts in respect of expenditure on fuel and power by the NHS are given for each year from 1990 to 1994. Figures are not yet available on which to base an estimate for 1995.

	£ million
1990	70
1991	180
1992	200
1993	200
1994	200

TRADE AND INDUSTRY

Executive Agencies

Mr. Cummings: To ask the President of the Board of Trade on how many occasions in each of the past five years Ministers in his Department have passed *(a)* hon. Members' letters and *(b)* hon. Members' questions to agencies for response; and what this figure is as a percentage of the total number of letters and questions received. [19419]

Mr. Lang: I refer the hon. Member to the following table.

Year	*Passed to agencies*	*Per cent. of total*
Letters		
1991	501	5.6
1992	756	7.9
1993	1,104	9.0
1994	1,079	8.3
1995	1,416	12.5
PQs		
1991	0	n/a
1992	4	0
1993	0	n/a
1994	2	0
1995	1	0

Company Board Members (Termination Settlements)

Mr. Gordon Prentice: To ask the President of the Board of Trade (1) what statutory provisions govern challenges by shareholders to a termination settlement for a board member of a publicly quoted company; [20897]

(2) if he will introduce legislation to require that the terms of termination agreements for board members of publicly quoted companies are made available to *(a)* all board members and *(b)* all shareholders; [20900]

(3) what statutory provisions govern the termination agreements of board members of publicly quoted companies and the rights of all members of the board to be aware of the terms of such agreements. [20896]

Mr. Oppenheim: Sections 312 to 316 of the Companies Act 1985 make various provisions in respect of compensation payments to directors for loss of office. They apply only in cases where the director does not have a contract with the company; they do not cover bona fide payments by way of damages for breach of contract or by way of pension in respect of past service. Under section 312 of the Act it is unlawful for a company to make a compensation payment without particulars of the proposed payment, including the amount, being disclosed to members of the company and approved by the company. Section 313 makes such payments unlawful when made in connection with the transfer of the whole or part of the undertaking or property of a company and when made by third parties, unless particulars have been disclosed to shareholders and approved by the company. Section 314 provides that where such a payment is to be made to a director of a company in connection with the transfer of all or any shares of the company resulting from an offer to shareholders, it is the duty of the director to take all reasonable steps to include particulars of the proposed payment with any notice of the offer given to shareholders.

Under section 318 of the Companies Act 1985, where a director has a written contract of service the company must make available a copy of the contract for inspection by any member of the company without charge. Where the contract is not in writing, the company must make available for inspection a written memorandum setting out the terms of the contract. However, these requirements do not apply where the unexpired portion of the term for which the contract is to be in force is less than 12 months, or where the contract can, within the next ensuing 12 months, be terminated by the company without payment of compensation.

I have no plans to introduce further legislation on these subjects.

Export Licensing

Sir David Steel: To ask the President of the Board of Trade what plans he has to publish a consultation paper including proposals for *(a)* the content of new legislation in place of the Import, Export and Customs Powers (Defence) Act 1939 and *(b)* an export licensing system as recommended by Sir Richard Scott. [21298]

Mr. Lang: I have agreed to publish a consultation paper covering export control legislation and licensing procedures. The aim is to issue the paper by this summer.

Sir David Steel: To ask the President of the Board of Trade what plans he has to make available for public inspection applications for military equipment export licences in advance of the licence application being considered; and if he will make a statement. [21545]

Mr. Lang: As a response to the recommendations of Sir Richard Scott in his report, I have agreed to publish a consultation paper covering export control legislation and licensing procedures. This will cover consideration of the extent to which details of licence applications should be published. My right hon. Friend the Secretary of State for Defence has agreed to a review of the convention by which replies to parliamentary questions on arms sales are refused, and an information paper on this has already been placed in the Library of the House.

Fur Trade

Mr. Heppell: To ask the President of the Board of Trade what estimate he has made of the number of retail businesses involved in the fur trade in each of the last five years. [21372]

Mr. Oppenheim: None.

Public Sector Research Establishments

Mr. Connarty: To ask the President of the Board of Trade if he will make a statement on his policy towards public sector research establishments. [21259]

Mr. Ian Taylor: The Government set out their policy towards public sector research establishments in their response to the "Multi-departmental Scrutiny of Public Sector Research Establishments", published in September 1995, Cm 2991.

This initiated a programme of prior options reviews of establishments, to allow Ministers collectively to take a strategic view of the UK's public sector research establishments. Each review is addressing the relationship of the establishment concerned to others in similar or related fields and will consider, among other things, the potential for privatisation or rationalisation.

The results of these reviews will be considered by Ministers collectively, with the aim of completing the major part of the work by the end of 1996.

Inward Investment

Mr. Renton: To ask the President of the Board of Trade what are the most recent figures for inward investment into the United Kingdom over the past five years from *(a)* within the European Union and *(b)* outside the European Union; and how many jobs this investment (i) created and (ii) maintained. [21554]

Mr. Oppenheim: According to figures notified to my Department's Invest in Britain Bureau for the financial years 1990–91 to 1994–95, the number of projects, new and safeguarded jobs from within and outside the European Union are as follows:

	Number of projects	*Jobs new*	*Jobs safeguarded*
EU			
1990–91	127	5,141	18,061
1991–92	136	5,772	14,212
1993–93	108	4,550	20,727
1993–94	127	5,031	43,492
1994–95[1]	103	6,930	15,094
Total	601	27,374	111,586
Non EU			
1990–91	237	18,679	42,839
1991–92	217	16,801	16,891
1992–93	225	13,272	23,098
1993–94	306	25,610	26,262
1994–95	352	31,421	38,764
Total	1,337	105,783	147,854

[1] Figures do not include Austria, Finland and Sweden who joined the European Union in January 1995.

All the figures are based on numbers of projects notified to the Invest in Britain Bureau at the time of the decision to invest. Companies are under no obligation to notify their investment decisions and the figures take no account of subsequent developments.

PRIME MINISTER

Far East (Visit)

Mr. Parry: To ask the Prime Minister if he will make a statement on his recent official visit to the far east. [19934]

The Prime Minister: I refer the hon. Member to the reply that I gave to my hon. Friend the Member for Bridlington (Mr. Townsend) on 7 March, *Official Report*, columns *315–16*.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 19 March. [20054]

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 19 March. [20055]

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall be having further meetings later today.

HOUSE OF COMMONS

House Staff (Justices of the Peace)

Mr. Sims: To ask the right hon. Member for Berwick-upon-Tweed, representing the House of Commons Commission, what arrangements exist to give employees of the House of Commons who are appointed justices of the peace leave of absence to carry out their judicial training and duties. [21424]

Mr. Beith: Under the House of Commons Administration Act 1978, conditions of service of staff of the Commission are kept broadly in line with those in the home civil service. In line with this principle, such staff are allowed reasonable time off for attendance required by statutory bodies within section 29 of the Employment Protection (Consolidation) Act 1978. This allows staff who are appointed justices of the peace leave of absence to carry out their judicial training and duties.

FOREIGN AND COMMONWEALTH AFFAIRS

Human Rights Abuses

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals the United Kingdom will put forward to ensure that the 52nd session of the United Nations Commission on Human Rights takes consistent action on countries which commit human rights abuses. [21069]

Sir Nicholas Bonsor: We support a consistent approach by the UN Commission on Human Rights, but it

is not always possible to achieve the necessary majorities. Together with our EU partners, we will deliver a statement to the Commission commenting on human rights practices in over 40 countries. The EU will also table several resolutions on human rights practices in countries with exceptional bad records. We will be active in encouraging fellow members of the commission to support them.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what considerations underlie the United Kingdom's objection to clauses in the draft declaration on human rights defenders allowing third parties to take court action against violators of human rights. [21070]

Sir Nicholas Bonsor: We support the concept of non-governmental organisations acting as legal representatives of those alleged to be victims of human rights violations, and are happy to work with such organisations for the achievement of an acceptable outcome. However, we and others are opposed to the notion of individuals being entitled to bring actions in the courts relating to claims in which they themselves have no direct interest.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government *(a)* participation in and *(b)* policy towards the working group on the draft optional protocol to the convention against torture and other cruel, inhuman, or degrading treatment or punishment; and what proposals he has to move the initiative forward at the 52nd session of the United Nations Commission on Human Rights. [21071]

Sir Nicholas Bonsor: We have participated actively at each session of the working group. We aim to negotiate, as rapidly as possible, a protocol to the torture convention, which will create a new UN body to visit and report on places of detention in the territories of states parties. At the forthcoming session of the Commission on Human Rights, we shall endeavour to ensure that the mandate of the working group is extended to enable it to continue this work.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals the United Kingdom has to ensure that the United Kingdom Commission on Human Rights implements the Beijing declaration and platform for action on women. [21072]

Sir Nicholas Bonsor: We are fully committed to following up the recommendations of the Beijing platform for action on women. One of the main forums for discussion on this subject is the United Nations Commission on the Status of Women, currently in session in New York, but a few specific recommendations from the Beijing conference will also be discussed during the forthcoming session of the UN Commission on Human Rights. The UK delegation is playing an active part in both forums.

St. Helena

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the rules governing access to the Government broadcasting station on St. Helena. [21680]

Sir Nicholas Bonsor: The station manager has editorial discretion but operates under guidelines issued by the St. Helena Government.

Rwanda

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what action Her Majesty's Government are taking to ensure implementation of the recommendations produced by the multi-donor report on "The International Response to Conflict and Genocide: Lessons from the Rwanda Experience", published on 12 March. [21073]

Mr. Hanley: The circumstances that gave rise to genocide in Rwanda are worthy of a detailed international analysis. We will examine the recommendations carefully with other donors, UN agencies and non-governmental organisations, and consider ways in which lessons can be learnt.

Sierra Leone

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have made and are making to the Government of Sierra Leone regarding human rights abuses. [21103]

Mr. Hanley: We take every opportunity to urge the Sierra Leone Government to bring perpetrators of human rights abuses to justice. Any lasting improvement in the political and human rights situation depends on the restoration of accountable, civilian Government in Sierra Leone and an end to the rebel war which we fully support.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions Her Majesty's Government have held with the Government of Sierra Leone regarding immunity for those found guilty of human rights abuses during the civil war. [21104]

Mr. Hanley: No such discussions have taken place.

EDUCATION AND EMPLOYMENT

Further Education Funding Council

Mr. John Greenway: To ask the Secretary of State for Education and Employment what plans she has for the future chairmanship of the Further Education Funding Council. [21968]

Mr. Paice: The current chairman, Sir Robert Gunn, has accepted my right hon. Friend's invitation to continue as chairman until 16 January 1998. We are very grateful to Sir Robert for his excellent contribution to the establishment and work of the council over the last four years, and for his willingness to continue to serve as chairman.

Schools (Surplus Places)

Mr. John Greenway: to ask the Secretary of State for Education and Employment what are the numbers and percentages of surplus places in each local authority in England. [21969]

Mrs. Gillan: The following tables set out the numbers of surplus places, by local authority area, and the proportion that these represent of total capacity, as at January 1995. The data are drawn from the returns made during 1995 by local education authorities in respect of their schools and by the Funding Agency for Schools in respect of grant-maintained schools in stage 2 and 3 authority areas: data on surplus places in the 336 grant-maintained schools in stage 1 authorities are not available. These returns show that there were just over 880,000 surplus school places in January 1995, representing 12 per cent. of the total capacity of 7.6 million places. This represents a reduction overall of some 130,000 places between 1994 and 1995—some 2 per cent. of total capacity.

This is encouraging, but the tables illustrate considerable variation in numerical and proportionate levels of surplus across the country. In some cases, combinations of pupil population growth and rationalisation are expected to reduce high levels of surplus to more acceptable levels. Where there is no sign of significant reduction in high levels of surplus, the Department will consult the authorities concerned about the extent to which any of that surplus is in practice removable. In the light of this consultation, my right hon. Friend will decide whether surplus place removal targets should be set for any of those authorities.

Table 1: Surplus places by local authority area, excluding GM schools in stage 1 authorities, at January 1995

LEA	Primary[1] Actual surplus Number	Primary[1] Actual surplus Per cent.	Secondary Actual surplus Number	Secondary Actual surplus Per cent.
Avon	6,432	8	11,242	18
Barking	1,392	9	258	3
Barnet	1,293	6	1,418	[2]7
Barnsley	1,460	7	2,467	16
Bedfordshire	6,909	15	7,752	[2]15
Berkshire	4,895	8	5,949	[2]11
Bexley	1,457	7	1,606	[3]10
Birmingham	8,693	8	11,718	[2]15
Bolton	2,266	9	1,715	[2]10
Bradford	4,225	11	6,482	[2]13
Brent	2,139	11	1,452	[3]10

Table 1: Surplus places by local authority area, excluding GM schools in stage 1 authorities, at January 1995

LEA	Primary[1] Actual surplus Number	Primary[1] Actual surplus Per cent.	Secondary Actual surplus Number	Secondary Actual surplus Per cent.
Bromley	1,443	[2]6	608	[2]3
Buckinghamshire	8,900	13	3,041	[2]8
Bury	762	5	732	7
Calderdale	2,522	13	1,782	[2]12
Cambridgeshire	6,420	10	2,048	[2]5
Camden	467	5	520	[2]5
Cheshire	14,601	15	8,233	12
Cleveland	7,004	11	6,898	16
Cornwall	3,048	8	1,166	4
Corporation of London	15	7	—	—
Coventry	4,357	13	4,060	17
Croydon	2,429	9	1,350	[2]8
Cumbria	5,054	12	4,418	[2]13
Derbyshire	10,175	12	9,451	[2]14
Devon	8,825	10	3,399	6
Doncaster	6,293	20	5,777	21
Dorset	3,512	8	3,648	[2]8
Dudley	3,172	11	1,890	[2]10
Durham	8,139	14	6,528	15
Ealing	3,991	16	609	[2]4
East Sussex	5,627	10	2,808	8
Enfield	869	4	1,399	[2]7
Essex	13,348	[2]9	16,881	[2]15
Gateshead	3,860	19	2,863	20
Gloucestershire	5,895	[2]12	2,999	[2]8
Greenwich	2,259	11	2,601	16
Hackney	1,855	11	2,100	22
Hammersmith	1,404	15	2,145	[2]27
Hampshire	18,080	13	5,783	[2]7
Haringey	1,043	6	1,119	10
Harrow	985	5	883	10
Havering	1,489	7	2,163	[2]13
Hereford and Worcester	5,943	11	6,086	12
Hertfordshire	12,202	13	13,389	[2]16
Hillingdon	2,103	[2]10	1,041	[2]7
Hounslow	1,590	9	773	[2]5
Humberside	10,641	12	10,237	15
Isle of Wight	418	6	1,122	10
Isles of Scilly	76	30	219	63
Islington	1,706	11	1,512	17
Kensington	731	12	751	[2]19
Kent	11,936	9	15,251	[2]13
Kingston upon Thames	83	0	510	[2]6
Kirklees	2,614	7	2,438	9
Knowsley	3,247	16	1,208	12
Lambeth	3,684	19	3,947	[2]38
Lancashire	11,685	9	9,639	11
Leeds	8,839	13	6,167	13
Leicestershire	7,348	9	9,426	14
Lewisham	1,196	6	1,846	15
Lincolnshire	7,218	[2]13	4,680	[2]11
Liverpool	9,388	18	7,503	[2]20
Manchester	6,888	14	8,039	27
Merton	928	7	1,164	[2]14
Newcastle upon Tyne	2,748	12	2,694	14
Newham	2,123	8	2,131	13
Norfolk	6,526	10	3,468	[2]8
North Tyneside	2,824	16	2,117	13
North Yorkshire	8,279	13	4,990	10
Northamptonshire	4,089	8	5,665	[2]11
Northumberland	4,960	21	3,231	10
Nottinghamshire	10,194	11	17,250	22

Table 1: Surplus places by local authority area, excluding GM schools in stage 1 authorities, at January 1995

LEA	Primary[1] Actual surplus Number	Primary[1] Actual surplus Per cent.	Secondary Actual surplus Number	Secondary Actual surplus Per cent.
Oldham	2,251	10	947	6
Oxfordshire	5,939	12	6,375	15
Redbridge	425	2	867	6
Richmond upon Thames	600	5	181	2
Rochdale	1,047	5	1,949	[3]13
Rotherham	2,583	10	2,292	11
Salford	2,890	12	2,187	16
Sandwell	1,807	6	2,821	14
Sefton	2,775	10	3,532	16
Sheffield	5,003	11	5,376	18
Shropshire	4,143	11	2,083	[2]8
Solihul	2,089	10	983	7
Somerset	2,222	6	3,010	10
South Tyneside	1,733	11	1,823	16
Southwark	3,176	15	1,877	[2]17
St. Helens	1,942	11	1,991	15
Staffordshire	13,917	14	3,867	6
Stockport	2,229	8	1,575	9
Suffolk	4,420	9	5,145	10
Sunderland	5,553	17	2,031	9
Surrey	7,766	10	3,275	[2]6
Sutton	725	6	515	[2]4
Tameside	1,369	6	1,387	[2]10
Tower Hamlets	1,635	8	1,826	14
Trafford	1,331	7	1,943	[2]14
Wakefield	3,696	12	3,904	16
Walsall	3,716	14	2,642	[2]12
Waltham Forest	1,420	7	1,200	[2]9
Wandsworth	4,270	23	1,919	[2]17
Warwickshire	7,387	14	5,816	[2]18
West Sussex	5,363	9	5,802	13
Westminster	473	5	903	11
Wigan	4,301	14	2,085	10
Wiltshire	7,186	14	4,908	[2]12
Wirral	4,515	13	3,072	14
Wolverhampton	4,395	17	3,088	[2]17
Total	477,503	11	405,652	12

[1] Primary figures show surplus after taking account of any summer entry.
[2] Stage two for planning purposes.
[3] Stage three for planning purposes.
1. Stage 1 = less than 10 per cent. of pupils in the GM sector.
Stage 2 = between 10 per cent. and 75 per cent. of pupils in the GM sector.
Stage 3 = 75 per cent. or more pupils in the GM sector.

Table 2: Distribution of surplus between LEA and GM schools in stage 2 and 3 authorities

	LEA Surplus	LEA Per cent.	GM Surplus	GM Per cent.	Total Surplus	Total Per cent.
Primary						
Bromley	1,248	6	195	8	1,443	6
Essex	12,120	10	1,228	6	13,348	9
Gloucestershire	5,425	12	470	8	5,895	12
Hillingdon	1,911	11	192	7	2,103	10
Lincolnshire	6,646	14	572	7	7,218	13
Secondary						
Barnet	1,006	10	412	4	1,418	7
Bedfordshire	7,360	17	392	4	7,752	15
Berkshire	3,621	9	2,328	20	5,949	11
Bexley	1,361	11	245	6	1,606	10
Birmingham	10,374	17	1,344	8	11,718	15
Bolton	1,401	9	314	11	1,715	10
Bradford	6,425	14	57	1	6,482	13
Brent	108	6	1,344	11	1,452	10
Bromley	142	4	466	3	608	3
Buckinghamshire	2,671	9	370	4	3,041	8
Calderdale	1,035	15	747	9	1,782	12
Cambridgeshire	1,272	5	776	5	2,048	5
Camden	520	6	0	0	520	5
Croydon	696	9	654	8	1,350	8
Cumbria	2,600	12	1,818	14	4,418	13
Derbyshire	7,929	17	1,522	8	9,451	14
Dorset	2,800	8	848	8	3,648	8
Dudley	1,719	11	171	4	1,890	10
Ealing	403	5	206	3	609	4
Enfield	1,138	8	261	5	1,399	7
Essex	6,664	19	10,217	13	16,881	15
Gloucestershire	1,317	12	1,628	7	2,999	8
Hammersmith	2,145	31	0	0	2,145	27
Hampshire	4,979	7	804	5	5,783	7
Havering	2,163	16	0	0	2,163	13
Hertfordshire	9,809	18	3,580	13	13,389	16
Hillingdon	319	13	722	6	1,041	7
Hounslow	684	5	89	4	773	5
Kensington	708	22	43	6	751	19

Table 2: Distribution of surplus between LEA and GM schools in stage 2 and 3 authorities

	LEA		GM		Total	
	Surplus	*Per cent.*	*Surplus*	*Per cent.*	*Surplus*	*Per cent.*
Kent	8,298	15	6,953	12	15,251	13
Kingston upon Thames	260	5	250	8	510	6
Lambeth	2,968	52	979	21	3,947	38
Lincolnshire	2,740	12	1,940	10	4,680	11
Liverpool	6,853	20	650	18	7,503	20
Merton	1,156	15	8	1	1,164	14
Norfolk	3,082	9	386	4	3,468	8
Northamptonshire	4,342	11	1,323	13	5,665	11
Rochdale	1,949	15	0	0	1,949	13
Shropshire	1,962	9	121	3	2,083	8
Southwark	1,678	20	199	8	1,877	17
Surrey	2,488	7	787	4	3,275	6
Sutton	208	4	307	4	515	4
Tameside	1,377	11	10	0	1,387	10
Trafford	1,703	16	240	7	1,943	14
Walsall	1,850	13	792	10	2,642	12
Waltham Forest	1,120	11	80	4	1,200	9
Wandsworth	1,088	31	831	11	1,919	17
Warwickshire	4,861	19	955	16	5,816	18
Wiltshire	3,438	14	1,470	10	4,908	12
Wolverhampton	2,802	18	286	10	3,088	17

1. The GM column includes schools which became grant-maintained on or before 1 April 1995.
2. LEA and GM percentage columns show the actual number of surplus places as a proportion of total capacity within that sector.

Schools Access Initiative

Sir Alan Haselhurst: To ask the Secretary of State for Education and Employment if she will make a statement on the schools access initiative. [21971]

Mr. Forth: Local education authorities are today being notified of supplementary credit approvals totalling £7.8 million in 1996–97 to enable them to improve access to mainstream schools for pupils with disabilities, and are being notified that capital grant of £974,000—grant to voluntary aided schools is paid at the rate of 85 per cent. of eligible expenditure—will support work in 1996–97 at voluntary aided schools. Together with partnership funding in many cases, the total value of the projects concerned is £10.6 million.

I am delighted that this will enable many more schools to admit pupils with disabilities. It will improve facilities in over 700 mainstream schools, not only for pupils with physical disabilities, but for those with, for example, visual or hearing impairments. The result will be greater access to the curriculum and to the social life of school for these pupils.

LEAs and schools are planning a wide variety of projects. Just a few examples of the many worthwhile and imaginative improvements which will be made are:

providing ramps, lifts, handrails and walkways to improve access to buildings;

adapting accommodation for particular curriculum areas or relocating this accommodation to make it accessible;

purchasing specialist equipment such as teaching aids for the visually handicapped—for example, Braille microcomputers— or portable transmitter/receiver systems for profoundly deaf pupils.

To maximise the benefits of the schools access initiative, LEAs and schools have secured partnership funding totalling some £1.8 million. This has come from private contributions, business sponsorship, voluntary aided school governors' contributions and schools' own resources. It is a marvellous achievement.

Access to Work Scheme

Mr. Wigley: To ask the Secretary of State for Education and Employment if she will take steps to ensure that no disabled persons in Wales are denied benefit from the access to work scheme because of cash limits on the available budget; and if she will make a statement. [20787]

Mr. Paice: While additional funds have been allocated to the 1995–96 budget, it has been necessary to focus support mainly on people with disabilities who have been unemployed for at least four weeks and those to whom the Employment Service has existing commitments. The Government believe that this is the most equitable way of allocating the limited resources available across Great Britain.

Mr. Heppell: To ask the Secretary of State for Education and Employment (1) how many blind and vision-impaired people in the United Kingdom are currently receiving assistance from the access to work scheme; [21371]

(2) how many people in *(a)* Nottingham and *(b)* the east midlands are currently receiving assistance from the access to work scheme; and of these how many are blind or visually impaired people. [21370]

Mr. Forth: Responsibility for the subject of the questions has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. John Heppell, dated 19 March 1996:

The Secretary of State for Social Security has asked me to reply to your questions about the number of visually impaired people currently receiving help through the Access to Work programme;

the number of people currently being helped in Nottingham, and in the East Midlands; and the number of these who are visually impaired.

We do not keep detailed records centrally about the characteristics of people currently being helped. However, during 1994–95 we helped 10,394 people nationally and we estimate that around 2,200 of these were visually impaired. Similar figures for 1995/96 will be available after the end of the year.

In the East Midlands Region since Access to Work began, we have helped 1,480 people of whom 347 were visually impaired. The Nottingham Placing Assessment and Counselling Team helped 275 people, of whom 61 are visually impaired. These figures are included in the East Midlands Region total.

I hope this is helpful.

Executive Action

Mr. Gordon Prentice: To ask the Secretary of State for Education and Employment if she will list those areas of executive action where she has discretion to act in respect of an individual without giving reasons for her decision. [20543]

Mr. Robin Squire: Comprehensive records are not kept in the form requested but reasons will normally be given to the individual affected either at the time the decision is communicated or, on request, afterwards.

Schools (Special Educational Needs)

Mr. Blunkett: To ask the Secretary of State for Education and Employment what plans she has to review the powers and responsibilities of local education authorities in respect of the provision of special educational needs and education psychology services and specialist advice and support to schools; and if she will make a statement. [21082]

Mrs. Gillan: The powers and responsibilities of local education authorities in this regard are contained in the Education Act 1993 and associated legislation, including the code of practice on the identification and assessment of special educational needs. The code came into force in September 1994, and the Department is currently monitoring its implementation by schools and LEAs, together with implementation of other aspects of the legislation. I understand that Ofsted intends shortly to publish a report on an interim survey by Her Majesty's inspectorate of schools on the implementation of the code of practice in the period from September 1994 to November 1995.

Barnsley and Doncaster Training and Enterprise Council

Mr. Redmond: To ask the Secretary of State for Education and Employment how many types of Government audits Barnsley and Doncaster TEC has undergone. [20989]

Mr. Paice: Three types of audits have been undertaken by the Department at the Barnsley and Doncaster training and enterprise council. These are in the areas of TEC quality assurance: supplier management, health and safety and financial appraisal and monitoring.

Autistic Children

Ms Walley: To ask the Secretary of State for Education and Employment if she will review funding to ensure provision for autistic children; and if she will make a statement. [20877]

Mrs. Gillan: The assessment of autistic children and the identification of a suitable school for them is the responsibility of the local education authority in whose area they live. It is for LEAs to decide how best to use their financial resources in order to carry out statutory duties such as these in the light of local needs and priorities.

The Department is, however, funding a series of joint seminars, to be organised by the National Autistic Society and the Society of Education Officers, which will draw attention to the implications of autism for LEAs.

Schools (Financial Support)

Mr. David Nicholson: To ask the Secretary of State for Education and Employment what representations she has had, and what studies she has commissioned, since 1 January 1994, with the purpose of changing the balance of financial support between primary and secondary or middle schools. [21139]

Mr. Robin Squire: My right hon. Friend has received a few representations on this issue but has commissioned no studies. The distribution of funds between primary and secondary schools is determined by the decisions of each local education authority.

Football Players (Transfer System)

Mr. Wilson: To ask the Secretary of State for Education and Employment if she will make it her policy that abolition of the transfer system on out-of-contract football players should also apply to non-EU players wishing to transfer from employment in the United Kingdom to other EU countries. [21169]

Mr. Sproat: I have been asked to reply.

No. This is a matter for the football authorities which are independent of Government.

Assisted Places Scheme

Mr. Callaghan: To ask the Secretary of State for Education and Employment how many pupils *(a)* nationally and *(b)* in the Greater Manchester area received support under the assisted places scheme in each of the past four years. [21522]

Mrs. Gillan: The information requested is given in the following table:

Numbers of pupils holding assisted places

Academic year	*England*	*Greater Manchester*
1992–93	28,674	2,813
1993–94	29,291	2,800
1994–95	29,747	2,794
1995–96[1]	30,200	2,800

[1] Estimated.

Numeracy and Literacy Centres

Mr. Blunkett: To ask the Secretary of State for Education and Employment which local education authorities have been awarded grant for education support and training grants for the establishment of the 10 numeracy and 10 literacy centres announced in January 1996. [21556]

Mr. Robin Squire: No decisions have yet been made about which local education authorities will be selected to run the literacy and numeracy centres. I hope to make an announcement about the successful local education authorities shortly.

School Premises

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will make a statement on the safeguards against overcrowding contained in the Education (School Premises) Regulations 1996. [21306]

Mrs Gillan: Regulation 17(3) requires that every part of a school building shall be such that the health, safety and welfare of the occupants shall be reasonably assured. Further to this, regulation 7 requires that the buildings provided for a school shall be adequate to permit the safe and convenient passage of persons and movement of goods within the buildings.

The new regulations will not require any school to take on more pupils: local authorities and school governors will continue to have exactly the same powers over admissions as they do now.

Private Finance Initiative

Mr. Pickthall: To ask the Secretary of State for Education and Employment what research she has commissioned into the impact of the private finance initiative on higher education institutions. [21310]

Mr. Forth: My right hon. Friend has set up a small expert group with the Committee of Vice-Chancellors and Principals, the Standing Conference of Principals and others to consider the private finance initiative in higher education.

Mature Students

Mr. Pickthall: To ask the Secretary of State for Education and Employment what are the Government's targets for the participation rate of mature students in higher education by 2000. [21312]

Mr. Forth: The number of mature entrants has increased by 160 per cent. since 1979 and there are now more mature than young people entering higher education. The Government welcome this increase but have not set any targets for the level of participation among mature students.

Mr. Pickthall: To ask the Secretary of State for Education and Employment how many mature female students entered higher education institutions in each academic year from 1985–86 to 1995–96. [21313]

Mr. Forth: The available information is given in the following table:

Home full-time mature[1] female entrants to higher education

England

Academic year	*Numbers*
1985–86	20,548
1986–87	22,268
1987–88	23,723
1988–89	26,467
1989–90	29,825
1990–91	33,024
1991–92	41,936
1992–93	51,992
1993–94	56,502
1994–95	57,745

[1] Those aged 21 and over on an undergraduate course, and those aged 25 and over on a postgraduate course.

Higher Education (Student to Staff Ratio)

Mr. Pickthall: To ask the Secretary of State for Education and Employment what was the average student to staff ratio in higher education for each year from 1985–86 to 1995–96. [21314]

Mr. Forth: Information on the student-staff ratio in higher education institutions in England for the academic years 1990–91 to 1993–94, the latest available, are as follows:

1990–91: 13.4
1991–92: 14.6
1992–93: 15.6
1993–94: 16.5.

Information on the same basis for earlier years is not available.

Higher Education Funding Council for England

Mr. Pickthall: To ask the Secretary of State for Education and Employment (1) how many bids were received by HEFCE in response to circular 17/95; which institutions submitted bids; for what sums; and for what reasons the process was terminated in December 1995; [21316]

(2) how many bids were received by HEFCE in response to its circular 18/94; which institutions were successful; how much funding they were allocated; and how many reader spaces were funded. [21315]

Mr. Forth: These are matters for the Higher Education Funding Council for England. I have asked the chief executive to write to the hon. Member with the details.

Key Stage 2 Testing

Mr. Blunkett: To ask the Secretary of State for Education and Employment when he plans to publish the consultation paper on testing at key stage 2. [21304]

Mr. Paice: The Department published a consultation paper on the review of assessment and testing at key stages 1 to 3 on 25 January 1996. We intend to issue a separate consultation paper on key stage 2 performance tables in due course.

School Admissions Policy

Mr. Blunkett: To ask the Secretary of State for Education and Employment when he plans to publish the

results of the consultation on increasing schools' flexibility to admit pupils on the basis of aptitude or ability. [21305]

Mrs. Gillan: A summary of comments on the draft circular on school admissions, together with an analysis of responses to the consultation note on deregulating GM schools' admission arrangements, will be placed in the Library in due course.

Higher Education (Professors)

Mr. Pickthall: To ask the Secretary of State for Education and Employment what was the average salary paid to professors in higher education in each academic year from 1985–86 to 1995–96 broken down by gender. [21311]

Mr. Forth: This information is not held centrally.

DEFENCE

Arms and Military Equipment (Exports)

Sir David Steel: To ask the Secretary of State for Defence what plans he has to present an annual statement to Parliament on the implementation of Government policy with regard to the export of arms and military equipment; and if he will make a statement. [21245]

Mr. Arbuthnot: We have no current plans for such an annual statement but, as I informed the hon. Member for South Shields (Dr. Clark) on 11 March, *Official Report*, column *451*, my Department will take the lead in the review of the convention on the disclosure of information about defence exports.

Executive Action

Mr. Gordon Prentice: To ask the Secretary of State for Defence if he will list those areas of executive action where he has discretion to act in respect of an individual without giving reasons for his decision. [20545]

Mr. Soames: The information requested is not held centrally and could be provided only at disproportionate cost.

Works of Art

Mrs. Clwyd: To ask the Secretary of State for Defence which former Minister was presented with a reproduction of "A View of the Admiralty" in 1994; and what was the value of the reproduction. [20829]

Dr. John Cunningham: To ask the Secretary of State for Defence (1) who provided the valuation of the photographic reproduction of "A View of the Admiralty" given by his Department's staff to a Minister as a leaving gift in 1994; and what was that valuation; [20907]

(2) how much was reimbursed to his Department by staff for the photographic reproduction "A View of the Admiralty", given to a Minister as a leaving gift in 1994. [20906]

Mr. Arbuthnot: Senior civil servants in my Department presented the reproduction "A View of the Admiralty" to my right hon. Friend the Member for Epsom and Ewell (Sir A. Hamilton) on his departure from the post of Minister of State for the Armed Forces in 1993. The Department's registrar assessed the reproduction as having only nominal value, a judgment confirmed by the Government art collection. The officers concerned contributed £70 to the Department's funds.

Mrs. Clwyd: To ask the Secretary of State for Defence what plans he has to put his Department's art collection on public display. [20837]

Mr. Arbuthnot: Twenty-seven of my Department's most important works of art are on permanent display at the National Maritime Museum. My Department is receptive to requests from exhibition organisers and works have been loaned on occasions to temporary exhibitions. One work will be displayed in London in April and four will be shown in Manchester during the summer.

Competitive Tendering (Contracts)

Mr. Donohoe: To ask the Secretary of State for Defence how many contracts for goods or services have been awarded in each of the last three financial years by his Department and its executive agencies after competitive tendering; and what was the total combined value of these contracts. [21031]

Mr. Arbuthnot: My Department publishes each year in table 1.14 of "UK Defence Statistics", a copy of which is in the Library of the House, details of numbers and values of contracts placed by headquarters contract branches broken down by procurement route and pricing mechanism. A breakdown of these details by individual agencies could be produced only at disproportionate cost. The figures in table 1.14 exclude contracts placed by the Defence Evaluation and Research Agency and the Meteorological Office since their inception and I have asked the chief executives of those agencies to write to the hon. Member.

Letter from J. Chisholm to Mr. Brian Donohoe, dated 18 March 1996:

You asked the Secretary of State for Defence for the number and value of the contracts for goods and services awarded after competitive tendering by his Department and its agencies in the last three years. I am replying on behalf of the Defence Evaluation and Research Agency (DERA).

The details you requested are as follows:

Year	*Total number*	*Total value (£000)*
1992–93	378	44,822
1993–94	596	66,856
1994–95	3,081	109,907
Total	4,055	221,585

The figures refer to the Defence Research Agency (DRA) which was formed on 1 April 1991 and became a Trading Fund on 1 April 1993. The DRA is now part of the larger agency known as DERA which became a Trading Fund on 1 April 1995.

I hope this is helpful.

Letter from J. C. R. Hunt to Mr. Brian Donohoe, dated 18 March 1996.

I am replying as Chief Executive of the Meterological Office to your Question to the Secretary of State for Defence about the number of contracts let my competitive tender in each of the last three financial years.

Unfortunately the information could only be produced at disproportionate costs, although naturally as an Agency of the Ministry of Defence we follow the Department's policy on competitive tendering. I am sorry that I cannot be more helpful.

Married Quarters Estate

Mr. Gordon Prentice: To ask the Secretary of State for Defence how many married quarters properties are empty *(a)* in Lancashire and *(b)* in each local authority area in the country. [21246]

Mr. Soames: My Department owns 417 family quarters in Lancashire, 21 of which are currently vacant. Of these, 11 are presently unallocated and 10 are awaiting repair due to flood damage, etcetera. All these properties are required to house service families.

The local authorities are:

Preston: 2

The Fylde: 17

West Lancashire: 2.

Mr. David Nicholson: To ask the Secretary of State for Defence how many officials responsible for administration of the MOD married quarters estate had been *(a)* made redundant and *(b)* dismissed between 1 April 1992 and November 1995. [21378]

Mr. Soames: The information requested is not held centrally and could be provided only at disproportionate cost.

RAF Personnel Management Centre

Mrs. Lait: To ask the Secretary of State for Defence if he will make a statement about agency status for the Royal Air Force's personnel management centre. [21869]

Mr. Soames: Elements of the Royal Air Force's personnel management centre at RAF Innsworth, Gloucester, are to be considered as a candidate for agency status. The range of business being considered is the formulation and implementation of personnel management policy, the manning of posts and the career management of RAF personnel—both regular and reserves. Some 450 staff, over half civilians, are currently employed on these activities. Trade unions will be consulted on any proposals that arise from this review.

A "prior options" study is being undertaken to establish whether agency status or other options would be appropriate. Comments are invited from interested parties. Comments should be sent by 2 April 1996 to:

Air Marshal D Cousins CB AFC BA RAF

The Air Member for Personnel

Headquarters Personnel and Training Command

RAF Innsworth

Gloucester

GL3 1EZ.

Royal Navy (Vessel Procurement)

Dr. David Clark: To ask the Secretary of State for Defence (1) what was the cost of construction of the seven Trafalgar class strategic submarines nuclear *(a)* at year of completion and *(b)* at 1996 prices; [21396]

(2) what was the cost of construction of the five Sandown class mine counter-measures vessels presently in service *(a)* at the year of construction and *(b)* at 1996 prices; [21392]

(3) what was the cost of construction of each of the 12 type 42 destroyers remaining in service *(a)* at year of completion and *(b)* at 1996 prices; [21394]

(4) what was the cost of construction of the 14 type 22 frigates built for the Royal Navy *(a)* at year of completion and *(b)* at 1996 prices; [21397]

(5) what was the cost of construction of each of the 10 type 23 frigates accepted into service *(a)* at year of completion and *(b)* at 1996 prices; [21395]

(6) what was the total cost of construction of the 13 hunt class MCMVs *(a)* at year of completion and *(b)* at 1996 prices. [21393]

Mr. Arbuthnot: My hon. Friend the then Minister of State for Defence procurement set out on 14 January 1988 the basis for discontinuing the practice of publishing unit production costs of selected equipments, *Official Report,* column *373.* This remains our position. We continue to make available to the Defence Committee of the House each year on a classified basis costs for those ships currently in production.

LORD CHANCELLOR'S DEPARTMENT

Asylum Seekers

Mr. Austin-Walker: To ask the Parliamentary Secretary, Lord Chancellor's Department how many applicants have been waiting for more than a year for a decision from his Department in respect of an appeal against a refusal of an application for asylum. [21486]

Mr. Jonathan Evans: The information requested is not readily available and could be obtained only at disproportionate cost.

Mr. Austin-Walker: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to expedite his Department's processing of appeals against a refusal of an application for asylum. [21487]

Mr. Evans: Additional adjudicators have been appointed and further recruitment plans are in hand. The number of hearing rooms has already been increased and further expansion plans are under consideration.

New asylum procedure rules aimed at reducing delays in the appeals process are being prepared following the recommendations in the report by KPMG Peat Marwick. The Lord Chancellor will consult interested organisations about the proposed new rules in due course.

Northern Ireland Court Service

Mr. McGrady: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the current financial cost of the social security commissioners and child support commissioners within the Northern Ireland court service; what were the costs in each financial year from 1990 to 1995; and if he will provide a breakdown of the costs. [20520]

Mr. Jonathan Evans: The estimated financial cost of the office of the social security commissioners and child support commissioners for the current financial year is as follows:

Commissioners' salary costs £	*Staff salary costs* £	*Ancillary costs* £
175,426.44	102,290.94	47,373.11

Ancillary costs include postage, rent, electricity, maintenance, cleaning, service charges, telephones and travel.

The figures for each of the financial years from 1990 to 1995 are as follows:

Year	*Commissioners' salary costs* £	*Staff salary costs* £	*Ancillary costs* £	*Total* £
1990–91	119,444.79	90,590.06	32,396.00	242,430.85
1991–92	135,786.72	98,128.08	45,373.65	279,288.45
1992–93	153,751.28	97,606.59	65,960.82	317,318.69
1993–94	159,295.20	94,985.61	68,472.05	322,752.86
1994–95	168,385.91	103,583.58	294,284.51	566,254.00

The following amounts should be deducted from the overall yearly totals as they are recouped from the Department of Health and Social Services for the percentage of time spent by the commissioners and staff on cases involving non-contributory benefit:

1990–91: £67,588.04

1991–92: £75,578.39

1992–93: £34,940.86

1993–94: £99,465.27

1994–95: £106,077.08

1995–96: £51,359.19.

Executive Action

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list those areas of executive action where he has discretion to act in respect of an individual without giving reasons for his decision. [20538]

Mr. Jonathan Evans: No areas have been identified, from readily available sources, in which there is a specific requirement to give reasons.

NORTHERN IRELAND

Health and Social Services Expenditure

Mr. McGrady: To ask the Secretary of State for Northern Ireland further to the press statement issued on 12 February concerning health and social services expenditure for 1996–97 in respect of relative spending on health and social services in Northern Ireland and England, what is spending on health and social services per head in *(a)* Northern Ireland and *(b)* England. [20552]

Mr. Moss: Based on the 1995 public expenditure survey settlement, spending in 1996–97 on health and social services in Northern Ireland will be £954 per head. The comparable figure for England will be £835 per head.

Commonwealth Day

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what celebrations, events or festivities were held in Northern Ireland to celebrate Commonwealth day; and what was the cost of those events in *(a)* 1995 and *(b)* 1996. [20595]

Sir John Wheeler: Northern Ireland Departments did not arrange any celebrations, events or festivities. However, the Department of Education encourages schools, by way of a circular which issues annually, to take advantage of the opportunity presented by the celebration of Commonwealth day to increase pupils awareness of the nature and significance of the Commonwealth and to extend the range of their knowledge and understanding of it.

Metropolitan Transport Research Unit Report

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what response he has made to the report of the metropolitan transport research unit submitted to his Department by the Balmoral residents association. [20873]

Mr. Moss *[holding answer 18 March 1996]:* The report has been considered and a detailed response is being prepared.

NATIONAL HERITAGE

London News Radio

Mr. Mackinlay: To ask the Secretary of State for National Heritage (1) if the Radio Authority has reported to her about the implications of the takeover of London News Radio as it relates to the franchise originally awarded and the quality and source of news gathering and output; and if she will make a statement; [21019]

(2) if the consortium purchasing London News Radio has presented a programme plan in accordance with the terms of the station's existing franchise; and if she will make a statement. [21048]

Mr. Sproat: My Department does not receive programme plans for radio services or reports on their day-to-day performances, since the award and regulation of licences for independent local radio services are solely matters for the Radio Authority.

The Broadcasting Act 1990, however, requires any person acquiring ownership of a licence to comply with the programming proposals included as conditions of the licence when it was awarded, except to the extent that the authority consents to any alteration within the parameters of section 106 of the Act. I understand that the authority has not received any recent proposals for altering the licensed programming of London News Radio and that it is content that the service is currently meeting its licence obligations.

Executive Action

Mr. Gordon Prentice: To ask the Secretary of State for National Heritage if she will list those areas of executive action where she has discretion to act in respect of an individual without giving reasons for her decision. [20537]

Mr. Sproat: Comprehensive records are not kept in the form requested, but no provisions have been identified from readily available sources.

National Lottery (Royal Opera House)

Mr. Soley: To ask the Secretary of State for National Heritage (1) what account was taken of the absence of final planning permission for the Royal Opera house project in determining whether to allocate lottery funds; [20453]

(2) what conditions have been imposed on the Royal Opera house in respect of the new building works before the Arts Council funding is finally committed. [20494]

Mr. Sproat *[holding answer 18 March 1996]:* The decision whether, and under what conditions, to allocate lottery funds to the Royal Opera house was taken by the Arts Council of England, an independent lottery distribution body. I have asked the chairman of the Arts Council to write to the hon. Member placing copies of his response in the House Library.

Public Bodies

Dr. Wright: To ask the Secretary of State for National Heritage which of the executive non-departmental public bodies sponsored by her Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* the minutes of meetings, *(d)* the agendas of meetings and *(e)* a register of members' interests, indicating in each case if this is (i) under a statutory requirement or (ii) voluntary. [16826]

Mr. Sproat *[pursuant to his reply, 27 February 1996, c. 493–94]:* Regrettably, the reply was incomplete.

The full information is as follows:

(a)

Arts Council of England
British Film Institute
British Library[1]
British Tourist Authority[1]
Broadcasting Complaints Commission[1]
Broadcasting Standards Council[1]
Crafts Council
English Heritage[1]
English Tourist Board[1]
Football Licensing Authority[1]
Geffrye Museum[1]
Horniman Museum[1]
Millennium Commission[1]
Museum of London[2]
Museum of Science and Industry in Manchester[1]
Museums and Galleries Commission
National Gallery[2]
National Portrait Gallery[2]
National Heritage Memorial Fund[1]
Public Lending Right[1]
Royal Commission on Historical Manuscripts
Royal Commission for Historic Monuments of England
Sports Council.

The following bodies are statutorily obliged to produce a triennial report:

British Museum
Natural History Museum
National Museums and Galleries on Merseyside
National Museum of Science and Industry
Royal Armouries
Tate Gallery
Victoria and Albert Museum
Wallace Collection.

(b)

Arts Council for England
British Film Institute[1]
British Library[1]
British Museum[1]
British Tourist Authority[1]
Broadcasting Complaints Commission[1]
Broadcasting Standards Council[1]
Crafts Council
English Heritage[1]
English Tourist Board[1]
Football Licensing Authority[1]
Geffrye Museum[1]
Horniman Museum[1]
Imperial War Museum[1]
Millennium Commission[1]
Museum and Galleries Commission
Museum of London[1]
Museum of Science and Industry in Manchester[1]
National Film and Television School[1]
National Gallery[1]
National Heritage Memorial Fund[1]
National Maritime Museum[1]
National Museums and Galleries on Merseyside[1]
National Museum of Science and Industry[1]
National Portrait Gallery[1]
Natural History Museum[1]
Public Lending Right[1]
Royal Armouries[1]
Sir John Soane's Museum[1]
Sports Council
Tate Gallery[1]
Victoria and Albert Museum[1]
Wallace Collection[1].

(c)

British Film Institute

Sports Council.

(d)

British Film Institute

Sports Council.

(e)

British Film Institute

British Library.

All DNH's executive NDPBs are currently developing registers of members' interests. Many of these are already in place and are open to the public on request.

[1]Indicates where this is a statutory requirement.

[2]Indicates where an annual report is published but the organisation is only statutorily obliged to publish a triennial report.

ATTORNEY-GENERAL

Bank of Credit and Commerce International

Mr. John Marshall: To ask the Attorney-General what factors underlay the decision not to provide the report of Gerry Olsen of the City of London police into BCCI to the lawyers acting for Mr. Imran Iman; and if a copy of the report will now be given to them. [20560]

The Attorney-General: Leading counsel for the prosecution advised that the report was not disclosable. Relevant underlying documents were disclosed.

Executive Action

Mr. Gordon Prentice: To ask the Attorney-General if he will list those areas of executive action where he has discretion to act in respect of an individual without giving reasons for his decision. [20546]

The Attorney-General: No express statutory obligation to give reasons is imposed on the Attorney-General in respect of any of his functions. The extent to which it is appropriate for the Law Officers to give reasons for their decisions will vary according to the circumstances of the case.

Leon Patterson

Mr. Corbyn: To ask the Attorney-General when he expects an inquest to be held into the death of Leon Patterson; and if he will make a statement. [21716]

The Attorney-General: As I said in my answer of 3 March 1995, column *729*, the date of the further inquest is for the coroner to determine in his judicial capacity.

Marchioness Incident

Mr. Meacher: To ask the Attorney-General, pursuant to his answer of 14 February, *Official Report*, column *595*, when he expects to determine whether he will initiate further criminal proceedings in respect of the Marchioness disaster. [20867]

The Attorney-General: The Crown Prosecution Service continues with the tasks outlined in my answer of 14 February 1996. It has also sought the advice of senior Treasury counsel. There is a substantial amount of material which requires to be given careful consideration and I am not able, at this stage, to give the indication sought.

Parental Bindovers

Mr. Boateng: To ask the Attorney-General what guidance is given to the Crown Prosecution Service and its representatives in respect of breach of parental bindovers. [21055]

The Attorney-General: Section 120 of the Magistrates' Court Act 1980 applies to proceedings to estreat a recognisance entered into a parent or guardian under section 58 of the Criminal Justice Act 1991. Breach proceedings are civil proceedings initiated by complaint. They are not commenced or conducted by the Crown Prosecution Service.

ENVIRONMENT

Education Authority Budgets

Mr. David Nicholson: To ask the Secretary of State for the Environment, pursuant to his answer of 7 February, *Official Report*, columns *196–97*, which local education authorities budgeted by more than £50,000 below their capping limits in the years 1992–93 and 1993–94; and in each case by how much in cash and percentage of total spending. [19967]

Sir Paul Beresford: The local education authorities which budgeted more than £50,000 below their capping limits in 1992–93 and 1993–94 are as follows:

	£ million	*[1]Percentage of budget requirement*
(a) 1992–93		
City of London	3.585	4.7
Kensington and Chelsea	3.197	2.4
Wandsworth	35.378	15.3
Westminster	29.362	14.5
Barnet	0.500	0.2
Bexley	4.435	3.0
Brent	10.131	3.8
Bromley	8.765	5.0
Croydon	13.361	5.7
Ealing	5.289	2.0
Harrow	0.137	0.1
Kingston upon Thames	0.401	0.4
Redbridge	2.750	1.6
Oldham	3.944	2.2
Trafford	3.301	2.3
Newcastle upon Tyne	0.053	0.02
Sunderland	0.755	0.3
Solihull	0.248	0.2
Wolverhampton	0.341	0.2
Bedfordshire	2.000	0.6
Cumbria	0.279	0.1
Essex	36.980	3.9
Hampshire	38.465	4.2
Hertfordshire	4.543	0.7
Kent	23.358	2.4
North Yorkshire	10.712	2.6
West Sussex	28.066	7.3
Wiltshire	2.553	0.8
Isles of Scilly	0.151	6.2

	£ million	[1]Percentage of budget requirement
(b) 1993–94		
City of London	3.146	4.3
Wandsworth	7.329	3.0
Westminster	17.275	8.5
Barking and Dagenham	1.537	1.4
Bromley	0.891	0.5
Ealing	0.801	0.3
Hillingdon	1.360	0.8
Trafford	0.563	0.4
Sunderland	0.108	0.05
Solihull	0.958	0.8
Essex	3.959	0.4
Hampshire	36.056	4.2
Hereford and Worcester	3.725	1.0
Leicestershire	7.102	1.3
Northamptonshire	2.848	0.8
Surrey	2.390	0.4
West Sussex	8.637	2.2
Isles of Scilly	0.116	4.8

[1] Budget requirement to finance services including education.

Housing

Mr. Tipping: To ask the Secretary of State for the Environment if he will estimate the funding available for new-rental housing association houses in 1996–97; and if he will estimate what funding would have been available if funding plans in the 1993 autumn statement had been maintained for each local authority in the east midlands. [19883]

Mr. Clappison *[holding answer 12 March 1996]:* The 1996–97 funding allocations made by the Housing Corporation in the east midlands for the provision of rented housing by housing associations through new build and rehabilitation are listed in the table. The Housing Corporation's estimate of what the allocations may have been for 1996–97 if funding plans in the 1993 autumn statement had been maintained are also listed. These estimates can only be hypothetical since the actual allocations depend on a series of factors including the nature of the schemes submitted by housing associations, local housing needs, local authority involvement and value for money. In any one year, activity by housing associations in a particular authority area can vary according to the schemes proposed and approved.

£ million

Local authority	*1996–97 allocations*	*Estimate of allocations based on 1993 autumn statement*
Amber Valley	0.71	0.77
Ashfield	0.89	0.97
Bassetlaw	0.66	0.72
Blaby	0.28	0.30
Bolsover	0.43	0.47
Boston	0.18	0.20
Broxtowe	0.60	0.65
Charnwood	0.60	0.65
Chesterfield	0.66	0.72
Corby	0.21	0.23
Daventry	0.19	0.21
Derby	2.85	3.10
Derbyshire Dales	0.49	0.53
East Lindsey	0.94	1.02
East Northamptonshire	0.32	0.35
Erewash	0.73	0.79
Gedling	0.53	0.58
Harborough	0.27	0.29
High Peak	0.62	0.67
Hinckley and Bosworth	0.37	0.40
Kettering	0.51	0.55
Leicester	3.44	3.74
Lincoln	0.68	0.74
Mansfield	0.64	0.70
Melton	0.23	0.25
N/E Derbyshire	0.48	0.52
N/W Leicestershire	0.55	0.60
Newark and Sherwold	0.36	0.39
North Kesteven	0.40	0.43
Northampton	1.13	1.23
Nottingham	3.39	3.68
Oadby and Wigston	0.23	0.25
Rushcliffe	0.59	0.64
Rutland	0.10	0.11
South Derbyshire	0.39	0.42
South Holland	0.37	0.40
South Kesteven	0.80	0.87
South Northamptonshire	0.29	0.32
Wellingborough	0.26	0.28
West Lindsey	0.68	0.74
Total	28.05	30.48

In addition, the Housing Corporation also makes funding allocations for social lettings provided through: the corporation's programme of new build and rehabilitation for shared ownership; and the corporation's other home ownership initiatives which release existing social lettings for reletting to others in housing need. Local authorities may also support housing association developments with local authority housing association grant.

Local Authority Voids

Mr. Fabricant: To ask the Secretary of State for the Environment what is the percentage and number of void local authority housing properties in each of the 10 local authorities with the highest figures. [20734]

Mr. Clappison: The 10 local authorities in England reporting the highest percentages of management vacants, dwellings available for letting immediately or after minor repairs, on 1 April 1995 are listed in the table.

	Number of management vacants	*Management vacants as a percentage of total stock*
Redbridge	248	3.67
Hackney	1,180	2.98
Newcastle upon Tyne	1,067	2.72
Lambeth	1,114	2.59
Trafford	261	2.22
Mansfield	196	2.18
Blackburn	245	2.13
Carlisle	186	2.04
Arun	83	2.03
Burnley	117	2.03

Source:
1995 housing investment programme (HIP1) returns.

Methyl Bromide

Mr. Sheerman: To ask the Secretary of State for the Environment what representations he has received regarding the effects of methyl bromide on the ozone layer. [20583]

Mr. Clappison: My Department has received 21 representations, covering a range of views, on methyl bromide over the last year.

Mr. Sheerman: To ask the Secretary of State for the Environment when he plans to introduce measures to reduce emissions of methyl bromide. [20584]

Mr. Clappison: The UK has already introduced controls on methyl bromide through EC regulation 3093/94, which is directly applicable to UK law. The regulation obliges all precautionary measures practicable to be taken to prevent leakages of methyl bromide during fumigations. It also includes a freeze on methyl bromide production and consumption at 1991 levels from January 1995 and a further 25 per cent. cut from 1998.

The meeting in December of the parties to the Montreal protocol on substances that deplete the ozone layer agreed to phase out methyl bromide in developed countries by 2010. The EC regulation will need to be amended in line with this decision, and the Council of Ministers has requested the Commission to come forward with appropriate proposals as soon as possible.

Mr. Sheerman: To ask the Secretary of State for the Environment what action he is taking to establish monitoring facilities for methyl bromide levels in the atmosphere. [20585]

Mr. Clappison: Regular measurements of atmospheric concentrations of methyl bromide are carried out by the university of East Anglia on behalf of the Department of Environment at Macehead in the Republic of Ireland and Cape Grim in Australia in collaboration with international measurement programmes. Additional measurements have been made from time to time in urban areas, over the oceans and in the free atmosphere to investigate the sources and removal mechanisms for methyl bromide.

Local Authority Rent Arrears

Mr. Fabricant: To ask the Secretary of State for the Environment if he will list the 10 local authorities with the largest rent arrears together with amounts outstanding; what percentage this figure represents of the annual rent collectable; and what is the largest single sum owed by a tenant in each authority. [20733]

Mr. Clappison: The 10 local authorities in England with the highest cumulative rent arrears as a proportion of rent roll on 31 March 1995, the latest date for which figures are available, are as follows:

	Cumulative arrears as a percentage of 1994–95 rent roll	*Total cumulative rent arrears £000*
Haringey	33.4	20,318
Hackney	31.6	32,675
Brent	29.3	13,750
Southwark	20.8	26,160
Lambeth	19.8	19,491
Greenwich	19.6	14,984
Ealing	19.1	10,809
Liverpool	17.2	12,763
Islington	16.0	16,072
Hammersmith and Fulham	15.1	6,553

Source:
Housing subsidy claim forms.

Information about amounts owed by individual tenants is not held centrally.

Housing Associations (Wirral and Liverpool)

Mr. Frank Field: To ask the Secretary of State for the Environment if he will list the moneys available in *(a)* the Wirral and *(b)* Liverpool-based housing associations for expenditure in the Wirral. [20786]

Mr. Clappison: In 1996–97, the Housing Corporation's funding allocation to the Wirral is £4.5 million. These funds are distributed to all housing associations whose proposed housing schemes in the Wirral were successful in this year's competition for funding irrespective of where those associations are based. Details of allocations to individual housing associations will be published in the Housing Corporation's regional allocations statements in early May.

Rural Housing

Mr. Jim Cunningham: To ask the Secretary of State for the Environment what representations he has received from organisations on the extent of rural homelessness; and of the responses to this Department's White Paper on housing, what percentage expressed concern over the extent of rural homelessness. [20983]

Mr. Clappison: The representations we have received recently about rural housing issues, including those in response to the housing White Paper, have primarily been concerned with the proposed purchase grant proposals. My Department has commissioned research into the nature of housing need and the demand for housing in different types of rural areas. The results are expected later this year.

Mr. Cunningham: To ask the Secretary of State for the Environment what safeguards he will introduce to ensure that future provision of rural social housing meets demand. [20981]

Mr. Clappison: Guidance is provided by the Department to local authorities on the preparation of their housing strategies and the need to identify and prioritise rural housing needs alongside other housing needs in their areas. Their priorities guide the allocation of Housing Corporation funding for new social housing to meet housing need in each area.

Public funding continues to support the Housing Corporation's rural housing programme which provides new social housing in small rural villages of 3,000 and fewer population. Between 1996–97 and 1998–99 this programme is expected to approve around 1,500 new rural homes a year which is over 300 more than the number being provided in 1995–96.

To safeguard the supply of affordable rented housing and ensure the continued provision of sites, the Government are proposing to exempt small rural villages of 3,000 and fewer population from the purchase grant scheme. This exemption will also apply to the voluntary scheme that is being launched in April 1996.

A new rural housing enhancement factor will be introduced on 1 April 1996 to address the additional costs associated with developing schemes in rural areas. The effect of this multiplier will be to increase by up to a quarter the proportion of grant which schemes would otherwise receive.

We have also recently issued for consultation a draft circular on planning and affordable housing that provides practical advice to local planning authorities and developers on the implementation of affordable housing policies and clarification of how to assess need.

Mr. Cunningham: To ask the Secretary of State for the Environment what has been the level of rural homelessness *(a)* in total and *(b)* as a percentage of the national total of homeless households in each year since 1989. [20980]

Mr. Clappison: The information is not available centrally. The data collected from local authorities on homeless households accepted for re-housing do not differentiate between households from rural and non-rural areas.

I have today placed in the Library a summary print showing the reported acceptances in each local authority area in England for the years 1980 to 1995.

Mr. Cunningham: To ask the Secretary of State for the Environment what percentage of rural housing is unfit for human habitation. [20982]

Mr. Clappison: The 1991 English house condition survey found 7.6 per cent. of rural housing to be unfit under section 604 of the Housing Act 1985, as amended by schedule 9 of the Local Government and Housing Act 1989.

Competitive Tendering (Contracts)

Mr. Donohoe: To ask the Secretary of State for the Environment how many contracts for goods or services have been awarded in each of the last three financial years by his Department and its executive agencies after competitive tendering; and what was the total combined value of these contracts. [21032]

Sir Paul Beresford: This information is not held centrally by my Department and is obtainable only at disproportionate cost.

Pollution Controls

Ms Walley: To ask the Secretary of State for the Environment if he will reconsider his decision to delay the implementation of pollution controls on volatile organic compound emissions; and if he will make a decision. [20878]

Mr. Clappison: No. The decision, announced last June, was justified pending the review of the relevant statutory guidance notes. It avoided industry incurring what might prove to be unnecessary expenditure. We are well on course to achieving a 30 per cent. reduction in volatile organic compound emissions by 1999 in accordance with the United Nations Economic Commission for Europe VOC protocol. This reduction will not be compromised by the extension to the implementation time-scale.

Home Energy Efficiency Scheme

Mr. Jim Cunningham: To ask the Secretary of State for the Environment what assessment he has made of the effect of changes to the home energy efficiency scheme on pensioner households. [21049]

Mr. Clappison: All householders aged over 60 remain entitled to grants under this successful high-quality scheme. Those on low incomes or receiving disability benefits will continue to be eligible for 100 per cent. grants for better insulation of their homes and for energy advice. From 1 April, better-off householders over 60 will be entitled to free advice, and to insulation measures at a substantial discount.

Ms Ruddock: To ask the Secretary of State for the Environment how many *(a)* requests for information and *(b)* applications for grants were made under the home energy efficiency scheme in (i) February 1995, (ii) February 1996, (iii) March 1995 and (iv) March 1996 to the latest available date. [21261]

Mr. Robert B. Jones: The table shows the numbers of requests for information received by Eaga Ltd. the scheme managers, and the numbers of grants claimed.

Month	*Inquiries handled by Eaga Ltd.*	*Grant claims*
February 1995	27,322	42,801
February 1996	53,874	58,551
March 1995	18,805	32,390
March 1996 (until 8th)	12,605	27,225

Ms Ruddock: To ask the Secretary of State for the Environment (1) how many home energy efficiency scheme *(a)* applications and *(b)* grants have been made since 1 April 1995 to the latest available date; [21262]

(2) how many households have had work carried out under the home energy efficiency scheme since 1 April 1995 to the latest available date. [21263]

Mr. Jones: From 1 April 1995 to 8 March 1996, 602,791 home energy efficiency scheme grant claims in respect of work completed were received by Eaga Ltd. Applications to installers for work to be done are not centrally recorded. In the same period, Eaga Ltd. received 330,000 inquiries about the scheme.

Ms Ruddock: To ask the Secretary of State for the Environment what is the waiting list of applications for home energy efficiency scheme grants which have been received but have yet to be processed at the latest available date. [21264]

Mr. Jones: I estimate that installers now have, on average, about 18 weeks, work from people who have registered an interest in the home energy efficiency scheme.

Ms Ruddock: To ask the Secretary of State for the Environment how much money from the 1996–97 home energy efficiency scheme budget will be used to fund work where the application was made on or before 31 March; and how many grants will be paid for in this way. [21287]

Mr. Jones: I estimate that up to 210,000 claimants may have registered an interest by 31 March 1995. If all of them are eligible for grants under the present rules, up to £34 million of the 1996–97 budget could be spent.

Ms Ruddock: To ask the Secretary of State for the Environment (1) in how many cases where applications for home energy efficiency scheme grants have been approved the work has not yet been carried out; [21265]

(2) what proportion of households who successfully apply for home energy efficiency scheme grant in *(a)* the third quarter of financial year 1995–96 and *(b)* the fourth quarter of financial year 1995–96 will have the work carried out within financial year (i) 1995–96 and (ii) 1996–97. [21266]

Mr. Jones: I understand that over 200,000 people who have inquired about grants are waiting for work to be done. The table gives the information requested about times of inquiry and estimated payment of grant.

Percentage

Period of enquiry	*Work completed in 1995–96*	*Work completed in 1996–97*
Third quarter of 1995–96	95	5
Fourth quarter of 1995–96	25	75

Ms Ruddock: To ask the Secretary of State for the Environment what proportion of home energy efficiency scheme grants made in *(a)* financial year 1994–95 and *(b)* financial year 1995–96 to the latest available date, were made to people who will no longer be eligible for a full grant after 1 April. [21267]

Mr. Jones: I estimate that in 1994–95, 33 per cent. of all home energy efficiency scheme grants were paid to people aged over 60 who did not also claim an income-related benefit, and the equivalent figure for 1995–96 is likely to be about 45 per cent. I expect the proportion to fall in future.

Ms Ruddock: To ask the Secretary of State for the Environment (1) what was the national average waiting time for *(a)* processing applications for home energy efficiency scheme grants and *(b)* carrying out work under the home energy efficiency scheme once an application was approved, in each month of 1995 and each month of 1996 to the latest available date; [21268]

(2) what was the average waiting time in each region of England and in Scotland and Wales for *(a)* processing applications for home energy efficiency scheme grants and *(b)* carrying out work under the home energy efficiency scheme once an application was approved in each month of 1995 and each month of 1996 to the latest date. [21269]

Mr. Jones: The information requested is not available on a regional basis. National data are given in the table. Average waiting times nationally, allowing for seasonal variations in demand, are not significantly longer this winter than last, despite the recent increase in demand for the scheme.

Month	*Mean time from inquiry to work completed (weeks)*
1995	
January	14
February	12
March	9
April	8
May	7
June	6
July	6
August	7
September	7
October	7
November	8
December	8
1996	
January	12
February	14
March	18

Orimulsion Burning (Emissions)

Mr. Clapham: To ask the Secretary of State for the Environment if he will make a statement about the permissible daily tonnage of PM 10s which will be emitted from power stations burning orimulsion; and what monitoring procedures have been agreed. [20847]

Mr. Clappison *[holding answer 18 March 1996]:* With reference to Pembroke power station, proposals have been received from National Power for the burning of orimulsion, and these are currently being evaluated by Her Majesty's inspectorate of pollution. It is intended that releases of particulate matter would be continuously monitored.

With regard to Ince power station, over 90 per cent. of the particulates from orimulsion combustion are removed by the electrostatic precipitators. The particulate emission limits for orimulsion are currently the most stringent of the black fossil power generation processes.

HMIP requires continuous monitoring of particulates emissions, and specific limits have been imposed for short-term (two hours), medium-term (48 hours), and long-term (monthly) average emission levels. In addition, maximum annual tonnage limits are specified.

The authorisation of Ince power station under EPA90 is soon to be modified, and it is expected that PowerGen will be required to assess the effect of emissions (including PM 10s) on local air quality with a view, if necessary, to reducing concentrations under adverse meteorological conditions.

Mr. Clapham: To ask the Secretary of State for the Environment if he will make a statement on the measures to be taken at power stations burning orimulsion to ensure there are no emissions of vanadium and other heavy metals as well as pentoxide fumes; and what monitoring procedures have been agreed. [20848]

Mr. Clappison *[holding answer 18 March 1996]:* Orimulsion, in common with most heavy fuel oils, contains a small amount of vanadium and heavy metals which form part of the particulates produced in combustion.

The one power station which is currently firing orimulsion is Ince, and this uses electrostatic precipitators which effectively reduce vanadium and heavy metal emissions levels by more than 90 per cent. as a requirement of its IPC authorisation.

Currently, HMIP imposes an annual tonnage limit on power stations for vanadium and heavy metal emissions. In the forthcoming modified authorisation for Ince power station, this limit has been reduced by 15 per cent.

Telecommunications Masts and Wind Turbines

Mr. Nigel Evans: To ask the Secretary of State for the Environment (1) what planning restrictions there are on the number of wind turbines erected in a particular area; [21414]

(2) what planning regulations apply to anemometers; [21412]

(3) what planning regulations apply to the erection of wind turbines; [21408]

(4) what statutory protection is provided to areas on the outskirts of areas of outstanding natural beauty from wind farms; [21418]

(5) what protection is provided to areas of outstanding natural beauty from wind farms by *(a)* planning regulations and *(b)* guidance; [21409]

(6) what plans he has to review the section on planning policy guidance note 22 dealing with the erection of wind farms. [21411]

Sir Paul Beresford: Wind turbines are subject to the same planning controls as other types of development, and are subject to national policies for the protection of the countryside. Planning policy guidance note 22 gives full and clear advice on the planning framework. The same planning controls apply to anemometers. If a local planning authority wishes to protect a locally important area, it should draw up a policy to do so in its development plan.

All planning applications for wind turbines should be considered on their own merits. Local planning authorities should balance the benefits of developing a clean and renewable source of energy against any impacts on the local landscape depending upon local circumstances.

Waste Disposal

Mr. Sheerman: To ask the Secretary of State for the Environment what method his Department recommends for the safe disposal of *(a)* mercury, *(b)* lead, *(c)* cadmium and *(d)* polychlorinated biphenyls. [21390]

Mr. Clappison: The recommended method of disposal for these substances will depend on their chemical and physical form, the quantity and the availability of disposal facilities. In general where they are not recovered, mercury, lead and cadmium my be safely disposed to a suitable landfill either directly or after chemical and/or physical treatment.

PCB wastes should be incinerated. At very low concentrations they may be landfilled. There are other specific treatments for PCB-contaminated transformer oils which destroy the PCB to an extent that allows the oil to be reused.

Detailed guidance on methods for the safe disposal of wastes is available in waste management papers published by the Department. The relevant papers are:

WMP No. 12 Mercury-bearing Wastes;

WMP No. 24 Cadmium-bearing Wastes;

WMP No. 6 Polychlorinated Biphenyls; and

WMP No. 11 Metal Finishing Wastes which includes some lead wastes.

In addition, WMP No. 26F co-disposal landfill, currently in preparation, will give guidance on loading rates for these and certain other wastes.

Housing (Environmental Appraisal)

Ms Ruddock: To ask the Secretary of State for the Environment (1) when the draft circular on planning and affordable housing consultation paper was subject to an environmental appraisal using the guidance contained in "Policy Appraisal and the Environment", produced by the Department of the Environment; and if he will publish the appraisal; [21074]

(2) what alternative courses of action from those listed in the draft circular on planning and affordable housing consultation paper were considered in the environmental appraisal undertaken by his Department; [21075]

(3) in what ways the draft circular on planning and affordable housing consultation paper was modified by the results of the environmental appraisal undertaken by his Department. [21076]

Mr. Robert B. Jones: The planning policy on affordable housing is set out in planning policy guidance note 3. Because the draft circular does not change policy, but only explains how it can best be implemented, an environmental appraisal was not necessary. However, if any comments are received from consultees on environmental impact, they will be carefully considered.

Ms Ruddock: To ask the Secretary of State for the Environment what procedures have been put in place by his Department to monitor the environmental impacts arising from the implementation of the draft circular on planning and affordable housing consultation paper. [21077]

Mr. Jones: There are no direct environmental impacts of the draft circular. The policy guidance on affordable housing is in PPG3 in which environmental issues are fully addressed, and which was revised following the

1990 White Paper "This Common Inheritance". The draft circular is intended not to add to the policy guidance to planning policy guidance note 3, but to advise on how that guidance might be best given effect.

Local planning authorities, in taking account of PPG3 and other guidance notes in drawing their local plans, are already advised to carry out an environmental appraisal of these plans.

Local Authority Contracts

Ms Armstrong: To ask the Secretary of State for the Environment if he will list, by service, the local authorities in England that have been challenged by his Department under regulations under section 9 of the Local Government Act 1992 in relation to their internal arrangements for establishing client-contractor splits. [21547]

Sir Paul Beresford: Although we have received allegations of anti-competitive behaviour by local authorities about the arrangements for establishing a client-contractor split, none has proceeded to statutory action. Records are not available by service area of the allegations which have been received.

Ms Armstrong: To ask the Secretary of State for the Environment if he will list by authority and service area, the recorded deficits made by local authority direct labour or services organisations in England that have failed to meet the rate of return requirements operating contracts under the terms of the Local Government (Planning and Land) Act 1980 and for the Local Government Act 1988 for each financial year from 1990–91 to 1994–95 in both cash and constant prices. [21551]

Sir Paul Beresford:

334 (14.5 per cent.) of the 2,302 1994–95 local authority direct labour/service organisation accounts for 1994–95 received by my Department recorded a deficit.

For 1993–94, 2,381 accounts were received, of which 307 (12.9 per cent.) recorded a deficit.

For 1992–93, 2,409 accounts were received, of which 321 (13.3 per cent.) recorded a deficit.

For 1991–92, 2,260 accounts were received, of which 242 (10.7 per cent.) recorded a deficit.

Detailed lists by authority and service area for the years 1991–92 to 1994–95 have been placed in the Library of the House. A list for 1990–91 could be obtained only at disproportionate cost.

Ms Armstrong: To ask the Secretary of State for the Environment how many complaints his Department received alleging anti-competitive behaviour by local authorities in England under the terms of the Local Government Act 1988 for each financial year from 1990–91 to 1994–95; and how many local authorities were subsequently issued with a section 19a notice or 19b direction. [21548]

Sir Paul Beresford: The table gives, for the years in question, the number of complaints received by the Department of the Environment alleging anti-competitive behaviour by local authorities under the Local Government Act 1988. It also shows the number of authorities on which notices were served under section 13 and to which directions were given under section 14, and the total numbers of notices and directions.

Year	*Total number of complaints*	*Number of authorities receiving notices*	*Total number of notices*	*Number of authorities given directions*	*Total number of directions*
1990–91	59	6	6	3	3
1991–92	41	6	7	2	2
1992–93	70	8	9	5	6
1993–94	110	12	13	6	6
1994–95	65	12	15	8	9

Ms Armstrong: To ask the Secretary of State for the Environment how many complaints his Department received alleging anti-competitive behaviour by local authorities in England under the terms of the Local Government (Planning and Land) Act 1980 for each financial year from 1990–91 to 1994–95; and how many local authorities were subsequently issued with a section 19a notice or 19b direction. [21552]

Sir Paul Beresford: The table gives, for the years in question, the number of complaints received by the Department of the Environment alleging anti-competitive behaviour by local authorities under the Local Government, Planning and Land Act 1980. It also shows the number of authorities on which notices were served under section 19A and to which directions were given under section 19B, and the total numbers of notices and directions.

Year	*Number of complaints*	*Number of authorities receiving notices*	*Total number of notices*	*Number of authorities given directions*	*Total number of directions*
1990–91	21	—	0	—	0
1991–92	15	3	3	0	0
1992–93	36	2	3	3	3
1993–94	40	5	6	6	8
1994–95	15	3	3	2	2

Ms Armstrong: To ask the Secretary of State for the Environment how many local authority direct labour and direct service organisations in England, operating contracts under the terms of the Local Government (Planning and Land) Act 1980, have achieved the required rate of return for each financial year from 1992–93 to 1994–95 and similarly under the Local Government Act 1988. [21549]

Sir Paul Beresford: For the financial year 1994–95, my Department recorded 2,302 local authority direct labour and direct service organisation accounts. Some 1,968 of these accounts showed that the statutory financial objective had been met.

For 1993–94, 2,381 accounts were received, 2,057 of which met the required rate of return.

For 1992–93, 2,409 accounts were received, 2,060 of which met the required rate of return.

Local Government Finance

Ms Armstrong: To ask the Secretary of State for the Environment when he last issued comprehensive guidance on the system of local authority capital finance; and if he will make it his policy to up-date this at annual intervals. [21559]

Sir Paul Beresford: Comprehensive guidance was last issued in the Department's circular 11/90, on 2 August 1990. A replacement guide is in preparation. Once issued, it will be updated as the need arises.

Ms Armstrong: To ask the Secretary of State for the Environment if he will list the primary and subordinate legislation affecting local authority capital finance. [21558]

Sir Paul Beresford: The primary legislation is parts IV and V of the Local Government and Housing Act 1989, as amended. The main subordinate legislation is as follows:

The Local Authorities (Capital Finance) Regulations 1990 [SI 1990/432]

The Local Authorities (Capital Finance) (Amendment) Regulations 1990 [SI 1990/1273]

The Local Authorities (Capital Finance) (Amendment) Regulations 1991 [SI 1991/500]

The Local Authorities (Capital Finance) (Amendment) Regulations 1992 [SI 1992/738]

The Local Authorities (Capital Finance) (Amendment) (No.2) Regulations 1992 [SI 1992/1618]

The Local Authorities (Capital Finance) (Amendment) (No.3) Regulations 1992 [SI 1992/2819]

The Local Authorities (Capital Finance) (Amendment) (No.4) Regulations 1992 [SI 1992/3257]

The Local Authorities (Capital Finance) (Amendment) Regulations 1993 [SI 1993/520]

The Local Authorities (Capital Finance) (Amendment) (No.2) Regulations 1993 [SI 1993/2014]

The Local Authorities (Capital Finance) (Amendment) (No.3) Regulations 1993 [SI 1993/3054]

The Local Authorities (Capital Finance) (Amendment) Regulations 1994 [SI 1994/553]

The Local Authorities (Companies) Order 1995 [SI 1995/849]

The Local Authorities (Capital Finance and Approved Investments) (Amendment) Regulations 1995 [SI 1995/850]

The Local Authorities (Capital Finance) (Amendment) Regulations 1995 [SI 1995/1526]

The Local Authorities (Capital Finance and Approved Investments) (Amendment) (No.2) Regulations 1995 [SI 1995/1982]

The Local Authorities (Capital Finance and Approved Investments) (Amendment) Regulations 1996 [SI 1996/568]

The Local Authorities (Companies) (Amendment) Order 1996 [SI 1996/621].

In addition, there are 13 sets of regulations dealing with detailed issues concerning the rate of discount, borrowing, approved investments; and two other sets of regulations dealing with capital finance implications of local government reorganisation.

Local Authority Trading Accounts

Ms Armstrong: To ask the Secretary of State for the Environment if he will list by authority the surplus achieved on trading accounts for each financial year from 1992–93 to 1994–95 for *(a)* general highways work, *(b)* construction and maintenance of sewers, *(c)* works on new construction and *(d)* maintenance work, delivered by local authorities' direct labour or services organisations in England by the terms of the Local Government (Planning and Land) Act 1980 and the Local Government Act 1988. [21550]

Sir Paul Beresford: A detailed list of the surpluses achieved for these services for the years 1993–94 to 1994–95 has been placed in the Library of the House.

Similar figures for 1992–93 could be obtained only at disproportionate cost.

Compulsory Competitive Tendering

Ms Armstrong: To ask the Secretary of State for the Environment what was the total running cost to Department for the financial years 1991–92 and 1993–94 of the local government compulsory competitive tendering enforcement team. [21553]

Sir Paul Beresford : The estimated costs of enforcing the compulsory competitive tendering provisions of the Local Government (Planning and Land Act) 1980 and the Local Government Act 1988 are £250,000 in 1991–92 and £420,000 in 1993–94.

Asylum Seekers

Mr. Austin-Walker: To ask the Secretary of State for the Environment what is his estimate of the additional costs likely to fall on local authorities as a result of the implementation of the Social Security (Persons from Abroad) Miscellaneous Amendments Regulations 1996 in respect of their statutory duties under *(a)* existing homelessness legislation, *(b)* the Children Act 1989 and *(c)* the NHS and Community Care Act 1990. [21705]

Mr. Clappison: Officials in my Department and the Department of Health have invited the local authority associations to provide information on the likely costs that authorities will face.

Mr. Austin-Walker: To ask the Secretary of State for the Environment for what reasons the special grants he is proposing to make available under section 88B of the Local Government Finance Act 1988 to authorities which face additional costs as a result of the withdrawal of

benefits under the Social Security (Persons from Abroad) Miscellaneous Amendments Regulations 1996 will be subject to a threshold. [21706]

Mr. Clappison: Because it is reasonable for authorities to meet some costs from their own resources.

Mr. Austin-Walker: To ask the Secretary of State for the Environment what the minimum threshold of expenditure for each London local authority will be in respect of housing benefit subsidy for-gone and unavoidable additional social services expenditure for the special grants under section 88B of the Local Government Finance Act 1988 to authorities which face additional costs from the introduction of the Social Security (Persons from Abroad) Miscellaneous Amendments Regulations 1996. [21595]

Mr. Clappison: The thresholds have not yet been determined.

Mr. Austin-Walker: To ask the Secretary of State for the Environment what plans he has to make special grants available under section 88B of the Local Government Finance act 1988 to authorities which face additional costs from the introduction of the Social Security (Persons from Abroad) Miscellaneous Amendments Regulations 1996 for the current year only; and what plans he has for similar grants in subsequent years. [21596]

Mr. Clappison: An official in my Department wrote on 26 February to chief executives of local authorities in England explaining the basis on which the Government intend to make special grants available to authorities for 1995–96 and 1996–97. I am placing a copy of that letter in the Library of the House.

Private Finance Initiative

Ms Armstrong: To ask the Secretary of State for the Environment if he will list the primary and subordinate legislation affecting local authorities's ability to take advantage of the private finance initiative; and what plans he has to *(a)* consolidate this legislation and *(b)* provide a guide to it for those companies wishing to enter into partnerships with local authorities. [21557]

Sir Paul Beresford: The primary legislation is parts IV and V of the Local Government and Housing Act 1989, as amended. Subordinate legislation aimed at assisting local authorities to take advantage of the private finance initiative is as follows:

The Local Authorities (Companies) Order 1995 [SI 1995/849]

The Local Authorities (Capital Finance and Approved Investments) (Amendment) Regulation 1995 [SI 1995/850]

The Local Authorities (Capital Finance and Approved Investments) (Amendment) (No. 2) Regulations 1995 [SI 1995/1982]

The Local Authorities (Capital Finance and Approved Investments) (Amendment) Regulations 1996 [SI 1996/568]

The Local Authorities (Companies) (Amendment) Order 1996 [SI 1996/621]

Consolidation of the capital finance regulations is in hand, as in the preparation of a guide to the capital finance system. My Department will ensure that there is adequate advice, for both local authorities and potential provider companies, on the private finance initiative in local government.

Gun Clubs

Mr. Corbyn: To ask the Secretary of State for the Environment what planning advice is given to local planning authorities concerning applications for gun clubs; and if he will make a statement. [21707]

Sir Paul Beresford: The express planning permission of the local authority is required for any development proposal to change the use of a building to use for the purposes of a gun club or to erect a new building. Other land, not in the curtilage of a building, may be used for those purposes for not more than 28 days in a calendar year without express planning permission. Planning applications must be publicised so that local views can be taken into account before decisions are taken. My Department does not issue planning advice specifically on gun clubs. Gun clubs in England and Wales are subject to a licensing regime, independent of the planning legislation, operated by my right hon. and learned Friend the Home Secretary.

Rural White Paper

Mr. Kirkwood: To ask the Secretary of State for the Environment how many display leaflets inviting people to purchase the White Paper on Rural England were distributed to post offices in Scotland. [21488]

Mr. Clappison: Post Office Counters provided my Department with details of rural post offices in England to which display material on the English rural White Paper was to be sent. To the best of my knowledge, one post office in Scotland received copies of the display material in error. Post offices were under no obligation to display the material. The leaflets informed the public how to buy a copy of "Rural England" or to obtain the free summary document.

AGRICULTURE, FISHERIES AND FOOD

Computers

Mr. Miller: To ask the Minister of Agriculture, Fisheries and Food if he will list all cases since 1987 where his Department has bought computer capacity from *(a)* other Departments and *(b)* the private sector, giving the value of each contract and the name of the private sector contractors. [19450]

Mr. Boswell: Since 1987, the Ministry has not bought in any computer capacity from other Government Departments but has let one outsourcing contract to the private sector company Data Sciences. The value of the contract with Data Sciences is estimated to be £1.5 million.

Executive Action

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food if he will list those areas of executive action where he has discretion to act in respect of an individual without giving reasons for his decision. [20550]

Mr. Boswell: Comprehensive records are not kept in the form requested. Identification of the kind of provisions referred to could be undertaken only at disproportionate cost.

Methyl Bromide

Mr. Sheerman: To ask the Minister of Agriculture, Fisheries and Food what environmental impact assessments his Department has made in respect of methyl bromide. [20581]

Mr. Clappison: I have been asked to reply.

The stratospheric impact of Methyl Bromide was reviewed by the UK stratospheric ozone review group in its last report "Stratospheric Ozone 1993". Its next assessment will be published by the end of 1996.

Mr. Sheerman: To ask the Minister of Agriculture, Fisheries and Food what guidelines his Department has issued regarding the use of methyl bromide. [20582]

Mrs. Browning: My Department has not issued specific guidelines relating to the use of methyl bromide. The British Pest Control Association operates a strict system of regulation, certification and training for the use of methyl bromide which was drawn up in collaboration with my Department and the Health and Safety Executive. Industry has a good history of self-regulation and only those who obtain a BPCA certificate may be supplied with methyl bromide.

Mr. Sheerman: To ask the Minister of Agriculture, Fisheries and Food what alternative fumigants to methyl bromide are approved for use in the United Kingdom. [20586]

Mrs. Browning: There is no single alternative to methyl bromide in all of its wide range of uses.

Approved alternative fumigants for soil sterilisation include chloropicrin, 1,3 dichloropropene and formaldehyde. Phosphine may be used for commodity fumigation. No alternatives to methyl bromide exists for rodent control and insect elimination aboard aircraft.

Institute of Grassland and Environmental Research

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food how much funding the Institute of Grassland and Environmental Research at Aberystwyth received from his Department in *(a)* 1985, *(b)* 1990, *(c)* 1992, *(d)* 1993, *(e)* 1994 and *(f)* 1995; how much will be allocated in 1996; and if he will make a statement. [20995]

Mr. Boswell: The Institute of Grassland and Environmental Research was not established until 1989. Records of payments made to the institute by the Ministry in respect of research and deveopment projects are kept on a financial year basis only. These show:

1990–91: £9,093,000
1992–93: £7,164,000
1993–94: £7,452,000
1994–95: £7,426,000
1995–96: £7,449,000 (estimate).

It is too early to forecast total payments for 1996–97 but, to date, some £5,823,000 of expenditure has already been committed.

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food what representations his Department has recently received from the Institute of Grassland and Environmental Research; and if he will make a statement. [20997]

Mr. Boswell: This Department is a major funder of research at the Institute of Grassland and Environmental Research and, as such, maintains regular contact in the course of monitoring and reviewing its on-going research. Most recently, discussions have focused on the future scope and content of the MAFF programme on oat breeding at IGER. A formal mid-term review meeting was held on 13 March at which this issue was considered. No final decisions have yet been taken.

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food how much grant aid from the European Commission the Institute of Grassland and Environmental Research received in *(a)* 1990, *(b)* 1992, *(c)* 1994 and *(d)* 1995; how much is to be allocated in 1996; and if he will make a statement. [20998]

Mr. Ian Taylor: I have been asked to reply.

The Institute of Grassland and Environmental Research received grant in aid from the European Commission for the respective years as follows:

1990–91: £30,000
1992–93: £155,000
1994–95: £458,000
1995–96: £383,000.

The Biotechnology and Biological Sciences Research Council, which is the Research Council responsible for IGER, estimates that in 1996–97 IGER will receive £240,000 from the European Commission.

Merchant Shipping Act 1988

Mr. French: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the implications of the ruling by the European Court of Justice that the Merchant Shipping Act 1988 contravenes European Law. [20827]

Mr. Baldry: Action has already been taken to amend merchant shipping legislation following the European Court of Justice's judgments in earlier Factortame cases (C 221/89 and C 246/89) in 1991.

In regard to the recent judgment on the latest Factortame case (C 48/93) and the steps which the Government plan to take to deal with quota hopping, I would refer to the replies which my right hon. and learned Friend the Minister of Agriculture, Fisheries and Food gave to my hon. Friend the Member for St. Ives (Mr. Harris) on 5 March 1996, *Official Report*, columns *130–31*, and to the hon. Member for Edinburgh, East (Mr. Strang) on 6 March 1996, *Official Report*, column *345*.

Fishing Vessels

Mr. French: To ask the Minister of Agriculture, Fisheries and Food how many vessels are currently licensed to fish in British waters; and of those, how many are owned by Spanish operators. [20844]

Mr. Baldry: As at 1 January 1996, some 8,500 British registered vessels were licensed to fish for profit in British and Community waters, although not all of these are entitled to fish for the full range of stocks subject to quota.

Following the introduction of the Merchant Shipping (Registration of Shipping) Regulations 1993 (SI 1993 No. 3138), the Registrar General of Shipping and Seamen no

longer collects details of shareholdings in UK companies owning British-registered fishing vessels. We estimate, however, that there are more than 100 licensed UK vessels with a significant Spanish interest.

Live Animal Exports

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food (1) how many veterinary officers and technical assistants were involved on *(a)* 13 February, *(b)* 14 February, *(c)* 15 February and *(d)* 16 February, in lairages near Dover, in inspecting animals to ensure that they were fit to travel under the Welfare of Animals During Transportation Order 1994 and to deal with other related matters; [20772]

(2) how many consignments containing calves on 13, 14, 15 and 16 February were inspected by his veterinary officers and technical assistants; and how many hours were spent in carrying out the inspections. [20771]

Mrs. Browning: I refer the hon. Member to the replies given to the hon. Member for Glandford and Scunthorpe (Mr. Morley) on 20 February 1996, *Official Report*, columns *136–37* and on 26 February 1996, *Official Report*, columns *381–82*).

HOME DEPARTMENT

Women Prisoners (Drug Tests)

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will make a statement on the procedures involved in respect of the random mandatory drug testing policy for women prisoners. [20618]

Miss Widdecombe *[holding answer 18 March 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Brian Landers to Mr. Alex Carlile, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the procedures involved in respect of the random mandatory drug testing policy for women prisoners.

In most respects the procedures for the random testing of women prisoners are the same as those for men. Ten per cent. of each prison's population is randomly selected by computer at the beginning of each month. Prisoners are given no advance warning that they are to be tested and are escorted immediately to the sample collection site.

At the sample collection site the prisoners are informed of the reason and authority for the test. All prisoners are searched before being asked to give a sample. Each prisoner is then required to wash her hands to remove any potential contaminants.

Prisons have been advised to assess the risk of false samples being substituted and to take appropriate security measures. Male members of staff are not permitted to collect or to observe the collection of samples from women prisoners.

If a prisoner is unable to provide a sample straight away, she may be confined at the collection site for up to five hours. She is offered a third of a pint of water each hour. If it is suspected that the prisoner is having genuine difficulty in providing a sample, the prisoner is asked if she wishes to see a health care worker. Prisoners who refuse to provide a sample or who fail to provide a sample without a medical reason are charged with disobeying a lawful order.

Samples are equally divided between two bottles. Screening and confirmation tests are carried out on the urine from one bottle, the second may be analysed at an independent laboratory on the prisoner's instructions. Both sample bottles are sealed with bar-coded seals and then sealed into a chain of custody bag for despatch to the laboratory. All of this takes place in the prisoner's presence.

Mr. Carlile: To ask the Secretary of State for the Home Department how many women prisoners have been tested under the random mandatory drug testing policy; and what were the results. [20616]

Miss Widdecombe *[holding answer 18 March 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Brian Landers to Mr. Alex Carlile, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the number of women prisoners tested under random mandatory drug testing and the results of those tests.

Between April 1995 and January 1996 586 prisoners were randomly tested for drugs in women only prisons. Of the 586 samples tested 136 (23.2 per cent.) were positive for drugs; 57 (9.7 per cent) were for cannabis, 50 (8.5 per cent.) for benzodiazepines (tranquillisers) 26 (4.4 per cent.) for opiates, two (0.3 per cent.) for cocaine, and one (o.2 per cent.) for methadone.

Statistics from establishments which house both male and female prisoners are not yet broken down by sex.

Prisons ("Advice to Governors")

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what is his policy relating to public access to the documents "Advice to Governors", issued to prison governors. [20617]

Miss Widdecombe *[holding answer 18 March 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Brian Landers to Mr. Alex Carlile, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the policy relating to public access to the documents Advice to Governors.

In responding to requests from members of the public for access to such documents the Prison Service follows the Open Government Code of Practice on Access to Government Information. Each request is considered on its merits and there is a presumption in favour of disclosure.

Charge Reductions

Sir Teddy Taylor: To ask the Secretary of State for the Home Department if he will advise police authorities that they should repay retrospectively reductions in charges when an error has taken place and has been admitted. [20888]

Mr. Maclean *[holding answer 18 March 1996]:* I would expect police authorities to correct any overcharging when it came to notice, in the same way as any other organisation.

Buckley Hall Prison

Ms Lynne: To ask the Secretary of State for the Home Department if the security cameras currently operating at Buckley Hall prison are constantly monitored; and for how long the videotape recording made by the cameras are stored. [20918]

Miss Widdecombe *[holding answer 18 March 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Brian Landers to Ms Liz Lynne, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about whether the security cameras at Buckley Hall prison are monitored constantly and for how long the video recording made by the cameras are stored.

Security cameras at Buckley Hall are monitored constantly. Video recordings made are held for one week before being taped over, unless they are considered to be useful for future use, in which case they would be held for a longer period.

Ms Lynne: To ask the Secretary of State for the Home Department how many attempted escapes have been recorded at Buckley Hall prison since its opening; and what was the average number for male category C training prisons over the same period. [20920]

Miss Widdecombe *[holding answer 18 March 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Brian Landers to Ms Liz Lynne, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking how many attempted escapes have been recorded at Buckley Hall prison since its opening; and the average number of attempted escapes for male category C training prisons for the same period.

The number of attempted escape incidents reported from Buckley Hall prison since its opening on 14 December 1994 to 29 February 1996 is three.

The average number of attempted escape incidents reported during that period for male category C prisons is 1.6.

Ms Lynne: To ask the Secretary of State for the Home Department *(a)* what is the average absenteeism rate among prison officers at Buckley Hall prison and *(b)* what is the average absenteeism rate amongst prison officers at male category C training prisons. [20923]

Miss Widdecombe *[holding answer 18 March 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Ms Liz Lynne, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about average absenteeism rates among prison officers at Buckley Hall and male Category C training prisons.

Questions about staff issues at Buckley Hall prison are a matter for the contractors, Group 4, and I am unable to provide information about absenteeism at that establishment.

You also ask about absence rates per uniformed prison officer in male Category C training prisons. Information on sick absence (which accounts for virtually all absence form work apart from annual leave), is that, the average sick absence was eight days per officer during the period April 1995–February 1996. (These figures relate to basic grade prison officers, senior officers and principal officers).

Ms Lynne: To ask the Secretary of State for the Home Department, pursuant to his answer of 11 March, *Official Report*, column *445*, what steps are being taken to eradicate smuggling into Buckley Hall prison through items being thrown over the prison fence. [20924]

Miss Widdecombe *[holding answer 18 March 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Brian Landers to Ms Liz Lynne, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the steps being taken at Buckley Hall prison to eradicate smuggling through items being thrown over the prison's fence.

Every effort is being made at Buckley Hall to eradicate smuggling through items being thrown over the prison fence, by prohibiting the access of prisoners to the most vulnerable sections and twice daily checking of these areas by staff.

Arrangements are being made for the installation of additional fencing at the most vulnerable points of the prison fence which, it is expected, will reduce the potential for this method of smuggling by 80 per cent. There will also be more stringent policing of other areas of fencing.

Consideration is also being given to the installation of external cameras so as to allow early warning to be given to the police in the event of any cause for concern arising.

Ms Lynne: To ask the Secretary of State for the Home Department how many prisoners have received authorised leave from Buckley Hall prison after protesting on the prison hospital's roof because of the denial of authorised leave. [21272]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange a reply to be given.

Letter from Brian Landers to Ms Liz Lynne, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the number of prisoners who have received authorised leave from Buckley Hall prison after protesting on the prison hospital's roof because of the denial of authorised leave.

One prisoner has been given authorised leave from Buckley Hall after a protest regarding the cancellation of a period of leave. The temporary release was granted to allow him to attend a job interview and was completed successfully.

Prison Cells

Mr. Alex Carlile: To ask the Secretary of State for the Home Department (1) if he will make a statement on the statutory minimum size of prison cells; [19333]

(2) what is the average cell size per inmate in prisons in England and Wales; and if he will make a statement; [19334]

(3) what is the *(a)* average cell size and *(b)* current average number of prisoners per cell, in each prison in England and Wales; and if he will make a statement. [19335]

Miss Widdecombe *[holding answer 7 March 1996]:* Responsibility for these matters has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Alex Carlile, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Questions about average cell size and average number of prisoners per cell in each prison in England and Wales and the statutory minimum size of prison cells.

Information regarding the size of cells is not collected centrally and could be obtained only at disproportionate cost.

With regard to the number of prisoners per cell, the position at the end of January this year was that some 8,488 prisoners were housed two to a cell which was designed for one person. There were no instances of three prisoners sharing a single cell.

There is no statutory minimum size for existing prison cells, although Prison Service operating standards do lay down an ideal minimum size of 5.5 square metres. Section 14 of the Prisons Act 1952 requires cells to be certified as being fit as regards their size, lighting, heating, ventilation and fittings.

Football Matches

Sir Teddy Taylor: To ask the Secretary of State for the Home Department if he will assess the financial problems for association football clubs arising from the costs imposed by police services in respect of the attendance of police officers at games; and if he will make a statement. [20872]

Mr. Maclean *[holding answer 18 March 1996]:* The taxpayer already foots the bill for policing outside football grounds as part of the duty of the police to keep the peace and prevent crime. It is right for those who benefit—the club and the supporters attending the match—to pay for police services inside grounds.

Featherstone Prison (Drug Parties)

Mr. Hawksley: To ask the Secretary of State for the Home Department if he will hold an inquiry into the making of a video showing drug parties in Featherstone prison, near Wolverhampton; and if he will make a statement. [21681]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Warren Hawksley, dated 19 March 1996:

The Home Secretary has asked me to reply to your recent Question about a video purporting to show a drugs party in Featherstone.

The governor of Featherstone will conduct a full investigation into the circumstances surrounding this incident once a copy of the video has been received. Any action to be taken will depend on the conclusions of the investigations now taking place.

Fine Defaulters

Mrs. Anne Campbell: To ask the Secretary of State for the Home Department what is the average weekly cost of keeping a fine defaulter in prison. [21115]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mrs. Anne Campbell, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the average weekly cost of keeping a fine defaulter in prison.

Information on the cost of prisoners according to their type of offence is not collected centrally. The average weekly net operating cost of a prison place in 1994–95 was £458.

Mrs. Campbell: To ask the Secretary of State for the Home Department how many people are currently held in prison on convictions relating to fine defaults. [21113]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mrs. Anne Campbell, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking, how many people are currently held in prison on convictions relating to fine defaults.

The latest available information is for 31 January 1996. On that date there were 358 persons in Prison Service establishments in England and Wales for non-payment of a fine.

Doncaster Prison

Mr. Redmond: To ask the Secretary of State for the Home Department (1) if prisoners from Doncaster prison are eligible for unaccompanied visits to *(a)* Doncaster and *(b)* surrounding towns after good behaviour; and if he will make a statement; [21005]

(2) what provision is available in Doncaster prison for *(a)* therapeutic and *(b)* psychological treatment when inmates receive positive results to tests for transmissible diseases; and if he will make a statement; [20991]

(3) what regular medical checks prisoners in Doncaster prison receive; what systematic checks are carried out for transmissible diseases; and if he will make a statement; [20999]

(4) what steps are taken to prevent discrimination against prisoners in Doncaster prison with specific health problems; and if he will make a statement; [20993]

(5) what percentage of the annual budget for Doncaster prison is designated for health care; and if he will make a statement; [21002]

(6) how many *(a)* nurses and *(b)* doctors are employed in Doncaster prison; and if he will make a statement; [20992]

(7) what mechanisms exist in Doncaster prison relating to the prevention of *(a)* transmissible or *(b)* contagious diseases (i) in general and (ii) in respect of specific outbreaks; and if he will make a statement; [21001]

(8) how many prisoners in Doncaster prison are currently recorded as being terminally ill; if he will list the illnesses diagnosed; and if he will make a statement; [20990]

(9) what provisions are made for those prisoners in Doncaster prison known to be terminally ill; and if he will make a statement; [20994]

(10) what steps are taken to ensure the confidentiality checks on prisoners in Doncaster prison, with particular reference to cases involving transmissible diseases; and if he will make a statement; [20978]

(11) how many prisoners have died in Doncaster prison since it opened; and if he will list the figures where the cause of death was *(a)* self-inflicted, *(b)* accidental, *(c)* murder, *(d)* disease, *(e)* AIDS, *(f)* tuberculosis, *(g)* cancer and *(h)* vascular and heart disease. [21004]

Miss Widdecombe: Responsibility for these matters has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Martin Redmond, dated 19 March 1996:

The Home Secretary has asked me to reply to your recent Questions about unaccompanied visits for prisoners and medical matters at Doncaster prison.

No prisoners from Doncaster are eligible for unaccompanied visits to Doncaster or any other towns in the area.

Four prisoners have died within Doncaster since the prison opened. Two inquests have been held, one of which recorded a verdict of death from natural causes and one a verdict of death by suicide. In addition, two have died in outside hospital, one from natural causes and one suicide. All prisoners are given a physical and mental health check on reception. Prisoners who are identified with pre-existing conditions receive reviews as clinically indicated. All are asked about their experience of transmissible diseases. If clinically indicated, and the prisoner agrees, they undergo the appropriate tests.

Medical confidentiality is of paramount importance at Doncaster and helps reduce the chance of discrimination against any prisoner on the grounds of health. All medical information on prisoners is kept within the Health Care Centre and is provided to nobody except authorized staff. With regard to transmissible diseases, health promotion posters and literature are displayed freely throughout the prison. Doncaster has also had a contagion control policy in preparation for the outbreak of any contagious disease. This policy allows a number of internal and external resources to be deployed in the event of specific outbreaks. The prison has registered mental nurses with counselling skills, as well as qualified counsellors and psychologists to assist prisoners who receive positive results having been tested for a transmissible disease.

There are currently no prisoners in Doncaster who are terminally ill. Should any prisoner be so diagnosed, an application can be made to the Area manager for release on compassionate grounds.

The contract for Doncaster prison specifies the health care requirements that the contractor is required to meet. Distinct services within the total operation are not broken down by price. The way these requirements are met and staffing details are matters for Premier Prison Service.

Prison Officers (Training)

Ms Lynne: To ask the Secretary of State for the Home Department if he will make a statement on the level of training received by prison officers at *(a)* Buckley Hall prison and *(b)* other male category C training prisons. [21054]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Ms Liz Lynne, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the level of training received by prison officers at (a) Buckley Hall prison and (b) in other male category C training prisons.

The contract for Buckley Hall prison specifies the level of staff training, both basic and continuing, which the contractor is required to meet.

The detail of how these requirements are fulfilled is a matter for Group 4.

All new prison officers joining other category C establishments will have received nine weeks training in both theoretical and practical skills.

Prisoners (Threats to Witnesses)

Mr. Mike O'Brien: To ask the Secretary of State for the Home Department on how many occasions in the last five years prisoners have telephoned or written from Her Majesty's prisons to witnesses in such a way that charges of perverting the course of justice or other charges relating to attempts to interfere with witnesses in criminal cases have resulted. [20726]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Brian Landers to Mr. Mike O'Brien, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about prisoners who may have telephoned or written to witnesses in such a way that charges of perverting the course of justice or other charges have resulted in criminal cases.

Unfortunately this information is not available.

Mr. O'Brien: To ask the Secretary of State for the Home Department on how many occasions prisoners have been disciplined in Her Majesty's prisons in each of the last five years as a result of complaints about letters or telephone calls by prisoners making threats to witnesses in their case. [20727]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Brian Landers to Mr. Mike O'Brien, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about prisoners who have been disciplined in the last five years as a result of complaints of threats to witnesses in their case.

Unfortunately this information is not readily available and could be obtained only at disproportionate cost.

Competitive Tendering (Contracts)

Mr. Donohoe: To ask the Secretary of State for the Home Department how many contracts for goods or services have been awarded in each of the last three financial years by his Department and its executive agencies after competitive tendering; and what was the total combined value of these contracts. [21028]

Mr. Howard: The information requested is not recorded centrally and could be obtained only at disproportionate cost. However, it is Home Office policy to buy all goods and services by competition unless there are convincing reasons to the contrary. Purchases in excess of about £100,000 are subject to European Community competition procedures, as laid down in statutory instruments.

Prison Service (Medical Staff)

Mr. Cohen: To ask the Secretary of State for the Home Department what controls *(a)* his Department and *(b)* the Prison Service has over medical staff who undertake work for them and are engaged in medical research; and if he will make a statement. [19953]

Miss Widdecombe *[holding answer 7 March 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Alastair Papps to Mr. Harry Cohen, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about controls on medical staff who are engaged in medical research.

I understand that there are no medical staff employed on medical research in the main Home Office.

Within the Prison Service all medical and health care research requires ethical approval, the consent of the governor of the prison and the free and informed consent of the prisoner concerned.

Such ethical approval is obtained either from the Prison Service Health Research Ethics Committee, which has an independent chairman and membership drawn from the independent Health Advisory Committee to the Prison Service and health care professionals from outside the Prison Service or the appropriate NHS committee.

Harry Duggan

Mr. Madden: To ask the Secretary of State for the Home Department if Harry Duggan, who is serving a life sentence, was allowed to attend his mother's funeral in the Republic of Ireland; and if he will make a statement. [21516]

Miss Widdecombe *[holding answer 18 March 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Max Madden, dated 19 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question asking if Harry Duggan who is serving a life sentence, was allowed to attend his mother's funeral in the Republic of Ireland.

An application by Mr. Duggan to attend the funeral of his mother in the Republic of Ireland was carefully considered but refused for security and jurisdictional reasons.

Hewell Grange (Maintenance and Repair)

Mr. Faulds: To ask the Secretary of State for the Home Department, pursuant to his answer of 8 March, *Official Report*, columns *411–12*, what use Hewell Grange was put to when it was under Home Office responsibility before it was used as a prison; what maintenance and repairs were undertaken; and what condition the building was in when it was handed over to the Prison Service. [21443]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange a reply to be given.

Letter from Richard Tilt to Mr. Andrew Faulds, dated 19 March 1996:

The Home Secretary has asked me to reply to your recent Question about the use Hewell Grange was put to when it was under Home Office responsibility before it was used as a prison; what maintenance and repairs were undertaken; and what condition the building was in when it was handed over to the Prison Service.

Hewell Grange has been used as an open prison for male adult offenders since 1991. Prior to that change of role, it was used as a Young Offenders Institution to accommodate young offenders in open conditions.

The building was acquired for use as a penal institution in 1947. There are no records of its condition at that time. A full range of maintenance work and repairs has been undertaken during its ownership by the Prison Service. Details are not held centrally and could only be provided at disproportionate cost.

Chief Fire Officers

Mr. Winnick: To ask the Secretary of State for the Home Department when a reply will be sent to the hon. Member's letter of 13 February, ref. 3185/96, concerning chief fire officers. [21229]

Mr. Sackville *[holding answer 18 March 1996]:* My right hon. and noble Friend replied to the letter on 18 March.

Immigration (Pakistan)

Mr. Madden: To ask the Secretary of State for the Home Department when the home country report on Pakistan is to be completed and placed in the Library; what steps are taken to ensure the accuracy and completeness of such reports; if such reports are normally made available to those representing appellants at immigration appeals; and if he will make a statement. [21517]

Miss Widdecombe *[holding answer 18 March 1996]:* Our aim is to finalise the report and place it in the Library quite soon. It will also be made available to those concerned with the asylum appeals system. The report, like those on Nigeria and Ghana, will draw on all available, relevant sources of information, and will be updated as necessary.

Alcoholic Lemonade

Mr. David Nicholson: To ask the Secretary of State for the Home Department what research he has commissioned regarding the consumption of alcoholic lemonades by under-age drinkers; and what representations he has received regarding *(a)* such studies and *(b)* the prohibition of the manufacture and sale of alcoholic lemonades. [9462]

Mr. Maclean: Although no research has been commissioned by my Department into the consumption of alcoholic lemonades by under-age drinkers, concerns that these drinks may provide a temptation for children to start drinking have been expressed in letters from members of the public on general law and order issues. We welcome reports that the Portman group, set up by the eight leading

United Kingdom drinks companies to promote sensible drinking and reduce alcohol misuse, are considering a code of practice to its industry members on the use of names that include, for example, lemonade, cola or other soft drinks.

SCOTLAND

Computers

Mr. Miller: To ask the Secretary of State for Scotland if he will list all cases since 1987 in which his Department has bought computer capacity from *(a)* other Departments and *(b)* the private sector, giving the value of each contract and the name of the private sector contractors. [19454]

Lord James Douglas-Hamilton: Since 1987, the Scottish Office has not purchased computer capacity from other Departments or the private sector to augment the Department's own computing capability. Payroll and superannuation processing services have been bought from other Departments, and these have included an element of computer processing.

Department	*Amount* £
Her Majesty's Treasury (Chessington Computer Centre—Payroll Services)	1,922,400
Ministry of Defence (Superannuation services)	115,700

In addition, from time to time, the Scottish Office has purchased other services which may have included some computer processing as part of the work undertaken but it is not possible to identify these services except at disproportionate cost.

Multi-storey Housing Blocks

Mr. David Marshall: To ask the Secretary of State for Scotland what is his estimate of the total number of people living in multi-storey blocks of flats in Scotland. [21118]

Mr. Raymond S. Robertson: The information is not available in the form requested.

Local authorities in Scotland are estimated to have 51,000 dwellings in blocks of flats more than four storeys high.

Information on the number of households, by lowest floor level of accommodation, was published in the report of the General Register Office for Scotland on the 1991 census, a copy of which is available in the House Library.

Mr. Marshall: To ask the Secretary of State for Scotland what is the total number of blocks of multi-storey flats over 10 floors high in Scotland; and where they are located. [21119]

Mr. Robertson: The information is not available in the form requested.

The table provides information on the number of individual dwellings in blocks of flats of 15 or more storeys let by local authorities in Scotland.

Housing stock estimates: Super high-rise dwellings (15 or more storeys)

Authority	*Super high rise (15 or more storeys)*
Scottish Borders Council	0
Dumfries and Galloway Council	0
Fife Council	223
Highland Council	0
Clackmannanshire Council	0
Falkirk Council	0
Stirling Council	0
Aberdeenshire Council	0
City of Aberdeen Council	2,943
Moray Council	0
City of Edinburgh Council	2,047
East Lothian Council	0
Mid-Lothian Council	0
West Lothian Council	0
Argyll and Bute Council	0
City of Glasgow Council	20,273
West Dunbartonshire Council	1,524
East Dunbartonshire Council	0
East Ayrshire Council	0
North Ayrshire Council	0
South Ayrshire Council	0
East Renfrewshire Council	0
Inverclyde Council	1,471
Renfrewshire Council	1,090
North Lanarkshire Council	2,982
South Lanarkshire Council	0
Angus Council	0
City of Dundee Council	2,230
Perthshire and Kinross Council	0
Orkney Islands Council	0
Shetland Islands Council	0
Western Isles Council	0
Scotland	34,783

Rented Housing

Mr. David Marshall: To ask the Secretary of State for Scotland what is his estimate of the total number of houses in the rented sector in Scotland; and what was the figure in 1979. [21117]

Mr. Raymond S. Robertson: The estimated number of rented houses in Scotland was, at December 1979, 1,283,000; and, at December 1994, 948,000. These figures cover both private and public sectors, and include housing associations.

Urban Environment

Mr. David Marshall: To ask the Secretary of State for Scotland what is Scottish Natural Heritage's policy on the urban environment; and if he will make a statement. [21095]

Mr. Kynoch: On 30 November 1995, Scottish Natural Heritage published *"Natural Heritage In and Around Settlements: A Framework for Action"*, which sets out the principles that guide SNH's activities throughout urban areas and other settlements in Scotland. I have asked for a copy to be placed in the House of Commons Library.

SNH supports many projects and initiatives in urban areas, including some £1.5 million per annum for projects in the countryside in and around towns programme.

Permitted Development Orders

Mr. Donohoe: To ask the Secretary of State for Scotland what measures he proposes to ensure the accountability of planning decisions taken within the areas covered by the permitted development orders. [21041]

Mr. Kynoch: No such measures are necessary. There is only one permitted development order, the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, which covers the whole of Scotland. It grants a form of general planning permission, known as permitted development, for certain types of non-controversial development which would otherwise invariably be granted planning permission. These permitted development rights are subject to various limitations and conditions to protect amenity and the environment. Some classes of permitted development, that is for agricultural and forestry buildings, are subject to a prior approval procedure which gives planning authorities the opportunity to influence matters such as siting, design and external appearance.

Provided a person is satisfied that a proposed development is permitted development there is no need to apply to the planning authority for consent and no basis for addressing the accountability of decisions not before the authority.

Mr. Donohoe: To ask the Secretary of State for Scotland how many approaches his Department has had during the last five calendar years from local authorities seeking to amend the terms of permitted development orders; and on how many occasions his Department has responded positively to these requests. [21044]

Mr. Kynoch: The Department receives numerous approaches from local authorities, and others, suggesting changes to the permitted development order and other pieces of planning legislation. Like all planning legislation, the permitted development order is kept under regular review and any suggestions for amendment are taken into account. The Department responds to all such approaches explaining what action, if any is to be taken. No record is kept of the number of these approaches.

Mr. Donohoe: To ask the Secretary of State for Scotland what procedures are used by his Department in considering whether to renew the terms of a permitted development order. [21043]

Mr. Kynoch: The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 is a statutory instrument and so remains in force until it is amended or revoked by a subsequent statutory instrument. Thus, while there is no requirement to renew the order, it is kept under review and from time to time it is subject to amendment. Suggestions for change can arise from research, a policy change or ideas submitted by interested parties.

Any proposals to amend the order are normally subject to public consultation with planning authorities and a wide range of individuals and organisations representing developer, business, environmental and community interests before being implemented.

Mr. Donohoe: To ask the Secretary of State for Scotland if he will make a statement listing the permitted development orders currently in force, the facilities these orders relate to, when they were initially enacted and when they were last reviewed by his Department. [21045]

Mr. Kynoch: There is only one order, the Town and Country Planning (General Permitted Development) (Scotland) Order 1992. It presently covers 71 different classes of development, which would require too much space to list here. However, a copy of the order is available in the Library. The current order came into force on 13 March 1992 and, like all planning legislation, is subject to regular review. It has been amended on several occasions since then, most recently in February 1995.

Disabled Students

Mr. David Marshall: To ask the Secretary of State for Scotland which authority will be responsible from 1 April for paying the travel costs of college students who have disabilities; and if he will make a statement. [21099]

Mr. Raymond S. Robertson: Travel costs for college students with disabilities are paid through bursaries or the students awards scheme for those studying on higher education level courses.

From 1 April 1996, responsibility for bursaries will transfer from local authorities to the 43 incorporated further education colleges. Bursaries for further education students studying outwith the incorporated colleges will remain the responsibility of local authorities. The student awards agency for Scotland will continue to administer the student awards scheme.

Prisoners (Self-harm)

Mr. Connarty: To ask the Secretary of State for Scotland (1) how many self-inflicted deaths have occurred in Scottish prisons in 1996 at the latest date for which figures are available by *(a)* age, *(b)* sex and *(c)* prison establishment; [21015]

(2) if he will make it his policy to collate figures on incidents of self-harm in Scottish prisons. [21016]

Lord James Douglas-Hamilton: The subject of the questions relates to matters undertaken by the Scottish Prison Service. I have asked its chief executive, Mr. E. W. Frizzell to arrange for a reply to be given.

Letter from E. W. Frizzell to Mr. Michael Connarty, dated 19 March 1996:

Lord James Douglas-Hamilton has asked me to reply to your questions relating to the number of self-inflicted deaths in Scottish prisons in 1996 and whether figures on incidents of self harm will be collated as a matter of policy.

There have been three deaths in custody in 1996 to date. The table below gives the information by age, sex and prison, as you requested. The cause of death in each case is subject to the findings of Fatal Accident Inquiries.

Age	*Sex*	*Prison*
54	Male	Edinburgh[1]
37	Male	Edinburgh
20	Male	Greenock

[1]A Fatal Accident Inquiry into this death is due to be held on 20 March 1996.

When you raised with me last year the question of maintaining statistics on incidents of self harm, I indicated that I would need to be sure it was a practical and useful proposition and that I would

give it further thought. The Scottish Prison Service has commissioned Dr. Kevin Power and Dr. Joseph McElroy of the Department of Psychology at the University of Stirling to undertake a comprehensive evaluation of our Suicide Prevention Strategy. In addition, Professor Gunn of the Institute of Psychiatry has been commissioned to consider the appropriateness of the strategy against developments in the care of "at risk" people in other jurisdictions. Both these reports are expected in the near future and I shall consider your suggestion again in the light of these reports.

Ardrossan, Saltcoats and Stevenson Bypass

Mr. Donohoe: To ask the Secretary of State for Scotland if he will make a statement on the current progress on the Ardrossan, Saltcoats and Stevenson bypass. [21046]

Lord James Douglas-Hamilton: The position has not changed significantly since my answer to the hon. Member on 24 November 1995, *Official Report*, column *321*. The revised design work is still on-going, and will be completed soon, allowing consideration to be given to publication of new draft standing orders this summer.

Special Needs Housing

Mr. David Marshall: To ask the Secretary of State for Scotland (1) what plans he has to increase the number of special needs houses in Scotland; and if he will make a statement; [21121]

(2) what is the total number of special needs houses in each parliamentary constituency in Scotland. [21120]

Mr. Raymond S. Robertson: Community care is one of four national priorities for local housing authorities. It is also a priority for Scottish Homes.

Between 1979 and 1995, the stock of sheltered dwellings provided by public authorities and housing associations increased by more than fourfold to around 34,000. In 1995, these bodies also provided just over 7,900 dwellings for disabled people; just over 24,000 specially adapted houses; over 17,400 amenity houses; and over 23,000 dwellings with alarms. In addition, many community care users live in mainstream housing with suitable support services and a number are in private provision.

A breakdown of the total numbers of such dwellings by parliamentary constituency is not available.

Remand Prisoners

Mr. Connarty: To ask the Secretary of State for Scotland how many people received into prison on remand during 1994 were *(a)* acquitted, *(b)* freed at court, *(c)* sentenced to non-custodial sentence and *(d)* sentenced to a term of imprisonment (i) in total and (ii) by gender. [21017]

Lord James Douglas-Hamilton: This information is not held centrally.

Scottish Natural Heritage Projects

Mr. David Marshall: To ask the Secretary of State for Scotland if he will list the total amounts spent by Scottish Natural Heritage in each of the last three years on projects in each constituency in Scotland. [21096]

Mr. Kynoch: The information requested is not held in the form required. Details of Scottish Natural Heritage's annual expenditure are set out in its annual reports, copies of which are lodged in the Library of the House of Commons.

Competitive Tendering (Contracts)

Mr. Donohoe: To ask the Secretary of State for Scotland how many contracts for goods or services have been awarded in each of the last three financial years by his Department and its executive agencies after competitive tendering; and what was the total combined value of these contracts. [21035]

Lord James Douglas-Hamilton: The Scottish Office and its executive agencies follow Government policy that goods and services should be acquired by competition unless there are convincing reasons to the contrary. Formal competitive tendering procedures are normally used for all purchases over £10,000 in value. Details of the value and numbers of all contracts placed could be provided only at disproportionate cost.

Scottish Homes

Mr. David Marshall: To ask the Secretary of State for Scotland when he will announce the name of the new chairperson of Scottish Homes; and if he will make a statement. [21098]

Mr. Raymond S. Robertson: My right hon. Friend expects to make an announcement shortly.

Population Statistics

Mr. David Marshall: To ask the Secretary of State for Scotland what information he has as to the total numbers of people who are *(a)* unemployed, *(b)* old age pensioners, *(c)* in receipt of benefits, *(d)* under 16 years of age, *(e)* on low incomes, *(f)* living in poverty and *(g)* homeless in each of the new parliamentary constituencies in Scotland; and if he will make a statement. [21102]

Mr. Kynoch: The information requested is not available.

Roads

Mr. Galbraith: To ask the Secretary of State for Scotland what was spent by the Scottish Office on *(a)* construction and improvement of trunk roads and *(b)* grants to local authorities for construction and improvement of other roads in Scotland at outturn prices in each year from 1975 to 1995. [19306]

Lord James Douglas-Hamilton *[holding answer 18 March 1996]:* The information required is set out in the table for 1975–76 to 1994–95. Only expenditure on grants to local authorities for specific schemes is included. Grant aid to the majority of local authorities roads construction and improvement activity is subsumed within revenue support grant. Information for grants to local authorities for specific schemes from 1975–76 to 1983–84 for roads could be provided only at disproportionate cost.

£ million

Year	Net capital expenditure on trunk roads[1]	Grants to local authorities for roads[2]
1975–76	43	—
1976–77	44	—
1977–78	62	—
1978–79	65	—
1979–80	74	—
1980–81	81	—
1981–82	88	—
1982–83	102	—
1983–84	96	—
1984–85	97	3
1985–86	101	5
1986–87	95	4
1987–88	112	2
1988–89	110	4
1989–90	136	2
1990–91	172	2
1991–92	173	1
1992–93	196	2
1993–94	191	2
1994–95	208	2

[1] Includes expenditure on construction and improvement, structural repairs and other capital grants on trunk road projects. Figures taken from "Scottish Transport Statistics" Bulletins.
[2] Includes grants to assisted areas for access roads under the Industrial Development Act 1982 and specific grants under section 3 of the Roads (Scotland) Act 1984. Roads and transport capital consent allocations are excluded.

Fox Fur Farms

Mr. Heppell: To ask the Secretary of State for Scotland how many fox fur farms there are in each county of Scotland. [21375]

Mr. Raymond S. Robertson: There are no fox fur farms in operation in Scotland.

Municipal Farms

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will list for each current region and district council in Scotland *(a)* the number, *(b)* the size and *(c)* the market value of each farm owned by the council or on its behalf; and which are planned to be sold (i) before and (ii) after local government reorganisation. [21201]

Mr. Raymond S. Robertson: The information requested is not held centrally.

Mink Farms

Mr. Heppell: To ask the Secretary of State for Scotland how many licences were issued for mink farms in each county of Scotland in each of the last five years. [21374]

Mr. Raymond S. Robertson: The numbers of licensed mink farms are as set out in the table. No licences have been issued since 1993.

Region	1991	1992	1993
Grampian	1	1	1
Strathclyde	1	1	—
Total	2	2	1

Firearms

Mr. Corbyn: To ask the Secretary of State for Scotland if he will list the total number of gun clubs in each Scottish local government district, the total number of weapons held in each and the total membership in each for each year since 1985. [21715]

Lord James Douglas-Hamilton: There are currently 247 gun clubs in Scotland approved by the Scottish Office under section 15 of the Firearms (Amendment) Act 1988. More detailed information about these clubs is not available centrally, but I am arranging for it to be collected and made available to the inquiry to be held by Lord Cullen.

Mr. Corbyn: To ask the Secretary of State for Scotland if he will list the total number of firearms certificates *(a)* which are issued for new applications, *(b)* which are renewals and *(c)* which are valid for more than one year for each year since 1985. [21708]

Lord James Douglas-Hamilton: The information is as follows:

	New certificates	Renewals[1]
1985	3,167	[2]—
1986	3,391	10,200
1987	3,223	9,800
1988	3,307	9,900
1989	2,669	10,100
1990	2,697	8,700
1991	1,850	8,400
1992	1,851	8,300
1993	1,770	8,500
1994	1,991	9,200

[1] The renewals figures have been estimated centrally to take account of forces unable to provide this information.
[2] Not collected.

New firearm certificates granted prior to 1995 were initially made valid for three years and could be renewed after this time for further three-year periods. Since the Firearms (Period of Certificate) Order 1994 came into effect on 1 January 1995, the order has extended the life of all firearm certificates granted or renewed after that date to five years.

WALES

Fire Services

Mr. Llwyd: To ask the Secretary of State for Wales if he will review his allocation of funds to the fire services consequent on the formation of the new local government unitary authorities; and if he will make a statement. [20649]

Mr. Gwilym Jones: Unitary authorities are responsible for funding fire authorities' revenue expenditure from their unhypothecated resources. The local government revenue settlement for 1996–97 was approved by the House of Commons on 8 February. Funding of fire authorities' capital expenditure is a matter for my right hon. and learned Friend the Home Secretary.

School Class Sizes

Mr. Llwyd: To ask the Secretary of State for Wales what current restrictions apply in respect of class sizes in Wales; and if he will make a statement. [20729]

Mr. Richards: Class sizes are a matter for individual school governing bodies to consider in the light of their local statutory responsibilities and their perception of educational needs and priorities.

Wheelchairs

Mr. Alan Williams: To ask the Secretary of State for Wales what plans he has to introduce in Wales *(a)* a scheme to provide on the NHS powered indoor/outdoor wheelchairs for severely disabled people and *(b)* a voucher scheme for the purchase of wheelchairs. [21256]

Mr. Richards: In the light of my hon. Friend the Under-Secretary of State for Health's recent announcement about the provision of powered wheelchairs and a wheelchair voucher scheme, we are currently examining the implications of introducing similar arrangements in Wales.

Mr. Morgan: To ask the Secretary of State for Wales what plans he has to introduce in Wales a similar scheme to that announced by the Government on 23 February for England to provide powered indoor and outdoor wheelchairs for the severely disabled and financial aid for wheelchair users; and if he will make a statement. [21302]

Mr. Hague: I am currently examining the implications of introducing similar arrangements in Wales.

Nursery Vouchers Scheme

Mr. Barry Jones: To ask the Secretary of State for Wales if he will visit St. Anthony's county primary school, Saltrey Ferry and Broughton county primary school to meet teachers, parents and governors to discuss the voucher scheme; and if he will make a statement. [21131]

Mr. Richards: Neither my right hon. Friend nor I has any plans to do so. Each primary and nursery school in Wales has had a copy of a letter from the Welsh Office giving details of the scheme and addressing some common misunderstandings. In addition, I am sending a letter to all schools in Clwyd to set right misleading comments I have seen in material from the Clwyd Federation of Primary Headteachers.

Smoking (Children)

Mr. Barry Jones: To ask the Secretary of State for Wales what estimate he has made of the proportion of 15-year-old *(a)* girls and *(b)* boys who smoke regularly. [21126]

Mr. Richards: The Welsh youth health survey undertaken by Health Promotion Wales shows that, in 1994, the latest year for which it has figures, the percentages were as follows:

	Daily	*Weekly*
Girls	20.7	25.1
Boys	15.5	17.8

Nurses

Mr. Barry Jones: To ask the Secretary of State for Wales what discussions he has had with the British Medical Association about the work load of nurses. [21122]

Mr. Richards: My right hon. Friend has recently discussed with representatives of the BMA the increasing work load of hospital services and its implication for staffing as a whole.

Pupil-teacher Ratios

Mr. Llwyd: To ask the Secretary of State for Wales (1) if he will list the current pupil-teacher ratios in Wales for each *(a)* grant-maintained and *(b)* non-grant-maintained primary schools; and if he will make a statement; [20985]

(2) if he will list the current pupil-teacher ratios in Wales for each of the *(a)* grant-maintained and *(b)* non-grant-maintained secondary school; and if he will make a statement. [20984]

Mr. Richards: Information from which pupil-teacher ratios for individual schools may be calculated is collected centrally only for the purpose of compiling statistical aggregates. PTRs for individual schools are not estimated on a regular basis, and their accuracy is not confirmed with the schools. The calculation and checking of these ratios would therefore involve disproportionate cost.

Institute of Grassland and Environmental Research

Mr. Llywd: To ask the Secretary of State for Wales what representations his Department has recently received from the Institute of Grassland and Environmental Research; and if he will make a statement. [20996]

Mr. Gwilym Jones: None.

Departmental Equipment and Furniture

Mr. Llwyd: To ask the Secretary of State for Wales if he will list the cost and number of items of equipment and furniture that *(a)* have been stolen and *(b)* are otherwise unaccounted for from his Department and its agencies in each of the last five years, itemising any items valued at £5,000 or over, and indicating information technology material separately. [21087]

Mr. Hague: I refer the hon. Member to the reply that I gave to the hon. Member for Makerfield (Mr. McCartney) on 7 March 1996, *Official Report,* column *362.*

Departmental Report

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 13 March, *Official Report,* column *628,* if he will give the date of publication of the departmental report in each year since 1990. [21399]

Mr. Hague: The departmental report has been published only since 1991. Publication dates from 1991 to 1995 were as follows: 15 February 1991; 14 February 1992; 15 February 1993; 10 March 1994; 9 March 1996.

Welsh National Opera

Mr. Morgan: To ask the Secretary of State for Wales what representations he has received and what consultations he has undertaken on the provision of a permanent home for the Welsh National Opera company. [21428]

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Mr. Hague: I have received a number of representations on the proposed Cardiff bay opera house. While I have not instigated any consultations on the matter, the subject was raised with me at three meetings.

Cardiff Bay Development Corporation

Mr. Morgan: To ask the Secretary of State for Wales what representations he has received from the chairman of the Cardiff Bay development corporation concerning the outcome of the meeting convened by the Institute of Welsh Affairs on 8 March; what plans he has received for expenditure *(a)* by the corporation and *(b)* grant aided by the corporation in relation to the proposal for a large-scale lyric theatre in Cardiff bay; and if he will make a statement. [21427]

Mr. Hague: I have discussed with the chairman the outcome of the meeting convened by the Institute of Welsh Affairs on 8 March. I have received no plans for expenditure by Cardiff Bay development corporation on the construction of a lyric theatre in Cardiff bay.

Mr. Morgan: To ask the Secretary of State for Wales what was the out-turn figure for expenditure on *(a)* administration and *(b)* the architectural design competition of the Cardiff bay opera house trust from his departments grant in aid to the Cardiff Bay development corporation in 1994–95; and what estimate he has made for the same categories for the year 1995–96. [21425]

Mr. Hague: Financial contributions by Cardiff Bay development corporation towards meeting the cost of administration of the Cardiff bay opera house trust and the architectural design competition are operational matters for the corporation. I have asked the chief executive of the corporation to respond and I shall arrange for a copy to be placed in the Library of the House.

Viticulture

Mr. Morgan: To ask the Secretary of State for Wales what assessment he has made of the proportion of the agricultural land area of Wales which is suitable for viticulture; and if he will make a statement. [21308]

Mr. Hague: No assessment has been made.

Mr. Morgan: To ask the Secretary of State for Wales if he will list the number and acreage of commercial vineyards in Wales. [21309]

Mr. Hague: The latest data from the Wine Standards Board show 18 commercial vineyards in Wales totalling 23 hectares.

Mr. Morgan: To ask the Secretary of State for Wales what grants are available to livestock and arable farmers in Wales to convert their holdings to viticulture. [21317]

Mr. Hague: None.

Pembrokeshire NHS Trust

Mr. Ainger: To ask the Secretary of State for Wales when he plans to publish the final report by Coopers and Lybrand into the circumstances leading up to and the financial implications of the departure of the former chief executive of Pembrokeshire NHS trust. [21426]

Mr. Richards: I refer the hon. Member to the reply I have him on 15 January 1996, *Official Report*, column *385*.

Ministerial Responsibilities

Mr. Morgan: To ask the Secretary of State for Wales what changes he plans to make in the division of responsibilities between himself and his junior Ministers; and if he will make a statement. [21303]

Mr. Hague: I have overall responsibility for all policy issues within the Welsh Office. I have recently made one change to my junior Minister's duties. Mr. Jones has assumed responsibility for all rural and agricultural matters as set out in the rural White Paper.

EstateCare (Privatisation)

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 12 March, *Official Report*, column *559*, what was the date of the item of correspondence between his Department and the Welsh Health Common Services Authority which would most accurately fit the description of a decision letter concerning the privatisation of the EstateCare Group of the authority. [21307]

Mr. Hague: My officials wrote to the Welsh Health Common Services Authority on 16 August 1995.

Departmental Staff (Location)

Dr. Marek: To ask the Secretary of State for Wales if he will list the geographical location of the place of work of all civil servants within the Welsh Office. [21679]

Mr. Hague: Welsh Office—excluding Cadw—staff work from the following locations: London; Cardiff; Caernarfon; Carmarthen; Llandrindod Wells; Lampeter; Colwyn Bay; Haverfordwest; Milford Haven; Dolgellau; Swansea; Newtown; Brecon; Aberystwyth; Ruthin; Holyhead; Newport; Gwent and Conwy.

SOCIAL SECURITY

Fraud

14. **Mr. David Shaw:** To ask the Secretary of State for Social Security what steps he is taking to tackle fraudulent social security claims. [19712]

Mr. Heald: Our strategy, including the additional measures announced by my right hon. Friend, the Secretary of State for Social Security on 5 March, *Official Report*, columns 164–68, is set to save the taxpayer £1.5 billion next year.

18. **Mr. Day:** To ask the Secretary of State for Social Security what incentives he is giving local authorities to combat fraud. [19716]

Mr. Heald: Local authorities are rewarded for successfully detecting housing benefit and council tax benefit fraud through the anti-fraud financial incentive scheme. The scheme allows authorities to earn additional cash subsidy through successful detection of fraud, as measured against their weighted share of a national threshold. I am stepping up the incentives by ear-marking £8 million for challenge funding to encourage innovation

in fighting fraud, strengthening the financial regime by providing higher rates of return for better performing authorities, and increasing the penalties for those which are failing to tackle fraud seriously.

20. **Miss Hoey:** To ask the Secretary of State for Social Security how many people have been prosecuted as a result of Operation Rattle. [19718]

Mr. Andrew Mitchell: To date, there have not been any prosecutions as a result of Operation Rattle which was launched in November 1995.

Pensioner Incomes

15. **Mr. Duncan Smith:** To ask the Secretary of State for Social Security what plans he has to introduce a guaranteed minimum income for pensioners above the current income support levels; and if he will make a statement. [19713]

Mr. Heald: We have no plans to introduce a guaranteed minimum income which would have the effect of extending means-testing to all pensioners.

Mrs. Bridget Prentice: To ask the Secretary of State for Social Security what estimate he has made of the number of pensioners who have an income of less than 20 per cent. of average male earnings. [19710]

Mr. Heald: In 1993, there were around 650,000 pensioner households with an income below that level.

Mr. Forman: To ask the Secretary of State for Social Security what percentage of pensioners are in the least well off fifth of the population; and what the figure was in 1979. [19885]

Mr. Heald: The information is in the table.

Percentages of pensioners in the bottom 20 per cent. of the overall United Kingdom income distribution

Percentages

	Before housing costs	*After housing costs*
1979	47	46
1992–93	25	20

1. The information in the tables is derived from the 1979 and 1992–93 households below average income datasets. 1992–93 is the latest date for which information is available. Figures for 1992–93 are for two calendar years data combined.
2. Figures are based on the standard households below average income definition of income—weekly household disposable income adjusted for household size and composition (equivalised). These particular results are especially sensitive to the choice of equivalence scale. For example, results before housing costs vary between 32 per cent. and 54 per cent. in 1979, and 19 per cent. to 30 per cent. in 1992–93. However, results present a similar picture of changes over time, regardless of which particular equivalence scale is used. Further information on equivalisation and tests for sensitivity to choice of equivalence scale is given in Appendix 4 of households below average income 1979 to 1992–93.
3. All estimates are subject to sampling error.

Mr. Foulkes: To ask the Secretary of State for Social Security how many pensioners in Scotland *(a)* are dependent on income support and *(b)* have an income less than £10 above income support levels. [20067]

Mr. Heald: The information is not available in the format requested. Pensioners are defined as men aged 65 and over and women aged 60 and over. The number of pensioners in Scotland who are dependent on income support is 176,000, as at May 1995. This figure has been rounded to the nearest thousand and it represents customers and partners over pension age who are dependent on income support.

Information on the number of pensioners who have income less than £10 above the income support levels is not collated.

Mr. Denham: To ask the Secretary of State for Social Security what estimate he has made of the proportion of pensioner's income taken up by *(a)* housing costs and *(b)* council tax, broken down by (i) quintile and (ii) region. [20013]

Mr. Heald: The information is not available in the format requested. Such information as is available is in the table.

Estimated proportion of income spent on housing costs and council tax

Percentage

	Q1	*Q2*	*Q3*	*Q4*	*Q5*
Pensioner couple					
Housing costs	13	15	10	5	3
Council tax	6	5	4	3	2
Single pensioner					
Housing costs	17	21	27	20	7
Council tax	8	5	5	4	2
All pensioners					
Housing costs	15	18	21	11	5
Council tax	7	5	5	4	2

Notes:
1. Reliable data for a breakdown by region (using the 12 standard regions) cannot be given due to limited sample size.
2. The data have been separated into information on single pensioners, pensioner couples and all pensioner benefit units. A pensioner benefit unit is defined as a single person over state pension age or a couple where the husband, or head, is over state pension age.
3. The figures are the estimated percentages, given to the nearest percentile, of the proportion of unequivalised net income taken up by housing costs and council tax liability for single pensioners, pensioner couples and all pensioner benefit units.

Source:
Pensioners' income series 1993, based on 1993 family expenditure survey.

Mr. Denham: To ask the Secretary of State for Social Security what has been the change in the mean income of pensioners in *(a)* the lowest and *(b)* the highest quintile in each region of the United Kingdom since 1979. [20218]

Mr. Heald: The information is not available in the format requested.

For the UK as a whole, the estimated mean income of the lowest quintile of pensioner benefit units has risen by 21 per cent. in real terms since 1979. For the highest income quintile this figure is 68 per cent.

Notes:
1. There is no information available on a regional basis due to the limited sample size.
2. Pensioner benefit units are defined as a single person over state pension age or a couple where the husband, or head, is over state pension age.

Source:
Pensioners' income series 1993, based on the 1993 family expenditure survey.

Benefit Recipients (Newham)

16. **Mr. Tony Banks:** To ask the Secretary of State for Social Security how many individuals in the London borough of Newham are in receipt of social security benefits. [19714]

Mr. Andrew Mitchell: The available information on locally paid benefits is set out in the table:

	Caseloads	*Counts taken*
London borough of Newham area:		
Housing benefit	39,640	August 1995
Council tax benefit	33,460	August 1995
Unemployed claimants signing on	17,368	January 1996
Benefits Agency Newham district area:		
Income support	50,018	November 1995
Incapacity benefit	7,311	January 1996
Maternity allowance	124	January 1996
Severe disablement allowance	850	January 1996

Notes:
1. Information on the numbers receiving centrally paid pensions and benefits is not available.
2. Some individuals will be in receipt of more than one benefit.
3. Unemployed claimants includes those on income support, unemployment benefit and those signing on for credits only.

Sources:
Benefits Agency central data unit, Employment Service regional office informzttion unit and DSS HB/CTB management information system.

Low-Income Families

19. **Mr. Hinchcliffe:** To ask the Secretary of State for Social Security what steps he is taking to ensure that the benefit system assists the families on the lowest incomes. [19717]

Mr. Andrew Mitchell: The Department maintains a comprehensive system of income-related benefits which are effective in focusing help on low-income families. Some 85 per cent. of income-related benefit expenditure goes to households in the bottom 40 per cent. of the income distribution and around a fifth of all social security expenditure goes to families with children.

Debt Recovery Scheme

21. **Mr. Hain:** To ask the Secretary of State for Social Security which areas have been chosen as pilots for the privatised debt recovery scheme. [19719]

Mr. Roger Evans: The six areas are the north central and west Scotland, Wales, Merseyside, Tyne Tees, Chilterns, south London and West Sussex.

The contractors will also deal with 600 cases for centrally administered benefits, which will be spread at random throughout Great Britain.

Retirement Pensions (Centenarians)

22. **Mr. Harry Greenway:** To ask the Secretary of State for Social Security if he will list the number of centenarians in receipt of retirement pensions breaking the figure down by sex and age, for each year after and including 100; and if he will make a statement. [19720]

Mr. Heald: The information is in the table.

Age	*Men*	*Women*
100	530	2,420
101	240	1,800
102	230	1,150
103	70	850
104	30	400
105	50	270
106	10	170
107	20	80
108	0	50
109	0	10
110	0	10
111	0	0
112	0	10
Total	1,180	7,220

Notes:
1. Figures include persons residing overseas.
2. "retirement pension" comprises contributory retirement pension, non-contributory retirement pension and graduated retirement benefit.

Source:
10 per cent. sample of retirement pension awards.

Identity Cards

23. **Mr. Batiste:** To ask the Secretary of State for Social Security what information will be stored on the proposed social security identity card. [19722]

Mr. Heald: We are looking to the successful private sector supplier to bear the risk of fraud. It is therefore up to them to propose any additional features. However, we expect the details to be held either on the face of the card or within its memory to be kept to the minimum required for the card to act as a secure key to access the payments database.

Child Support Agency

24. **Mr. Tipping:** To ask the Secretary of State for Social Security what proportion of child support collected by the Child Support Agency represents a net income increase for parents with care. [19724]

Mr. Andrew Mitchell: Of the total number of parents with care who currently have a full maintenance assessment, 13 per cent. are receiving family credit or disability working allowance, and 8 per cent. are non-benefit cases. Subject to the level of any previous maintenance agreement these cases represent a net income increase.

For parents with care receiving income support, maintenance is a portable income, giving greater flexibility and choice should they wish to return to work. The child maintenance bonus, due to be introduced from April 1997, will provide additional income at the point parents do return to work.

Dr. Spink: To ask the Secretary of State for Social Security what recent changes there have been in *(a)* the working of the Child Support Agency and *(b)* its performance against targets; and what factors have led to them. [15766]

Mr. Mitchell: Recent changes to the agency's operations include: measures to improve the accuracy of its assessments through enhanced training and better

targeted quality checks; the more efficient use of field office staff in the take-on of responsibility for pre-assessment work; improvements to the child support computer system; and the roll-out of computer support to the field offices.

These and other measures to simplify the child support scheme have enabled the agency to make considerable progress over the past year. Accuracy rates have improved significantly and currently exceed the 75 per cent. target. Further improvements are expected in the coming year. The agency has also collected and arranged maintenance of over £230 million so far this year and is on track to meet the 1995–96 target of £300 million. In January 1996, the agency collected maintenance in excess of £14 million which is more than that collected in the whole of its first year of operations. Payments of maintenance to parents with care have been made within 10 working days in 97 per cent. of cases against a target of 90 per cent.

The changes which have been made and the improvements in the agency's performance are the result of the Government's commitment to the success of the child support scheme and the determined efforts of staff across the agency to deliver the quality of service which the public is entitled to expect.

Mr. Alex Carlile: To ask the Secretary of State for Social Security what was the number of staff *(a)* joining and *(b)* leaving the Child Support Agency for each of the last 24 months for which figures are available; what was the total number of employees of the agency in each month during that period; and if he will make a statement. [20619]

Mr. Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Ann Chant to Mr. Alex Carlile, dated 18 March 1996:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about Child Support Agency staffing.

The total number of employees of the Agency from February 1995 to January 1996 inclusive is shown in the attached table. This also shows the fluctuations in staffing levels for each month in that period. Information on the numbers of staff leaving and joining the Agency each month during this period is not readily available. I will write to the hon. Member shortly with the outstanding information.

The figures do not include information on staff within the Belfast Child Support Agency Centre. This is because staffing issues at this centre are the responsibility of the Northern Ireland Child Support Agency.

I hope this is helpful.

Staff-in-post for the period 1 February 1994 to 31 January 1996

Month	*1994*	*1995*	*1996*
January	—	5,799.0	6,298.7
February	4,677.5	5,830.5	—
March	4,685.0	5,965.4	—
April	4,731.0	6,055.0	—
May	4,779.0	6,047.1	—
June	4,874.0	6,045.9	—
July	5,074.0	6,029.9	—
August	5,322.0	5,989.8	—
September	5,456.0	6,064.9	—
October	5,650.0	6,146.5	—
November	5,749.5	6,139.1	—
December	5,829.0	6,220.9	—

Staff-in-post figures up to and including February 1995 are shown as full-time equivalents. They are shown as whole-time equivalents thereafter.

25. **Mr Eastham:** To ask the Secretary of State for Social Security what is the average length of time taken to complete child support assessments. [19725]

Mr. Mitchell: The average time for making an assessment is around 30 weeks but in straightforward cases, where both parents co-operate, the agency aims to complete the process in six to 12 weeks.

Benefits Agency Medical Service

26. **Mr. Jamieson:** To ask the Secretary of State for Social Security what is the current situation in respect of privatisation of the Benefits Agency medical service; and if he will make a statement. [19726]

Mr. Burt: The work of the Benefits Agency medical services with the exception of policy and adjudication functions, will be contracted out to the private sector.

A competitive process is to be undertaken to select the most appropriate companies to provide a medical service for the Benefits Agency. The process will commence shortly with the placement of an advertisement inviting expressions of interest from private sector companies. The award of contracts is scheduled for April 1997.

HGV Drivers (Eyesight Testing)

Mr. Dalyell: To ask the Secretary of State for Social Security which social security benefits will be available for drivers of heavy good vehicles affected by the forthcoming European Community regulations on eyesight. [19886]

Mr. Roger Evans: Many of those adversely affected by the forthcoming EC directive on driving licences will find other employment, either with their existing employer or elsewhere. Others will have opportunities for retraining. Those remaining may be entitled to social security benefits, depending upon their circumstances.

Asylum Seekers

Mr. Austin-Walker: To ask the Secretary of State for Social Security what estimate he has made of the savings in respect of benefits no longer paid under the Social Security (Persons from Abroad) Miscellaneous Amendments Regulations 1996 to *(a)* asylum seekers with children, *(b)* persons housed under the homelessness legislation, and *(c)* other persons seeking asylum. [21597]

Mr. Roger Evans: The estimated savings in respect of benefits no longer paid to asylum seekers with children are £50 million in 1996–97, rising to £107 million in 1997–98. Estimated savings for those housed under the homelessness legislation are not available. Estimated savings for other persons seeking asylum are £68 million in 1996–97, rising to £147 million in 1997–98.

Notes:

1. Figures are based on income support and housing benefit administrative statistics for 1994, uprated in line with departmental forecasts and Home Office estimates of asylum applications.

2. Figures relate to income support, housing benefit, council tax benefit and jobseeker's allowance combined.

Mr. Austin-Walker: To ask the Secretary of State for Social Security what is his estimate of the savings to his Department as a result of the implementation of the Social Security (Persons from Abroad) Miscellaneous Amendments Regulations 1996 in respect of housing benefit no longer paid. [21598]

Mr. Evans: The estimated savings in respect of Housing Benefit no longer paid to asylum seekers are £60 million in 1996–97, rising to £130 million in 1997–98.

Note:

Figures are based on housing benefit administrative statistics for 1994, uprated in line with departmental forecasts and Home Office estimates of asylum applications.

Personal Pensions

27. **Mr. Pike:** To ask the Secretary of State for Social Security what representations he has received regarding the level at which age-related rebates for appropriate personal pensions should be set. [19728]

Mr. Heald: Representations from a range of interested parties were received in response to the Government Actuary's consultation paper issued in August 1995.

Benefit Replacement Ratios

Mr. Waterson: To ask the Secretary of State for Social Security what information he holds on benefit replacement ratios in 1994–95; and if he will make a statement. [22056]

Mr. Andrew Mitchell: The information is in the table.

Figure 16—Replacement ratios for the working population[1]

Number with replacement ratios at or above each level[2,3,4]

	1985[5]		1992–93[6]		1993–94[7]		1994–95[8]	
	000	*Per cent.*	*000*	*Per cent.*	*000*	*Per cent.*	*000*	*Per cent.*
100 per cent.+	60	0.5	5	[9]1	10	[9]—	10	[9]—
90 per cent.+	210	1.5	35	0.3	40	0.3	35	0.3
80 per cent.+	730	5.2	160	1.2	175	1.3	190	1.4
70 per cent.+	1,870	13.4	445	3.2	465	3.5	505	3.8

[1] Calculated for benefit units selected from FES data where the head works 30 hours or more a week. Excludes the self-employed and pensioners. Estimates are cumulative.
[2] Caseloads are rounded to the nearest 5,000 (subject to a margin error of 20,000). Proportions are rounded to the nearest 0.1 per cent., and any change of 0.5 percentage points is statistically significant.
[3] Estimates assume full receipt of benefit entitlement both in and out of work and are based on income from all sources after housing costs. Figures for 1990–91 and 1991–92 incorporate the effects of the community charge benefit and the independent taxation of husbands and wives.
[4] Estimates for 1985 make arbitrary allowance for travel-to-work costs. However the use of a single figure to represent such costs is inadequate, and survey evidence suggests that up to one in three employees may have no travel to work costs. For those reasons, estimates for 1980–90 onwards make no allowance for travel to work costs.
[5] Extrapolated from the 1982, 1983 and 1984 family expenditure survey.
[6] Extrapolated from the 1987, 1988 and 1989 family expenditure survey.
[7] Extrapolated from the 1988, 1990 and 1991 family expenditure survey.
[8] Extrapolated from the 1990, 1991 and 1992 family expenditure survey.
[9] Indicates case load less than 0.1 per cent.

This replaces the information published in the 1995 departmental report which unfortunately was in error as a result of a computer modelling problem.

State Retirement Pension

17. **Mr. Simon Coombs:** To ask the Secretary of State for Social Security what estimate he has made of the cost of allowing people to claim a full state pension from the age of 60 years. [19715]

Mr. Heald: The estimated cost of allowing people to claim a full state pension from the age of 60 is £15 billion in 2025 and £12 billion in 2035.

Notes

1. These costs are based on estimates of an equal state pension age of 65 published in "Pensions Bill 1994, Report by the Government Actuary on the Financial Provisions of the Bill on the National Insurance Fund" (December 1994 Cm 2714), and on estimates of an equal state pension age of 60 published in "Options for Equality in State Pension Age" (December 1991, Cm 1723). All estimates have updated to 1995–96 prices, and do not take account of changes to invalidity benefit and contracting-out since then.

2. The change in SPA is assumed to be implemented from 2010 to 2020.

3. Costs assume that the proportion of men who claim basic retirement pension at age 65 at present would claim at age 60 under the proposed scheme.

4. The baseline costs assume that state pension ages are equalised at 65 in 2020 in accordance with the provisions of the Pensions Act 1995.

Mr. Chris Smith: To ask the Secretary of State for Social Security what estimate he has made of the cost to the Exchequer of paying the state retirement pension on the day when the pensioner reaches pensionable age. [13142]

Mr. Heald: I refer the hon. Member to the reply given to the hon. Member for Manchester, Withington (Mr. Bradley) on 23 October 1995, *Official Report*, columns *485-86*. Unfortunately, there was a factual error in the reply. The correct information is as follows.

The estimated gross cost of paying state retirement pension from the day the pensioner reaches state pension age is £14 million.

This figure includes basic and additional pension and cases who are awarded after reaching minimum pension age.

Mr. Luff: To ask the Secretary of State for Social Security how many people's national insurance contributions record leaves them without entitlement to a full retirement pension; and how many of these are *(a)* women below retirement age and *(b)* women above retirement age. [20736]

Mr. Heald: At 31 March 1995, there were 4,642,330 people over state pension age whose national insurance contributions record leaves them without entitlement to a full retirement pension. Of these, 4,449,500 were women. The information is not available for people under state pension age.

Child Support

Mr. Peter Atkinson: To ask the Secretary of State for Social Security what recent changes have been made to the system of child support; and if he will make a statement. [17007]

Mr. Andrew Mitchell: A number of changes have been made to the child support scheme over the past year. These include:

- an allowance in the formula for travel-to-work costs and provision to recognise existing property and capital settlements;
- a cap on maintenance assessments which restricts the amount an absent parent is assessed to pay to a maximum of 30 per cent. of net income;
- changes to streamline administration including simplifications in the review procedures and in the definitions of housing costs and earnings for the purposes of the maintenance assessment;
- provisions paving the way for the introduction of future changes which will allow for a departure from the formula assessment in prescribed circumstances, and for the payment of a child maintenance bonus to parents with care moving off benefit into work.

These changes have been made in the light of live running of the scheme in order to address the main areas of concern, avoid undue hardship for the parents involved and enable the Child Support Agency to operate more effectively.

Disability Living Allowance

Ms Lynne: To ask the Secretary of State for Social Security what assessment he has made of the extent to which hospitals are accumulating funds from the mobility component of the disability living allowance being received by patients. [16283]

Mr. Andrew Mitchell: Departmental officials had discussions with a number of NHS trusts throughout Great Britain last summer. These suggest that this was a considerable problem in the past but is now rare.

Incapacity Benefit

Mr. Bradley: To ask the Secretary of State for Social Security (1) how many examinations for the all-work test of capacity have been scheduled but have not yet taken place in each of the 11 medical services centres; [20165]

(2) what proportion of people who have been examined for the all-work test since April 1995 are new claims; [20167]

(3) how many people have *(a)* failed to return the IB50 all-work test questionnaire and *(b)* failed to attend an examination for the all-work test in each month since April 1995 for each of the 11 medical services centres; [20175]

(4) how many people have been examined for the all-work test of incapacity *(a)* in total and *(b)* during each month since April 1995, for each of the 11 medical services centres. [20179]

Mr. Burt: Information is not available in the format requested. At 31 January 1996, 319,449 incapacity benefit all-work test examinations had been performed. Available information for individual medical centres is given in the table.

	April 1995	*May 1995*	*June 1995*	*July 1995*	*August 1995*	*September 1995*	*October 1995*	*November 1995*	*December 1995*	*January 1996*	*Total*
Birmingham[1]											
Exams scheduled	—	—	—	—	—	—	—	—	—	—	11,308
Exams performed	—	31	740	1,775	2,816	4,430	6,803	7,658	5,040	6,832	36,125
Failures to attend[2]	—	51	149	316	550	839	1,317	1,671	1,622	1,949	8,468
Bootle											
Exams scheduled	—	—	—	—	—	—	—	—	—	—	8,858
Exams performed	—	37	1,271	2,521	3,352	3,819	4,550	4,777	3,758	4,851	28,936
Failures to attend	—	7	57	399	598	1,049	1,189	1,441	1,124	1,291	7,155
Bristol											
Exams schedules	—	—	—	—	—	—	—	—	—	—	4,250
Exams performed	—	15	465	1,385	2,383	2,653	2,757	2,957	2,394	3,038	18,047
Failures to attend	—	7	47	193	458	575	739	700	605	589	3,913
Caridff											
Exams scheduled	—	—	—	—	—	—	—	—	—	—	10,893
Exams performed	—	0	899	2,724	3,921	4,880	4,585	5,747	3,804	5,734	32,294
Failures to attend	—	2	75	432	623	962	948	1,197	895	1,205	6,339
Edinburgh											
Exams scheduled	—	—	—	—	—	—	—	—	—	—	3,890
Exams performed	—	112	809	1,666	1,819	2,421	2,793	3,158	2,301	2,847	17,926
Failures to attend	—	4	3	64	196	413	434	627	579	704	3,024
Glasgow											
Exams scheduled	—	—	—	—	—	—	—	—	—	—	5,460

	April 1995	May 1995	June 1995	July 1995	August 1995	September 1995	October 1995	November 1995	December 1995	January 1996	Total
Exams performed	—	435	1,909	2,241	3,614	3,911	4,604	5,129	3,986	4,423	30,252
Failures to attend	—	89	248	407	938	1,223	1,333	1,543	970	1,514	8,265
Leeds											
Exams scheduled	—	—	—	—	—	—	—	—	—	—	1,1301
Exams performed	—	62	1,670	2,491	4,046	5,874	6,007	6,677	5,065	7,205	39,097
Failures to attend	—	13	129	225	595	1,036	1,193	1,670	1,416	1,319	7,596
Manchester											
Exams scheduled	—	—	—	—	—	—	—	—	—	—	10,757
Exams performed	—	96	1,338	2,029	3,820	4,497	4,697	4,834	4,008	6,068	31,387
Failures to attend	—	4	173	336	499	1,199	1,070	1,395	1,335	1,769	7,780
Newcastle											
Exams scheduled	—	—	—	—	—	—	—	—	—	—	4,960
Exams performed	—	42	913	1,518	2,724	3,621	3,736	3,998	2,886	4,356	23,794
Failures to attend	—	21	75	182	359	649	674	601	400	532	3,493
Sutton											
Exams scheduled	—	—	—	—	—	—	—	—	—	—	8,081
Exams performed	—	32	1,099	2,864	3,487	3,715	4,184	5,616	3,915	5,845	30,757
Failures to attend	—	76	174	391	622	968	1,153	1,339	848	1,043	6,614
Wembley											
Exams scheduled	—	—	—	—	—	—	—	—	—	—	9,262
Exams performed	—	43	741	2,204	4,190	4,642	4,822	5,102	3,966	5,124	30,834
Failures to attend	—	15	127	199	840	1,041	1,461	1,167	992	1,243	7,085

[1]Figures include those for Nottingham.
[2]Number of examinations scheduled but not yet taken place as at 31 January.
1. Failures to attend relate to appointments rather than individual benefit claimants.

Payments (Indian Sub-continent)

Mr. Marlow: To ask the Secretary of State for Social Security what is the value of the social security payments dispatched to the Indian sub-continent in each of the last 10 years. [19794]

Mr. Heald *[holding answer 11 March 1996]:* The information is not available in the format requested. Such information as is available is in the table.

	£
1990	12,076,092
1991	12,403,954
1992	13,851,020
1993	14,805,616
1994	16,107,573
1995	17,722,346

1. Figures are provisional and subject to change.
2. Figures have been rounded to nearest £1.
3. The figures include details for Retirement Pension, Widow's Benefit and War Pensions.

Fraud Freeline

Mr. Pike: To ask the Secretary of State for Social Security what analysis his Department has made of those phone calls received under the pilot fraud referral freeline service Operation Speakeasy; and if he will make a statement. [20866]

Mr. Heald: Analysis of calls made to the pilot freephone fraud referral lines is currently being conducted. The results of the pilot are expected to be available at the end of March 1996.

HEALTH

Adverse Drug Reactions

Mr. Simon Hughes: To ask the Secretary of State for Health what has been the change in the rate of reporting by general practitioners via the yellow card system since 1 October 1995. [20065]

Mr. Malone: Suspected adverse drug reaction reports are received through the yellow card scheme from general practitioners, hospital doctors, dentists and coroners directly and via pharmaceutical companies. Between 1 October 1995 and 29 February 1996, 4,546 reports of suspected adverse drug reactions were received from general practitioners compared with 4,866 reports over the same period in 1994–95. The difference in number of reports is a consequence of the major campaign to immunise children with measles-rubella vaccine which was carried out in November 1994.

Mr. Touhig: To ask the Secretary of State for Health what estimate he has made of the proportion of drugs issued on prescription by general practitioners to which patients have an adverse reaction. [20886]

Mr. Malone: The Medicines Control Agency receives reports of suspected adverse reactions to licensed medicinal products via the yellow card scheme. A report of a suspected reaction does not necessarily mean that it was caused by the medicine. As the scheme is voluntary, not all adverse reactions are reported. Therefore an estimate of the proportion of drugs issued on prescription by general practitioners to which patients have an adverse reaction can not be made from the available data.

Pensions (Abatement Rules)

Mr. Morgan: To ask the Secretary of State for Health if the abatement rules announced on 11 July 1991, *Official Report,* columns *425–26,* apply to members of staff given service-related severance payments by an NHS trust and re-employed by a health authority in the same area; and if he will make a statement. [20387]

Mr. Malone: The abatement rules announced in 1991 generally still apply. National health service pensions are subject to abatement where an employee returns to NHS employment before age 60.

Executive Action

Mr. Gordon Prentice: To ask the Secretary of State for Health if he will list those areas of executive action where he has discretion to act in respect of an individual without giving reasons for his decision. [20540]

Mr. Horam: Comprehensive records are not kept in the form requested.

Adoption Bill

Mr. Thurnham: To ask the Secretary of State for Health when he expects to publish the draft Adoption Bill. [20788]

Mr. Bowis: A draft of the proposed Adoption Bill will be issued shortly in the form of a consultation document.

Long-term Care

Mr. Redmond: To ask the Secretary of State for Health if he will *(a)* introduce a statutory disregard of capital resources for those in need of long-term social and nursing care and *(b)* give a higher priority to the well being of this group; and if he will make a statement. [20656]

Mr. Bowis: The legislation and guidance for local authorities contained in the "Charging for Residential accommodation Guide" clearly state the amount of capital that must be disregarded for charging for residential accommodation. The development of services for older people—(the majority in this group)—has been and remains one of the Government's priority areas. The new capital limits being introduced from April will enable them to retain a minimum of £10,000 of their capital assets.

Mr. French: To ask the Secretary of State for Health what plans he has for new measures on long-term care. [19727]

Mr. Bowis: The Government will consult shortly on proposals to encourage people to make provision for long-term care, as announced by my right hon. and learned Friend the Chancellor of the Exchequer in his Budget statement on 28 November 1995.

Residential Accommodation (Charges)

Mr. Luff: To ask the Secretary of State for Health what will be the final allocation in 1996–97 to Hereford and Worcester county council in respect of costs incurred as a result of the raising from 8 April of the capital limits for charges for residential accommodation. [20756]

Mr. Bowis *[holding answer 14 March 1996]:* The final allocation for Hereford and Worcester will be £765,086.

Pharmacists

Mr. Jim Cunningham: To ask the Secretary of State for Health (1) what is the average length of time it takes for his Department to pay pharmacists for their NHS contract work; [21111]

(2) what plans he has to shorten the time taken by his Department when paying pharmacists for their NHS contract work. [21112]

Mr. Malone: I refer the hon. Member to the reply I gave my hon. Friend the Member for Gosport (Mr. Viggars) on 12 December 1995, *Official Report,* column *580.*

Prescription Charges

Mr. Barry Jones: To ask the Secretary of State for Health how many increases there have been in the cost of NHS prescriptions since 1979. [21124]

Mr. Malone: I refer the hon. Member to the reply that I gave to the hon. Member for Newham, North-West (Mr. Banks) on 12 March, *Official Report,* column *776.*

NHS Management

Ms Harman: To ask the Secretary of State for Health what guidelines he has issued in respect of the performance-related element of the chief executives of NHS trusts, regional health authorities and district health authorities. [20856]

Mr. Malone: National health service trusts boards are accountable for the proper appointment, appraisal and remuneration of their senior executives and, as in all their functions, boards must have regard to the public service values of accountability, probity and openness enshrined in the codes of conduct and accountability issued to NHS boards in April 1994. The code of accountability requires all NHS boards to establish a remuneration and terms of service committee to exercise proper control of executive board member's remuneration.

For those staff employed on the national terms and conditions for general and senior managers, guidance has been issued periodically on performance-related pay in a series of health service guidelines, health circulars and personnel memoranda, copies of which are in the Library.

Medical Students

Ms Harman: To ask the Secretary of State for Health what plans he has to review the training of medical students. [20858]

Mr. Malone: Under the Medical Act 1983 the education committee of the General Medical Council has the statutory responsibility for determining the skills and knowledge required for the granting of primary medical qualifications in the United Kingdom.

General Practitioners

Ms Harman: To ask the Secretary of State for Health (1) what estimate he has made of the number of out-of-hours general practitioners co-operatives and the number of general practitioners included in these co-operatives; [20859]

(2) how many out-of-hours general practitioner co-operatives there were in each of the last five years. [20885]

Mr. Malone: This information is not available centrally.

Ms Harman: To ask the Secretary of State for Health how many general practitioners' premises are currently below minimum standards (i) by region and (ii) nationally. [20879]

Mr. Malone: I refer the hon. Member to the reply I gave the hon. Member for Dulwich (Ms Jowell) on 30 January, *Official Report*, column *711*.

Consultants (Accident and Emergency)

Ms Harman: To ask the Secretary of State for Health how many accident and emergency consultants have been in post in each of the last five years. [20883]

Mr. Malone: The information for England is shown in the list.

1990: 200

1991: 220

1992: 240

1993: 260

1994: 270

(Numbers rounded to the nearest 10; latest available figures; figures were as at 30 September in the relevant year; source: Medical and Dental Workforce Census 1990 to 1994).

Child Supervision

Mr. Chris Davies: To ask the Secretary of State for Health when he will announce his decision following the recent consultation exercise on supervised activities and holiday play schemes used by children under eight years of age; and if he will make a statement. [20903]

Mr Bowis: I refer the hon. Member to the reply I gave the hon. Member for Darlington (Mr. Milburn) on 18 March *Official Report*, column *324*.

Temazepam

Ms Harman: To ask the Secretary of State for Health what clinical guidelines have been issued on the prescribing of temazepam capsules as opposed to temazepam tablets. [21009]

Mr. Bowis: In October 1995, issue No. of the chief medical officer's update, issued to all doctors in England, notified a ban on the national health service prescribing by general practitioners of the capsule formulation of temazepam from 1 January 1996 and advised on measures taken to increase controls over temazepam generally. British National Formulary No. 31, March 1996, page 151, draws specific attention to the risks associated with the misuse of temazepam capsules. A copy of CMO's update and the British National Formulary have been placed in the Library. Temazepam tablets remain available to meet all clinical needs.

Ms Harman: To ask the Secretary of State for Health how many people died in each of the last five years from abuse of temazepam capsules. [21010]

Mr. Bowis: The number of deaths certified as due to abuse of temazepam—ICDs[1] 304.1, 304.7, 304.8. 305.4, 305.9—alone or with other drugs for the years 1990–94 in England and Wales is:

1990: 12

1991: 13

1992: 15

1993: 15

1994: 22

The available data do not differentiate between the different formulations of temazepam that may be available in any one year.

Note

[1] Internal Classification of Disease ninth revision.

Generic Prescriptions

Ms Harman: To ask the Secretary of State for Heath what is the average percentage of generic prescriptions by *(a)* non-fundholding and *(b)* fundholding general practitioners. [20882]

Mr. Malone: The percentage of generic prescriptions written by non-fundholding general practitioners in England and dispensed in 1994–95 is 50.5 per cent. The equivalent figure for fundholding general practitioners is 55.3 per cent.

Notes

1. The data cover all prescriptions dispensed by community pharmacists and appliance contractors, dispensing doctors, and prescriptions submitted by prescribing doctors for items personally administered in England.

2. The analyses are based on prescriptions written by GPs and dispensing doctors in England only, wherever they are dispensed.

Casualty Admissions

Ms Harman: To ask the Secretary of State for Health how many admissions to casualty departments there have been in each of the last five years. [20884]

Mr. Horam: The information is set out in table 4 of the statistical bulletin "NHS hospital activity statistics: England 1984 to 1994–95", copies of which are available in the Library. This shows the number of attendances at accident and emergency departments in NHS hospitals.

Competitive Tendering (Contracts)

Mr. Donohoe: To ask the Secretary of State for Health how many contracts for goods or services have been awarded in each of the last three financial years by his Department and its executive agencies after competitive tendering; and what was the total combined value of these contracts. [21033]

Mr. Horam: The Department of Health and its agencies competitively tender for all their contracts.

The information requested is not available centrally.

Acute Psychiatric Beds

Mr. Callaghan: To ask the Secretary of State for Health how many acute psychiatric beds are available *(a)* in total and *(b)* per head of population in the North West region. [21421]

Mr. Bowis: The information available centrally is shown in the table.

Average daily number of available short-stay beds—wards open 24 hours—NHS hospitals: North West region —mental illness 1994–95

Number of beds[1]	*[2]Number of beds per 100,000*
2,011	47.8

[1] Source of data: Department of Health KHO3 returns.
[2] Based on OPCS estimate of 4,206,500 as resident population.
1. Definition of short-stay: an element of the component of the ward classification intensity of care (psychiatric). Facilities for the mentally ill who are intended to stay less than one year.
2. The table excludes places in special hospitals and NHS secure wards, which are not defined in this way.
3. "Bed availability for England", a copy of which is in the Library, contains information by individual National Health Service providers, i.e., trusts, directly managed units and the special health authorities, with summary tables for England. Data are collected by broad ward classification rather than by clinical specialty and returns are made on a financial year basis. 1994–95 is the latest year for which data are available.

Life Expectancy

Ms Harman: To ask the Secretary of State for Health if he will list the average life expectancy for *(a)* women and *(b)* men by health authority. [21667]

Mr. Horam: I refer the hon. Member to the reply I gave her on 15 February, *Official Report,* columns *686-87.*

Waiting Lists

Mr. Milburn: To ask the Secretary of State for Health how many patients have died while on waiting lists in each of the last three years; and if he will indicate the treatment for which they were waiting. [21675]

Mr. Horam: Information is collected on removals from waiting lists but does not differentiate between the various reasons, which include death. Emergencies are always treated immediately and patients who need urgent treatment are given priority.

Residential Care (Capital Allowance)

Mr. Rendel: To ask the Secretary of State for Health what additional resources are being made available to local authorities to reflect the changes to the capital allowance for those in residential care. [19723]

Mr. Bowis: I refer the hon. Member to the reply my right hon. Friend the Secretary of State gave my hon. Friend the Member for Worcester (Mr. Luff) on 5 March, *Official Report,* column *189.*

Intensive Care

Mr. Byers: To ask the Secretary of State for Health what is the average annual cost of providing an intensive care bed; and if he will provide a breakdown of the main costs involved. [21163]

Mr. Horam: This information is not available centrally.

Ms Harman: To ask the Secretary of State for Health how many inquiries his Department has held into intensive treatment unit beds in each year since 1979; and if he will indicate their date. [21502]

Mr. Horam: The Department of Health has commissioned three inquiries on intensive care since 1979. The "Study of Provision of Intensive Care in England, 1993" was published in January 1995.

An inquiry called "Investigation into the Neurosurgery Patient Transfers" was published in March 1995. It was jointly commissioned by the Department.

In addition, the Department contributed to the funding of a report of a multi-disciplinary working party on paediatric intensive care published by the British Paediatric Association in December 1993.

Copies of the documents are available in the Library.

Yorkshire Regional Health Authority

Mr. Fatchett: To ask the Secretary of State for Health if he will list those organisations which were short listed for the purchase of the headquarters in Harrogate of the former regional health authority. [21525]

Mr. Malone: Following pre-tender qualification, the companies invited to tender for the new headquarters of the Northern and Yorkshire regional office in Durham, which also included the requirement to purchase the former headquarters of the Yorkshire regional health authority in Harrogate, were:

Wickes Properties Ltd.

Grantchester Group plc

Durham County Council

Dysart Developments Ltd.

Doctors

Ms Harman: To ask the Secretary of State for Health how many medical doctors qualified in each year since 1970. [21485]

Mr. Malone: The information available relates to the number of degrees awarded in medicine and is collected by the higher education funding councils. This information is the responsibility of my right hon. Friend the Secretary of State for Education and Employment.

Asylum Seekers

Mr. Austin-Walker: To ask the Secretary of State for Health what plans he has to compensate local authorities for additional costs from the implementation of the Social Security (Persons from Abroad) Miscellaneous Amendments Regulations 1996 in respect of their statutory duties under the National Health Service and Community Care Act 1990 and Children Act 1989. [21594]

Mr. Bowis: On 11 January, *Official Report,* columns 331–65, my right hon. Friend the Secretary of State for

Social Security announced that the Government proposed to assist local authorities with any unavoidable additional costs arising under the homelessness legislation or the Children Act 1989.

The Government have since decided that a special grant under section 88B of the Local Government Finance Act 1988 will cover 80 per cent. of social services authorities' unavoidable additional expenditure above a certain threshold.

The grant will be paid in arrears on the basis of evidence submitted by authorities. Threshold levels have yet to be determined.

Written Answers to Questions

Wednesday 20 March 1996

TREASURY

Unclaimed Tax Relief

Mrs. Wise: To ask the Chancellor of the Exchequer what is his current estimate of the amount of unclaimed returnable tax on interest paid to non-taxpayer holders of savings in building societies and banks. [20270]

Mr. Jack: Our most recent estimate showed that approximately £500 million of tax was deducted from interest paid by banks and building societies between April 1991 and March 1995, that could be reclaimed, and remains unclaimed by account holders. In order to encourage savers to reclaim this money the Inland Revenue held a tax-back week last September. It told people paying too much tax on their savings how to claim tax back and attracted widespread media publicity.

Income Tax

Mr. David Nicholson: To ask the Chancellor of the Exchequer what the cost or saving at current prices and assumptions would be of *(a)* a tax-free allowance of £10,000 to all income tax payers, *(b)* a flat rate income tax rate of 20 per cent. on the remainder of all incomes and *(c)* abolition of all other income tax allowances; and what the full-year tax saving would be of (a) and (b) for a person with income of (i) £20,000, (ii) £40,000, (iii) £80,000, (iv) £160,000 and (v) £400,000. [21438]

Mr. Jack: Available information was given in my answer to the hon. Member for Dover (Mr. Shaw) on 7 February, *Official Report*, column *186*.

The tax savings for individuals with the specified income levels would depend on their levels of allowances and reliefs as well as incomes.

Tax Loss (Unemployment)

Mr. MacShane: To ask the Chancellor of the Exchequer what is the average annual cost to the Treasury in lost taxes for every 100,000 additional persons unemployed. [21439]

Mr. Jack: No accurate estimate can be made of the cost to the Treasury in lost taxes for every 100,000 additional persons unemployed. Any such calculation is highly sensitive to the assumptions on which it would have to be based.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Chancellor of the Exchequer what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21459]

Mrs. Angela Knight: Terms and conditions of employment, including wages, are a matter between the contractor or supplier and his employees, subject of course to any relevant legal requirements. Compliance with health and safety regulations is a legal requirement for the contractor or supplier, but the Treasury does remind suppliers of this in their terms and conditions of contract.

Economic and Monetary Union

Mr. Spearing: To ask the Chancellor of the Exchequer if he will state *(a)* the name of the document and *(b)* the date and place of any speech made by members of Her Majesty's Government prior to 9 April 1992 which committed the current administration to acceptance of the principle of economic and monetary union as set out in the treaty on European Union. [21546]

Mrs. Angela Knight *[holding answer 18 March 1996]:* The treaty on European Union was signed in Maastricht on 7 February 1992 and came into force on 1 November 1993. Protocol No. 11, annexed to the EC treaty, and section 2 of the European Communities (Amendment) Act 1993 mean that the United Kingdom shall not be obliged or committed to move to the third stage of economic and monetary union without a separate decision to do so by the Government and Parliament. We will agree to take part in a single currency only if it is in our national interest to do so, given the circumstances at the time.

DUCHY OF LANCASTER

Civil Servants (Justices of the Peace)

Mr. Sims: To ask the Chancellor of the Duchy of Lancaster what arrangements exist to give civil servants who are appointed justices of the peace leave of absence to carry out their judicial training and duties. [21380]

Mr. Freeman: The civil service management code gives Departments and agencies discretion to grant special leave for voluntary public service. There are no centrally prescribed limits to the amount of special leave that may be given to a civil servant who is appointed as a justice of the peace. Departments are aware of their obligation to comply with section 29 of part II of the Employment Protection (Consolidation) Act 1978.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Deputy Prime Minister what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21474]

Mr. Willetts: The Cabinet Office does not carry out checks on the wage rates paid by its contractors or suppliers. Terms and conditions of employment, including wages, are a matter between the contractor or supplier and his employees, subject to any relevant legal requirements.

All our contractors and suppliers are expected to comply with all legal requirements including the health and safety regulations.

HMSO

Mr. Alfred Morris: To ask the Deputy Prime Minister if he will give details of the meetings he has had with representatives of the staff at HMSO about the Government's plans for the privatisation of HMSO; and if he will make a statement. [20655]

The Deputy Prime Minister: My right hon. Friend the Chancellor of the Duchy of Lancaster is responsible for the sale of HMSO. He gave details of the meetings he has had with HMSO staff, in his answer to the hon. Member for Coventry, South-East (Mr. Cunningham) on 4 December, *Official Report*, column *33*. Since then, my right hon. Friend has held a further meeting with national and local trade union representatives.

The Government are committed to ensuring that staff are treated fairly during the privatisation of HMSO, and that their legal rights are fully respected. My colleagues and officials will maintain contact with staff throughout the process, and remain willing to hold further meetings as necessary.

ATTORNEY-GENERAL

Crown Prosecution Service

Mr. John Marshall: To ask the Attorney-General, pursuant to his answer to the hon. Member for Gloucester (Mr. French) of 1 February, *Official Report*, columns *858–59*, what is the Crown Prosecution Service's cash limit for 1995–96 after taking account of appropriations in aid. [21952]

The Attorney-General: The Crown Prosecution Service's cash limits which I announced on 1 February did not take account of appropriations in aid. Subject to parliamentary approval of the necessary supplementary estimate, the Crown Prosecution Service's cash limit for class IX, vote 4, after taking account of appropriations in aid, will be increased from £229,673,000 to £231,173,000. This increase will be charged to the reserve and will not therefore add to the planned total of public expenditure.

HOUSE OF COMMONS

Upper Waiting Hall Exhibitions

Mr. Alexander: To ask the Chairman of the Administration Committee if he has considered an application for an exhibition relating to the United Kingdom coal industry to be displayed in the Upper Waiting Hall. [21974]

Mr. Michael J. Martin: I understand that, under procedures agreed by the Administration Committee, arrangements have been made for the exhibition to be held in the Upper Waiting Hall from Monday 8 July to Friday 12 July 1996.

Members (Training and Advice)

Mr. Home Robertson: To ask the Chairman of the Administration Committee if he will make arrangements to provide training and advice to hon. Members on the handling of casework involving people who appear to be unbalanced or suspicious. [21962]

Mr. Michael J. Martin: I will write to the hon. Member.

LORD CHANCELLOR'S DEPARTMENT

Doncaster Crown Court Building

Mr. Redmond: To ask the Parliamentary Secretary, Lord Chancellor's Department how many times the former Doncaster Crown court building has been used for *(a)* judicial and *(b)* other purposes since its formal closure. [20664]

Mr. Jonathan Evans: The question concerns a specific operational matter on which the chief executive of the Court Service is best placed to provide an answer and I have accordingly asked the chief executive to reply direct.

Letter from M. D. Huebner to Mr. Martin Redmond, dated 20 March 1996:

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply to your Question about the use of the former Doncaster Crown Court building.

The Crown Court moved to its current address on 23 November 1989. Before that, it had rented courtrooms from the Doncaster Magistrates Court. Since the Crown Court moved to its new location, the space has reverted to use by the magistrates court.

OVERSEAS DEVELOPMENT ADMINISTRATION

Former Yugoslavia

Mr. Frank Field: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance is provided to help people who have fled from the former Yugoslavia to return to their country of origin; what discussions have taken place within *(a)* the EU and *(b)* the UN on developing a repatriation programme; and if he will make it his policy to give priority to the repatriation of skilled workers and smallholders. [21495]

Mr. Hanley: Following the Dayton agreement, the International Organisation for Migration, IOM, is collaborating with the United Nations High Commissioner for Refugees, UNHCR, in regular consultation with the EC and member states, on a comprehensive return, repatriation and re-development programme. It has been agreed that the emphasis should now be on the return of individuals with the necessary skills to assist in the general rehabilitation and reconstruction of the region. The UK is currently considering contributing a further grant towards this return of talent. The return of nationals for the former Yugoslavia who came to the UK under Government auspices will be assisted financially through the IOM.

TRADE AND INDUSTRY

Oil and Gas Exploration

Mrs. Ray Michie: To ask the President of the Board of Trade what plans he has to evaluate the advantages of laying a submarine pipeline to the new Atlantic oil fields; whom he plans to consult in the near future on this issue; and if he will make a statement. [21200]

Mr. Page: My right hon. Friend the Minister for Industry and Energy has encouraged and continues to encourage, the oil and gas industry to consider this issue. At present, it is clear that recoverable reserves in the area are insufficient to justify the laying of a submarine pipeline. The position is under constant review.

Genetic Information

Mr. Alton: To ask the President of the Board of Trade what plans he has to legislate for total genetic privacy; what studies he has made of American statutes to safeguard genetic read-outs and their applicability in the United Kingdom; what measures he proposes in respect of the insurance implications of genetic testing; and if he will make a statement. [21649]

Mr. Ian Taylor: Government policy on genetic privacy and the insurance implications of genetic testing were set out in Cm 3061, published on 10 January 1996. This responded to the Select Committee on Science and Technology's report on "Human Genetics: the Science and its Consequences", Session 1994–95, No. 41. Copies of both documents are available in the Library of the House.

The Government's response took account of developments overseas. As a result of differences in its basic health care system, however, direct parallels with the United States are difficult to draw.

In the light of further discussions with the Select Committee, the Government have said that they will consider whether there is a need for an additional trans-departmental mechanism to look at broader issues raised by human genetics. I have also met representatives of the Association of British Insurers to urge that their dialogue with geneticists and other interested parties continues in as open a manner as possible.

Nuclear Power (Research and Development)

Mr. Malcolm Bruce: To ask the President of the Board of Trade what is the present level of expenditure on research and development into nuclear power; and what are the planned levels for 1996–97 and 1997–98. [21254]

Mr. Eggar: The DIT's provision for funding nuclear research and development is set out in the annual Supply estimates published each March by HM Treasury. The estimates give details for the present and coming financial years only. Drawimg on the details given in the Supply estimates published in March 1995, the total provision for DTI funded nuclear research and development for 1994–95 was £26,313,000 and for 1995–96 is £25,556,000. This includes provision for research and development work on safety and health, fusion, safeguards and also for research and development into decommissioning and radioactive waste management, which is listed separately in the estimates. Full details of nuclear research and development funding provision for 1996–97 will be published very shortly in the March 1996 Supply estimates. A similar level of funding for nuclear research and development is planned for 1997–98. These future plans were set out in "Trade and Industry 1995: the Government's expenditure plans for 1995–96 to 1997–98", which was published in March 1995, Cm 2804.

The majority of UK nuclear research and development into nuclear safety is carried out within a programme funded by the nuclear industry and co-ordinated by the Health and Safety Executive on behalf of the Health and Safety Commission. In 1995–96, the budget for this programme is £26,300,000. The budget for 1996–97 is expected to be at a similar level.

Grant Consultants

Mrs. Lait: To ask the President of the Board of Trade what consideration he is giving to a code of practice for grant consultants; and if he will make a statement. [20327]

Mr. Page: I support the idea of a code of practice for grant consultants, and welcome any private sector initiative that provides a commitment to raising standards and makes it easier for businesses to identify bona fide consultants. One small business organisation has approached me on the subject already.

Many information brokers in the UK have now adopted a European code of conduct known as EIRENE—European information researchers network—which lays down the basic principles of responsible research and information provision.

Iraq (Exports)

Mr. Andrew Smith: To ask the President of the Board of Trade what financial assistance was provided by the Government for exports to Iraq during 1990–91. [21153]

Mr. Nelson *[holding answer 18 March 1996]:* Prior to the invasion of Kuwait in August 1990, the Export Credits Guarantee Department provided cover in 1990–91 for £112 million of UK exports to Iraq.

NORTHERN IRELAND

Executive Action

Mr. Gordon Prentice: To ask the Secretary of State for Northern Ireland if he will list those areas of executive action where he has discretion to act in respect of an individual without giving reasons for his decision. [20536]

Sir John Wheeler: In the absence of express statutory requirement within the Northern Ireland Office and Northern Ireland Departments, there is no general duty to give reasons for administrative decisions. However, as a matter of good administrative practice, including compliance with the code of practice on access to Government information, coupled with the fact that a failure to give reasons may provide grounds on which a decision may be challenged by judicial review, reasons are given where it is appropriate to do so.

Independent Tribunal Service

Mr. McGrady: To ask the Secretary of State for Northern Ireland what is the annual financial cost of the

provision of appellant medical records for disability appeal tribunals run by the independent tribunal service, Northern Ireland. [20514]

Mr. Moss: The costs for the provision of appellant medical records for disability appeal tribunals are subsumed in the overall financial cost of the independent tribunal service and no separate records are maintained.

Mr. McGrady: To ask the Secretary of State for Northern Ireland what is the current financial cost of the independent tribunal service, Northern Ireland; what was the cost in each financial year between 1990 and 1995; and if he will provide a breakdown of costs. [20515]

Mr. Moss: A breakdown of costs which are directly attributable to the independent tribunal service is included in the accompanying table. It does not include certain centrally borne costs such as those for finance and personnel or printing and stationery.

Figures for 1990–91 could be provided only at disproportionate cost.

Description	*1995–96 estimate* £	*1994–95 actual* £	*1993–94 actual* £	*1992–93 actual* £	*1991–92 actual* £	*1990–91* £
Salaries	1,489,350	1,052,325	901,056	691,021	548,304	—
Adjudication	1,345,350	834,444	557,732	408,800	394,509	—
Accommodation	380,663	390,056	291,833	179,937	171,583	—
Other costs	115,300	100,563	87,505	80,849	51,002	—
Total	3,330,663	2,377,388	1,838,126	1,360,607	1,165,398	—
Capital	53,792	148,698	235,951	0	0	—
Grand total	3,384,455	2,526,086	2,074,077	1,360,607	1,165,398	—

Other costs include travel, postage, telecom, training etc. Capital includes costs for fitting out 2nd floor of Cleaver house and the Omagh extension.
' Figures for 1990–91 could be provided only at disproportionate cost.

Civil Evidence Act 1995

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland when section 10 of the Civil Evidence Act 1995 will come into effect in Northern Ireland. [20869]

Sir John Wheeler: It is expected that section 10 of the Civil Evidence Act 1995 will be brought into force in Northern Ireland on the same day as in England and Wales. No day has yet been appointed for this.

Competitive Tendering (Contracts)

Mr. Donohoe: To ask the Secretary of State for Northern Ireland how many contracts for goods or services have been awarded in each of the last three financial years by his Department and its executive agencies after competitive tendering; and what was the total combined value of these contracts. [21037]

Sir John Wheeler: The annual spend on goods and services following competitive tendering by Northern Ireland Departments, the Northern Ireland Office and their executive agencies in each of the last three financial years is:

1992–93: £280 million

1993–94: £231 million

1994–95: £236 million

Records of the precise number of contracts and their value are not held centrally. Such information could be gathered only at disproportionate cost given that a very large number of contractual arrangements are entered into annually.

Order in Council

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what were the individual costs of the last 10 completed consultation processes on proposed Orders in Council. [17115]

Sir John Wheeler *[holding answer 28 February 1996]:* The estimated costs of printing and postage associated with the last 10 completed consultation processes were:

	£
Business Tenancies (NI) Order	1,445
Police (NI) Order	2,517
Gas (NI) Order	2,712
Road Traffic Offenders (NI) Order	3,362
Food Safety (Amendment) (NI) Order	570
Proceeds of Crime (NI) Order	1,161
Road Traffic (NI) Order	3,818
Street Works (NI) Order	3,803
Ombudsman (NI) Order and Commissioner of Complaints (NI) Order	4,041
Education (NI) Order	8,486

Staff costs are available only in respect of two consultation processes as follows:

	£
Gas (NI) Order	500
Food Safety (Amendment) NI Order	130

FOREIGN AND COMMONWEALTH AFFAIRS

China and Taiwan

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to discuss with the United States authorities the situation between China and Taiwan. [21642]

Mr. Hanley: We have been in regular and close contact with the Americans about the situation in the Taiwan straits.

South Africa

Mr. Rathbone: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent talks he has had with European Union member counterparts to help establish for South Africa a free trade agreement into the European Union; and what the next steps towards such an agreement will be. [21593]

Mr. David Davis: The UK is in the lead in pressing for liberalisation of trade between the EU and South Africa. The negotiation mandate for an EU-South Africa free trade area was discussed at the Foreign Affairs Councils on 4 December, 29 January and 26 February. It will be on the agenda again at the Foreign Affairs Council on 25 to 26 March, when the UK will urge partners to agree a mandate which is compatible with World Trade Organisation rules and negotiable with the South Africans.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21471]

Mr. Hanley: Terms and conditions of employment, including wages, are a matter between the contractor or supplier and his employees, subject to any relevant legal requirements. Compliance with health and safety regulations is a legal requirement for the contractor or supplier.

Public Bodies

Dr. Wright: To ask the Secretary of State for Foreign and Commonwealth Affairs which of the advisory non-departmental public bodies sponsored by his Department *(a)* hold public meetings, *(b)* conduct public consultation exercises, *(c)* conduct consultation exercises with outside commercial interests, *(d)* publish a register of members' interests, *(e)* publish agendas for meetings and *(f)* publish the minutes of meetings (i) under a statutory requirement and (ii) voluntarily. [21276]

Mr. Hanley: None.

Hong Kong

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs when the annual report on Hong Kong will be laid before Parliament. [21986]

Mr. Hanley: The report is being published and laid before Parliament today. Copies will be placed in the Library of the House.

European Parliament

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the estimated cost of the European Parliament in 1996; and what were the figures in each of the last five years. [20988]

Mr. Heathcoat-Amory: I have been asked to reply.

The information is provided in the table.

Cost of the European Parliament

	Ecu	*£*
1991	465,800,000	326,099,130
1992	528,100,000	387,738,610
1993	660,300,000	514,052,160
1994	646,300,000	500,077,370
1995	843,321,000	690,624,020
1996	802,739,800	680,115,050

1. The figures for 1991–94 are outturn figures and have been taken from the relevant Court of Auditors report. The figures for 1995 and 1996 are taken from the adopted European Community Budgets for those years.

2. The figures for 1991–95 have been converted from ecu to sterling using the annual average exchange rate[1]. For 1996 the conversion rate used is that prevailing on the last working day of the last month of the previous year—29 December 1995—of £1=1.1803 ecu.

[1] 1991 £1=1.4284 ecu. 1992 £1=1.3620 ecu. 1993 £1=1.2845 ecu. 1994 £1=1.2924 ecu. 1995 £1=1.2211 ecu.

WALES

Community Care

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement concerning care in the community in Wales. [21128]

Mr. Richards: Many more people are now being cared for in their own homes or in a homely environment in their local community. On the basis of figures supplied by the local authorities, in 1993–94 local authorities assessed 51,000 people for community care services and an estimated 30,000 were provided with care to help them stay in their own homes. In 1994–95 these increased to 66,000 and 32,000 respectively.

The unitary authorities will be even better placed to co-ordinate the range of care and support that vulnerable people need.

Competitive Tendering (Contracts)

Mr. Donohoe: To ask the Secretary of State for Wales how many contracts for goods or services have been awarded in each of the last three financial years by his Department and its executive agencies after competitive tendering; and what was the total combined value of these contracts. [21036]

Mr. Hague: All contracts for goods or services over £1,000 are subject to competitive tendering. Information in the form requested is not available and could be provided only at disproportionate cost.

General Practitioners

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement concerning the supply of GPs in Wales. [21127]

Mr. Richards: The number of GPs in Wales is 1,710—28 per cent. more than in 1979, when it was 1,339. The average list size continues to fall—from 2,133 in 1979 to 1,744 in 1995.

The Medical Practices Committee survey of GP recruitment last year concluded that there is a downward trend in the number of applicants for vacancies, but that there are still sufficient numbers for appointments to be made.

The Welsh Office is keeping a close eye on the situation, and has taken soundings from family health services authorities about the situation in their areas. These, together with the MPC findings, show that there is no overall shortage of GPs at national level although there are pockets of difficulty in certain places. The Welsh Office is exploring with the service ways in which we may alleviate these problems.

Firlands Training Ltd., Whitchurch

Mr. Morgan: To ask the Secretary of State for Wales if he will list those training and enterprise councils which have contracts with Firlands Training Ltd. The Firs, Whitchurch near Aylesbury under *(a)* the youth training scheme and *(b)* training for work. [21499]

Mr. Hague: Contracts between training and enterprise councils and their training providers are matters for the parties concerned. Information on such contracts is not collected centrally.

Local Government Consultation Paper

Mr. Sweeney: To ask the Secretary of State for Wales when he proposes to publish his consultation paper on the relationship between the Welsh Office and local government. [22346]

Mr. Hague: I have published the paper today and placed copies in the Library of the House.

Wales Youth Agency

Mr. Sweeney: To ask the Secretary of State for Wales what was the outcome of the financial management and policy review of the Wales Youth Agency. [22347]

Mr. Gwilym Jones: A summary of the report's recommendations, together with the Department's response in the form of an action plan, has today been placed in the Library of the House.

HOME DEPARTMENT

Prisoners' Brains

Mr. Cohen: To ask the Secretary of State for the Home Department if Frederick West's brain was removed from his body; and if he will make a statement. [20252]

Mr. Sackville: I understand that Mr. West's body was subjected to a routine post mortem. The brain was removed in the course of the post mortem and returned to the body following examination.

Alcoholic Lemonade

Mr. David Nicholson: To ask the Secretary of State for the Home Department when he expects to reply to the question from the hon. Member for Taunton for answer on 15 January about alcoholic lemonade. [21008]

Mr. Maclean: I replied to the question from the hon. Member on 19 March.

Betting and Gaming (Deregulation)

Mr. Spearing: To ask the Secretary of State for the Home Department what plans Her Majesty's Government have to modify, deregulate or amend the law relating to betting and gaming; and if he will state the principal statutes and regulations which would be involved. [21535]

Mr. Kirkhope: Our on-going review of the controls on gambling as part of the Government's deregulation initiative has resulted in a number of proposals to amend the law on betting and gaming.

Betting Licensing

On 31 January last year, we issued a consultation paper on proposals for relaxations in the law on the licensing of bookmakers, betting offices and greyhound tracks. For details of our proposals, I refer the hon. Member to the reply given to a question from the hon. and learned Member for Burton (Sir I. Lawrence) on 31 January 1995, *Official Report*, column *556*.

The consultation process has been completed and we are currently considering the responses received. We hope to bring before this House later this year a draft order under the Deregulation and Contracting Out Act 1994 to amend the Betting, Gaming and Lotteries Act 1963.

Gaming Machines and Betting Office Facilities

On 11 December last year, we brought before this House a draft order under the 1994 Act containing proposals to introduce an all-cash amusement-with-prizes machine in adult premises; increase the numbers of jackpot machines allowed in casinos, bingo clubs, and members' clubs; and extend the range of facilities in betting offices.

This order has been under scrutiny by the Deregulation Committee of this House, which has recommended some minor amendments, and in another place by the Select Committee on the Scrutiny of Delegated Powers. We shall be submitting a revised order shortly and we expect that the changes to the 1963 Act and the Gaming Act 1968 will be implemented by the summer.

Casinos, Bingo and Advertising

On 27 February, we issued a consultation paper on proposals for relaxations in the law on casinos, licensed bingo clubs and the advertising of commercial gambling. Subject to this consultation, we will bring forward orders under the 1994 Act to amend the 1963 and 1968 Acts. For details of our proposals, I refer the hon. Member to the reply given to a question from the hon. Member for Harrogate (Mr. Banks) on 27 February 1996, *Official Report*, columns *518–19*.

Pools

We are also actively considering the scope for further deregulation of the pools industry. We hope to issue a consultation paper later this year.

Children (Former Yugoslavia)

Mr. Frank Field: To ask the Secretary of State for the Home Department how many children from the former Yugoslavia entered the United Kingdom in each year since 1991; how many of those children were not accompanied by parents or adult relatives; and how many children from the former Yugoslavia have *(a)* applied for and *(b)* been granted (i) asylum and (ii) exceptional leave to remain. [21494]

Mr. Kirkhope: Information on the total number of children given leave to enter the United Kingdom is not available, as only those with a settlement entry clearance are identified in the statistics.

Information on the number of unaccompanied children from the former Yugoslavia who applied for asylum on arrival in the United Kingdom, for the years 1992 to 1994, is given in table 2.4 of the Home Office Statistical Bulletin, "Asylum Statistics United Kingdom 1994", issue 15/95. A copy of this publication is available in the Library. Provisional information for 1995 indicates that nine unaccompanied children from the former Yugoslavia applied for asylum on arrival in the United Kingdom. Decisions on asylum applications from unaccompanied children are not separately recorded.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for the Home Department what was the average cost of answering an *(a)* oral and *(b)* written parliamentary question from (i) Opposition and (ii) Conservative hon. Members in each Session since 1989–90. [21779]

Mr. Howard: This Department does not collect the information in the form requested.

TRANSPORT

Executive Action

Mr. Gordon Prentice: To ask the Secretary of State for Transport if he will list those areas of Executive action where he has discretion to act in respect of an individual without giving reasons for his decision. [20532]

Mr. Norris: Comprehensive records are not kept in the form requested. However, in accordance with the code of practice on access to Government information, the Department is committed generally to giving reasons for administrative decisions to those affected.

Road Schemes

Ms Short: To ask the Secretary of State for Transport what proportion of public inquiries into major road schemes ruled against his Department over the last five years; and, of these public inquiry decisions, how many were subsequently endorsed by the Secretary of State. [20778]

Mr. Watts: Since 1 April 1991, my right hon. Friends the Secretaries of State for the Environment and for Transport have announced 139 decisions on trunk road schemes following public inquiries. In seven cases, the independent inspector recommended against making the orders for the scheme and the inspector's recommendation was endorsed by the Secretaries of State in each case. Over the period in question, significant modifications to satisfy objections were incorporated in 30 schemes, following inquiries where the inspector recommended in favour of the scheme.

London to Greenwich Transport

Mr. Spellar: To ask the Secretary of State for Transport, pursuant to his answer of 11 March 1996, *Official Report*, column *470*, how many of the improved transport links between central London and Greenwich will be in operation by the beginning of 1999. [21437]

Mr. Norris: The Jubilee line extension is scheduled to open in early 1998 and the docklands light railway's Lewisham extension is scheduled to open in 1999. The expansion of river services on the Thames is a continuous process and a matter for the operators. We shall publish shortly our long-term proposals for new river crossings east of Tower bridge.

Warren Springs Research Laboratory

Mrs. Dunwoody: To ask the Secretary of State for Transport how many research projects sponsored by his Department were undertaken by the Warren Springs laboratory in the last three years. [21288]

Mr. Norris: Prior to the relocation of Warren Springs within the United Kingdom Atomic Energy Authority, it performed extramural work for the Transport Research Laboratory on a number of projects relating to exhaust emissions. These are listed.

In-service emissions testing of catalyst equipped vehicles:

Project Manager: Tim Barlow

Work: Emissions test on 56 catalyst equipped cars

Completed: January 1993

Cost: about £43,000

Emissions modelling—feasibility study:

Project Manager: John Hickman

Work: Consultant services of Simon Eggleston and John Stedman (WSL)

Completed: Feasibility Study—1993, but see below

Since the absorption of Warren Springs Laboratory within the AEA, the following work has been carried out by it:

Emissions modelling:

Project Manager: John Hickman

Work: Consultant services of Simon Eggleston (NETCEN, Culham)

Completed: Ongoing

Emissions factors:

Project Manager: Tim Barlow

Work: Emission test on 10 vehicles over derived cycles using the WSL emissions test facility relocated at AEA Technology, Harwell

Completed: February 1996

Cost: about £18,000

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Secretary of State for Transport what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not

need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21460]

Mr. Norris: None. Terms and conditions of employment, including wages, are a matter between the contractor or supplier and his employees, subject of course to any relevant legal requirements. Compliance with health and safety regulations is a legal requirement for the contractor or supplier.

Emergency Towing Study Report

Dr. Twinn: To ask the Secretary of State for Transport when he will place in the Library a copy of the emergency towing study final report. [22263]

Mr. Norris: A copy has now been placed in the Library of the House.

Metropolitan Line

Mr. Dykes: To ask the Secretary of State for Transport when he expects the completion of the full refurbishment programme for the rolling stock units of the London Regional Transport Metropolitan services. [20796]

Mr. Norris: I understand that London Underground's programme for refurbishing the Metropolitan line trains is expected to be complete in October 1997.

Jubilee Line

Mr. Dykes: To ask the Secretary of State for Transport when he expects the new more frequent running schedules following the start of the extended Jubilee line service to commence. [20797]

Mr. Norris: The new running schedules, of up to 27 trains per hour, compared with the current 20 trains per hour, are expected to come into effect as soon as the extended Jubilee line opens. London Underground's aim is that this should be in early 1998.

Discretionary Purchase (Owen Case)

Mr. Neil Hamilton: To ask the Secretary of State for Transport how many applications for discretionary purchase under section 246 (2A) of the Highways Act 1980 have been redetermined since the judgment of the Court of Appeal in the Owen case; and in how many such cases the redetermination has favoured the applicant. [21078]

Mr. Norris: Under the revised guidelines announced in July 1995, 161 cases have been redetermined. Of these, 24 decisions favoured the applicant.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Transport what was the average cost of answering an *(a)* oral and *(b)* written parliamentary question from (i) Opposition and (ii) Conservative hon. Members in each Session since 1989–90. [21790]

Mr. Norris: My Department does not collect the information requested.

Newbury Bypass

Mr. Tony Banks: To ask the Secretary of State for Transport what is the estimated cost to the Highways Agency for constructing the proposed Newbury bypass on stilts over the Kennet and Lambourn valleys; and what is the estimated cost for building the bypass on an embankment over these two river valleys. [21599]

Mr. Watts *[holding answer 19 March 1996]:* I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Tony Banks, dated 20 March 1996:

The Secretary of State for Transport has asked me to reply to your recent question about the estimated cost of constructing the proposed Newbury Bypass on stilts over the Kennet and Lambourn Valleys and the estimated cost of building the Bypass on an embankment over these two river valleys.

The estimated costs of the embankment crossings that we propose to build over the Kennet and the Lambourn Rivers are £7.7m and £1.7m respectively. Were we to provide equivalent viaducts, the costs would be around £15m and £2.6m respectively.

The Inspector who held the 1988 Inquiry rejected the concept of viaducts; our proposals reflect his recommendations.

Egremont Bypass

Dr. John Cunningham: To ask the Secretary of State for Transport when the compensation claim lodged by residents of Wyndham place, Egremont, following the construction of the Egremont bypass will be resolved. [21273]

Mr. Watts *[holding answer 19 March 1996]:* I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Dr. John Cunningham, dated 20 March 1996:

The Secretary of State for Transport has asked me to reply to your recent question asking when the compensation claim lodged by residents of Wyndham Place, Egremont, following construction of the Egremont Bypass will be resolved.

The Highways Agency is in contact with your constituents' Agents and the District Valuer, about the scope for further discussion of the compensation figures offered, with a view to re-opening negotiations. I am hopeful that this will result in a settlement acceptable to your constituents.

ENVIRONMENT

Housing Starts

Mr. Jim Cunningham: To ask the Secretary of State for the Environment how many new homes were started in the west midlands in 1995 in *(a)* the private sector and *(b)* the housing association sector; and what percentage changes these figures represent from 1994. [20914]

Mr. Clappison: It is estimated that in the west midlands region in 1995 there were 10,800 new private enterprise dwellings started, a decrease of 19 per cent. from the total started in 1994, and there were 2,200 housing association dwellings started, a fall of 43 per cent. compared with 1994.

These figures are as reported to the Department by local authorities and the National House-Building Council. They include estimates for those local authorities that have not sent in statistical returns for their districts.

While these figures cover newly built accommodation, housing associations have also provided additional social lettings by the rehabilitation of existing properties and the various home incentive schemes, whose relative importance has been growing with the greater emphasis being placed on making more effective use of existing stock.

Housing Stock

Mr. Jim Cunningham: To ask the Secretary of State for the Environment how much unsold housing stock there is in the west midlands. [20915]

Mr. Clappison: The only information held centrally on dwellings for sale in the west midlands relates to vacant local authority dwellings to be sold, as reported by local authorities on their housing investment programme returns. The 1995 returns showed a total of 283 local authority dwellings in the west midlands that on 1 April 1995 were vacant and to be sold.

The available data on vacant dwellings in the west midlands in other sectors do not identify separately those which are for sale.

Farming Waste

Mr. Sheerman: To ask the Secretary of State for the Environment what steps he is taking to reduce the amount of *(a)* environmentally damaging waste and *(b)* other pollution created by the farming industry. [21387]

Mr. Clappison: The Government's views on the reduction of waste, including agricultural waste, are set out in the White Paper "Making Waste Work" which was published in December 1995.

Measures to control agricultural sources of water pollution include:

(a) consents for discharges from identifiable sources;

(b) Regulations relating to the storage of silage and slurry, the quality of sewage sludge spread on land, and the approval and use of pesticides; and

(c) encouraging farmers to draw up farm waste management plans for the disposal of waste to land.

Codes of good practice have been published by MAFF concerning the protection of water, air, soil and the use of pesticides; and a pesticides forum is being established to take forward policy on pesticides minimisation. As regards nitrates, the Government are introducing a variety of measures to reduce inputs. These measures include a code of practice, changes to agricultural practice in nitrate sensitive areas and the proposed designation of nitrate vulnerable zones under the nitrates directive. The National Rivers Authority also issues guidance and advice to farmers and others on preventive measures; and takes enforcement action where necessary.

John McLintock

Mrs. Anne Campbell: To ask the Secretary of State for the Environment if he will make a statement on the reasons for South Oxfordshire district council's refusal to give information about the circumstances surrounding the termination of its contract with John McLintock; and if South Oxfordshire district council has signed a confidentiality agreement with John McLintock, the contractor form computing services. [21165]

Sir Paul Beresford: The arrangements under which contracts are entered into by local authorities with private contractor are for authorities themselves to decide within the law. Authorities have a fiduciary duty, under common law, to their local taxpayers.

Housing Corporation

Mr. Steinberg: To ask the Secretary of State for the Environment (1) what criteria the Housing Corporation used in determining the 1996–97 grant allocations apart from the guidelines in the bidding forum and the regional policy statement; [21238]

(2) what influence Housing Corporation regional directors have in allocating Housing Corporation grant; and to what extent this influence was applied in the 1996–97 allocations; [21239]

(3) what criteria apply to schemes seeking Housing Corporation funding where standards exceeded the published scheme work development standards; [21240]

(4) what guidelines the Housing Corporation issues to local authorities in regard to competition between associations for Housing Corporation funding; [21242]

(5) what consultation arrangements on investment priorities with individual associations and local authorities is undertaken by the Housing Corporation. [21243]

Mr. Clappison: The Housing Corporation's regional directors are responsible for allocating approved development programme resources within their regions in response to competitive bids from housing associations. They do so within a policy and procedural framework which, for 1996–97, was published by the corporation in its:

1. "Guide to the Allocation Process"
2. Regional Policy Statements
3. "invitation bid" letter.

Prior to publishing the above documents at the start of the 1996–97 bidding process, the corporation issued to local authorities and housing associations a consultation paper "Competing for Grant" which set out its proposed framework and criteria for competition including, inter alia, proposals for dealing with schemes where standards exceed the published scheme development standards. Where higher standards are proposed, corporation regional directors assess their relevance to the client group and schemes in question, and their cost-effectiveness, in arriving at their value for money judgments.

Local authorities are expected to involve housing associations in drawing up their housing strategies in accordance with the housing investment programme guidance issued annually by the Department. The Housing Corporation discusses the investment priorities arising from the strategies with local authorities, and publishes the outcome of these discussions in the regional policy statements. Following receipt of bids, and prior to

finalising investment decisions, corporation regional directors and their staff discuss with local authorities the proposed allocations.

Homelessness

Mr. Callaghan: To ask the Secretary of State for the Environment what action he is taking to tackle homelessness amongst 16 to 20-year-olds. [21520]

Mr. Clappison: Under the Children Act 1989, local authority social services departments have a duty to provide accommodation for any child in need within their area who has reached the age of 16 and whose welfare the authority consider is likely to be seriously prejudiced if they do not provide accommodation. Local authorities have a duty to advise and assist young persons aged under 21 who have left local authority care after reaching the age of 16; this assistance can include help with accommodation.

My Department provides grants under section 73 of the Housing Act 1985 to a range of voluntary organisations throughout England which offer practical help to homeless people. Many of these projects will assist homeless young people. In 1995–96, £6.9 million has been made available and a further £25 million will be made available over the next three years. Since 1990, my Department has also provided £182 million through the rough sleepers initiative to help rough sleepers in central London. Independent research shows that this has been particularly effective in helping young people to start a new life away from the streets. Plans for the third phase of the initiative were announced by my hon. Friend the Minister for Local Government, Housing and Urban Regeneration in his reply to the hon. Member for Eastbourne (Mr. Waterson) on 4 March 1996.

In addition, various Government programmes including the rough sleepers initiative and the single regeneration budget have funded the development and operation of a range of foyer projects, hostels based on a French model which provide accommodation linked with training and job opportunities for homeless and unemployed young people.

Mr. David Nicholson: To ask the Secretary of State for the Environment what has been the shortfall since September 1995 in available places for applicants to hostels intended to provide shelter for homeless people in central London; and if he will make a statement on his policies to deal with this problem. [21689]

Mr. Clappison: This information is not held centrally. I refer my hon. Friend to the statement made by my hon. Friend the Minister for Local Government, Housing and Urban Regeneration on 4 March 1996, *Official Report*, columns *8–10*, about the Government's plans for the next phase—1996–99—of the rough sleepers initiative. These plans include the offer to fund up to 200 additional beds in temporary hostel accommodation, and continued funding for some hostel and night shelter accommodation already funded under the initiative.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Secretary of State for the Environment what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21472]

Sir Paul Beresford: Terms and conditions of employment, including wages, are a matter between the contractor or supplier and his employees, subject of course to any relevant legal requirements. Compliance with health and safety regulations is a legal requirement for the contractor or supplier.

South West Water

Mr. Allason: To ask the Secretary of State for the Environment what action he proposes to take on the drinking water inspectorate's report into the pollution of South West Water's supply in South Devon in August 1995. [21693]

Mr. Clappison: The drinking water inspectorate is still investigating this incident and will, as is usual in such cases, consider whether to recommend prosecution of the company for the offence of supplying water unfit for human consumption.

Rough Sleepers Initiative

Mr. David Nicholson: To ask the Secretary of State for the Environment what was the financial support available from *(a)* his Department and *(b)* elsewhere for the rough sleepers initiative in 1995–96; and what changes will take place to this support in 1996–97. [21688]

Mr. Clappison: In 1995–96, my Department has made available revenue funding of £5.479 million in support of the rough sleepers initiative; and the Housing Corporation has made available capital funding of £24.862 million and revenue funding of £1.9 million for the provision and management of permanent move-on accommodation. Plans for the third phase—1996–99—of the initiative are set out in the strategy paper issued on 4 March 1996. Housing associations and voluntary sector organisations working with rough sleepers are being invited to bid for further resources of £73 million being made available by my Department over this three year period. This financial support will be complemented by £4.2 million for each of the next three years being made available by the Department of Health to continue and develop the homeless mentally ill initiative.

Local Councils (Cycling Allowance)

Mrs. Anne Campbell: To ask the Secretary of State for the Environment what plans he has to introduce legislation to enable local councils to pay a cycling allowance to elected members. [21591]

Sir Paul Beresford: We have no plans to introduce legislation on the payment of cycling allowances by local authorities to their elected members.

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the Secretary of State for the Environment how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21506]

Sir Paul Beresford: There is no central record of the number of hours worked each week by staff in my Department. Conditioned hours are generally 41 gross in London and 42 gross elsewhere.

Council Tax

Mr. Waterson: To ask the Secretary of State for the Environment what is the average council tax for a band D property in each authority in England for 1996–97. [22009]

Mr. Curry: The average council tax for band D two-adult dwellings in England in 1996–97 is £647. This is before any reductions for council tax benefit and transitional relief, and represents an increase of 6.2 per cent on 1995–96 levels.

Council taxes in shire areas will be £632 on average, an increase of 5.9 per cent. on last year.

In London, the average council tax for band B is £616, with inner London having the highest increases, of 10.4 per cent. on average, while in outer London increases average 5.1 per cent. Metropolitan areas have the highest band D council taxes, at £725—6.8 per cent. higher than in 1995–96.

I have today placed in the Library of the House a table showing band D council tax for each authority in England for 1996–97, and the percentage increase from 1995–96.

Public Bodies

Dr. Wright: To ask the Secretary of State for the Environment which of the advisory non-departmental public bodies sponsored by his Department *(a)* hold public meetings, *(b)* conduct public consultation exercises, *(c)* conduct consultation exercises with outside commercial interests, *(d)* publish a register of members' interests, *(e)* publish agendas for meetings and *(f)* publish the minutes of meetings (i) under a statutory requirement and (ii) voluntarily. [21279]

Sir Paul Beresford: A list of the advisory non-departmental public bodies sponsored by my Department can be found in the Cabinet Office Publication "Public Bodies 1995". A copy is available in the House of Commons Library. Of these the following bodies carry out activities falling within the specified categories:

a. hold open meetings,

Local Government Commission

Local Government Staff Commission

b. conduct public consultation exercises,

Advisory Committee on Business and the Environment

Inland Waterways Amenity Advisory Council

Local Government Commission

Local Government Staff Commission

c. conduct consultation exercises with outside commercial interests,

Advisory Committee on Business and the Environment

Advisory Panel for Construction Research

Advisory Panel on Standards for the Planning Inspectorate

Inland Waterways Amenity Advisory Council

Local Government Commission

d. publish a register of members' interests (in annual reports),

Advisory Committee on Hazardous Substances

Advisory Committee on Releases of Genetically Modified Organisms to the Environment

Advisory Panel on Standards for the Planning Inspectorate

Local Government Commission.

The Local Government Commission is required by statute to carry out consultation exercises. None of the other activities is a statutory requirement.

The royal commission on eNvironmental pollution is an independent body appointed by the Queen by royal warrant. Its policy is to consult widely on subjects it is studying and to ensure that all the advice it gives is in the public domain.

Local Government Finance

Mr. Dunn: To ask the Secretary of State for the Environment what is the amount of uncollected domestic rates, community charge and council tax for the London boroughs of *(a)* Lambeth and *(b)* Islington at the latest date for which figures are available. [21400]

Sir Paul Beresford: Estimates of uncollected community charge and council tax for individual authorities are published regularly by the Chartered Institute of Public Finance and Accountancy. Estimates for 31 March 1994 are available in its revenue collection statistics 1993–94 publication, which shows the following figures:

£000

	Arrears outstanding at 31 March 1994 for:	
	Community charge	*Council tax*
Lambeth	84,895	29,597
Islington[1]	n/a	10,270

[1] No information as published by CIPFA for Islington: the figure shown for council tax arrears is the Department's estimate based on information supplied by the authority in May 1994.

Later figures are not yet available, but will differ from those given above to the extent that the authorities concerned have collected outstanding amounts, written off uncollectable amounts or, in the case of council taxes, raised new debits.

Information on arrears of domestic rates is not published by CIPFA and is not available centrally.

Asylum Seekers

Mr. Frank Field: To ask the Secretary of State for the Environment what additional funding has now been made available to local authorities to compensate for the effect of the Social Security (Persons from Abroad) Miscellaneous Amendments Regulations 1996 (S.I., 1996, No. 30). [21600]

Sir Paul Beresford: I refer the hon. Member to the answer that I gave to the hon. Member for Woolwich (Mr. Austin-Walker) on 19 March *Official Report* columns *146–47*.

Local Government Reorganisation

Sir Peter Lloyd: To ask the Secretary of State for the Environment when the orders will be made implementing his decisions on the Local Government Commission's recommendations for new parishes in Hampshire. [21972]

Sir Paul Beresford: The order creating the new parish of Bishopstoke in the borough of Eastleigh came into force on 14 December 1995. In the light of further evidence, we have decided not to implement the commission's recommendations for new parishes for Sarisbury and Warsash in the borough of Fareham.

Spending Plans

Mr. Thomason: To ask the Secretary of State for the Environment if he will make an announcement about the spending plans of the Department of the Environment, Ordnance Survey and the Office of Water Services for the years 1996–97 to 1998–99. [22345]

Mr. Gummer: Yes. I have today published the Department of the Environment's annual report for 1996. This sets out in detail the outcome of the public expenditure survey which was announced in the November 1995 Budget statement as it affects the areas of my responsibility. The report records how the Department, Ordnance Survey and the Office of Water Services have discharged their functions over the past year. It provides the background to each spending programme and it sets out our plans for the future, where it sees environmental concerns playing a key role both within the UK and in the European Union.

DEFENCE

Works of Art

Mrs. Clwyd: To ask the Secretary of State for Defence what plans he has to implement the recommendations of the National Audit Office report "Ministry of Defence, Management of Works of Art". [20842]

Mr. Arbuthnot: The NAO report will be considered in the normal way. It would not be appropriate to anticipate the outcome.

Mrs. Clwyd: To ask the Secretary of State for Defence what plans (1) he has to obtain a full valuation of his Department's art collection; [20843]

(2) what plans he has to conduct an inventory of all works of art held by his Department and the armed services. [20835]

Mr. Arbuthnot: Both the valuation of my Department's collection and the inclusion of additional works of art on its inventory are recommended by the Comptroller and Auditor General in his report "Ministry of Defence, Management of Works of Art", which is to be considered shortly by the Committee of Public Accounts. I do not propose to anticipate consideration of the report.

Nimrod MR2

Mr. Cohen: To ask the Secretary of State for Defence, pursuant to his answer of 12 March, *Official Report*, column *508–09*, what is the estimated cost of converting the Nimrod MR2; and from which subheads of which votes these funds will be taken. [21678]

Mr. Soames: The total cost of conversion is not expected to exceed £30 million. The cost is being met in full from existing provision, the bulk of which falls within the top-level budget of Air Officer Commanding-in-Chief Logistics Command, vote 2 section C2(1).

Ballistic Missile Defence System

Sir Geoffrey Johnson Smith: To ask the Secretary of State for Defence when he expects to publish the review of a United Kingdom–based theatre ballistic missile defence system; and if he will make a statement. [21376]

Mr. Arbuthnot: We are currently assessing our response to the risks posed by ballistic missiles both to the UK mainland and dependent territories, and to UK forces deployed overseas. This assessment will be informed by the results of a pre-feasibility study, which will advise on options, costs, time scales and technical risk. We hope to be in a position to make decisions regarding the way ahead by the end of the year.

Service Personnel (Evictions)

Mr. David Nicholson: To ask the Secretary of State for Defence what review he has carried out, since 1992, of his Department's policy of evicting service families following *(a)* marital breakdown and *(b)* the redundancy of service personnel; how many such evictions have taken place in each year since 1992; and if he will make a statement. [21382]

Mr. Soames: The Department's policy on the treatment of personnel who lose their entitlement to service accommodation was examined, as part of the process of transferring responsibility for administering the married quarter estate, to the defence housing executive. Consequently, the defence housing executive will become responsible for evictions within the married quarter estate from 1 April 1996. Records of the reasons for eviction of RAF and Navy personnel who lose their entitlement to service accommodation are not held. The total number of all evictions remains very low, however, as the eviction process is initiated only after all other avenues have been exhausted. Since 1992, there have been no evictions in the RAF, three in the Navy and 45—all marital breakdown—evictions in the Army. The breakdown in years for the Army is as follows:

1992: 17

1993: 15

1994: 6

1995: 7

Figures are not yet available for 1996.

Public Bodies

Dr. Wright: To ask the Secretary of State for Defence which of the advisory non-departmental public bodies sponsored by his Department *(a)* hold public meetings, *(b)* conduct public consultation exercises, *(c)* conduct consultation exercises with outside commercial interests, *(d)* publish a register of members' interests, *(e)* publish

agendas for meetings and *(f)* publish the minutes of meetings (i) under a statutory requirement and (ii) voluntarily. [21277]

Mr. Soames: I refer the hon. Member to the reply I gave him on 6 March 1995, *Official Report*, column *12*.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Defence what was the average cost of answering an *(a)* oral and *(b)* written parliamentary questions from (i) Opposition and (ii) Conservative hon. Members in each Session since 1989–90. [21795]

Mr. Soames: This Department does not collect the information in the form requested.

Surplus Military Clothing

Dr. David Clark: To ask the Secretary of State for Defence what is his policy on the sale of surplus military clothing; and how many companies are contracted by his Department to purchase this clothing. [20748]

Mr. Arbuthnot *[holding answer 14 March 1996]:* Following a competition between 12 firms, AMAC (UK) Ltd. of Stockport was contacted to sell, on the Department's behalf, all surplus clothing and textile stores.

Attrition Reserve

Dr. David Clark: To ask the Secretary of State for Defence how many and of what type of aircraft were in his Department's attrition reserve at 1 March in each of the last five years. [21022]

Mr. Soames *[holding answer 18 March 1996]:* The number of aircraft required for attrition purposes is determined at the time of procurement. Once in service, all aircraft in excess of aircraft establishment—AE—are available to meet fleet management and replacement needs. The table gives the number of available airframes in the fleets of each major aircraft type over and above the aircraft establishment at operational—including training—units, at 1 March for the last five years. Significant factors leading to variations in the figures include changes in AE, disposals of surplus aircraft, and the number of aircraft undergoing maintenance or modification programmes:

Aircraft type	*1992*	*1993*	*1994*	*1995*	*1996*
Royal Air Force					
Tornado GR	37	65	65	61	60
Tornado F3[1]	60	67	65	63	27
Jaguar[2]	37	36	36	36	36
Harrier	50	48	44	43	43
Hawk	25	33	35	47	47
Canberra	3	4	4	4	4
Hercules	2	6	6	6	6
Nimrod	6	6	6	6	4
Sentry	1	1	1	1	1
VC10	6	6	6	6	8
TriStar	0	1	1	1	1
Chinook	4	5	5	5	7
Wessex	9	9	9	9	11
Gazelle	7	7	6	6	4
Sea King	3	3	3	3	2
Puma	12	11	11	10	10
Royal Navy					
Sea Harrier	15	16	17	19	22
Sea King	26	29	30	27	27
Lynx	20	22	27	26	27
Gazelle	7	9	9	9	8
Army					
Lynx	32	22	24	21	20
Gazelle	23	22	24	24	23

[1] 24 surplus Tornado F3 aircraft were leased to the Italian air force in the course of 1995.
[2] In addition, 46 Jaguar aircraft are kept in long-term storage and as ground instruction aircraft.

SCOTLAND

Permitted Development Orders

Mr. Donohoe: To ask the Secretary of State for Scotland what powers local planning authorities have to seek to amend the terms of permitted development orders. [21047]

Mr. Kynoch: The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 is a statutory instrument and so planning authorities do not have powers to seek amendments. However, like anyone else, planning authorities are free to suggest amendments and their suggestions are given careful consideration. With their practical experience in the day-to-day operation of the planning system, planning authorities' views on planning legislation are always welcome.

Diabetics (Microfine Needles)

Mr. Wallace: To ask the Secretary of State for Scotland what is the practice of each health board in Scotland in respect of the provision of exemption certificates for diabetic patients requiring microfine needles for insulin injections; and if he will make a statement. [21491]

Lord James Douglas-Hamilton: Patients with diabetes mellitus, except where treatment is by diet alone, are exempt from all prescription charges. This exemption arises from their medical condition rather than their need to use injecting equipment. Microfine needles are not available on GP prescription.

Mr. Wallace: To ask the Secretary of State for Scotland what estimate he has made of the cost to the national health service in Scotland of giving blanket exemption certificates to diabetic patients to allow them to obtain, free of charge, microfine needles for insulin injections. [21492]

Lord James Douglas-Hamilton: Microfine needles to fit insulin injection pens are not available on GP prescription.

The cost to the NHS in Scotland of providing microfine needles free of charge has not been estimated. The cost would depend on the number of prescriptions written by responsible medical practitioners in respect of patients for whom they considered the use of pen injecting systems to be clinically necessary.

Regional Selective Assistance

Mr. Prescott: To ask the Secretary of State for Scotland if he will list the expenditure on regional selective assistance offers accepted by companies in *(a)* 1991–92, *(b)* 1992–93, *(c)* 1993–94 and *(d)* 1994–95; the proportion of regional selective assistance expenditure on foreign-owned firms; and regional selective assistance expenditure per employee in manufacturing. [12700]

Mr. Michael Forsyth *[holding answer 30 January 1996]:* The information which the right hon. Member seeks is set out in the table:

Year	Number of offers accepted	Value of offers accepted (£ million)	Of which overseas-owned firms (£ million)	Of which overseas-owned firms (percentage)	Cost-per-job for all accepted offers for manufacturing projects (£)
1991–92	160	52.3	13.8	26	6,155
1992–93	198	72.3	36.2	50	6,702
1993–94	239	127.3	68.1	54	7,747
1994–95	246	112.7	73.8	65	7,636

Data are given by reference to offers accepted rather than expenditure defrayed. To link annual offer data to expenditure can give misleading results, since assisted projects and thus grant expenditure will typically cover a number of years.

Stalking

Mr. Chisholm: To ask the Secretary of State for Scotland how many people have been prosecuted for stalking on a breach of the peace charge in each of the last five years. [21590]

Lord James Douglas-Hamilton: My noble and learned Friend the Lord Advocate informs me that it is not possible to identify those cases of breach of the peace which involved stalking behaviour. The records do not contain details of the offence other than the nomen juris.

Media Monitoring Service

Mr. Welsh: To ask the Secretary of State for Scotland, pursuant to his answer of 22 January, *Official Report*, column *94*, how many companies and agencies were invited to tender for the trial media monitoring service; and if he will make a statement. [12772]

Mr. Michael Forsyth *[holding answer 30 January 1996]:* No companies were invited to tender for the provision of a press cuttings service on a trial basis. Both companies approached the Scottish Office.

EDUCATION AND EMPLOYMENT

Nursery Voucher Scheme

19. **Mr. Gallie:** To ask the Secretary of State for Education and Employment how many additional nursery places she estimates there will be after implementation of phase 2 of the nursery voucher scheme. [20143]

Mr. Robin Squire: The number of additional places created through the nursery voucher scheme will depend on the response of providers to parental demand. I am confident that providers of all types, either alone or in partnership with each other, will satisfy parental demand over time.

27. **Mr. Steinberg:** To ask the Secretary of State for Education and Employment if she will make a statement on the progress of the nursery voucher scheme. [20151]

Mr. Squire: In the phase 1 areas, over 600 private and voluntary sector providers have registered to participate in the scheme alongside maintained schools. The second batch of vouchers has now been issued to parents in preparation from the start of term.

School Capital Challenge

20. **Mr. Barry Field:** To ask the Secretary of State for Education and Employment when she expects to conclude the consultation on the school capital challenge funding applications with local education authorities. [20144]

Mrs. Gillan: We have asked for responses to the consultation paper on the schools renewal challenge fund by 31 March.

Higher Education Funding

21. **Mr. Robert Ainsworth:** To ask the Secretary of State for Education and Employment what representations she has received regarding the planned funding of higher education in the period 1996–97 to 1998–99. [20145]

Mr. Forth: My right hon. Friend has received representations from the Committee of Vice-Chancellors and Principals and others. She has listened very carefully to their views and set up two working groups with them to collate evidence on the effects of public funding on universities and colleges and to consider the private finance initiative in higher education.

32. **Mr. Dalyell:** To ask the Secretary of State for Education and Employment what recent representations she has had from the university vice-chancellors about the funding of higher education. [20157]

Mr. Forth: My right hon. Friend meets university vice-chancellors from time to time to discuss the funding of higher education. She last met them on 6 February to discuss the 1995 Budget settlement and other matters. She has listened very carefully to their views and set up two working groups with them to collate evidence on the effects of public funding on universities and colleges and to consider the private finance initiative in higher education.

The vice-chancellors will also be able to put their views on longer-term funding matters to the National Committee of Inquiry into Higher Education announced by my right hon. Friend on 19 February, which will start work before Easter.

Workfare Scheme

22. **Mr. David Evans:** To ask the Secretary of State for Education and Employment what conclusions she has drawn from her Department's studies of the workfare scheme in the USA. [20146]

Mr. Forth: Our studies of workfare in the United States have shown that universal make-work schemes have been relatively small in coverage, and have proved ineffective and expensive. I note that the Employment Select Committee reached similar conclusions in its recent report "The Right to Work and Workfare".

Local Government Reorganisation

23. **Mr. Roy Hughes:** To ask the Secretary of State for Education and Employment what recent discussions she has had with the heads of local education authorities to discuss the effects of local government reorganisation. [20147]

Mr. Robin Squire: Ministerial colleagues and officials have held many useful meetings with councillors and senior officers of local education authorities to discuss local government reorganisation.

School Admissions

24. **Mr. Simon Hughes:** To ask the Secretary of State for Education and Employment what proportion of *(a)* primary school and *(b)* secondary school children gained admission to the school of first choice in England in (i) 1994 and (ii) 1995. [20148]

Mrs. Gillan: This information is not collected centrally. Surveys commissioned by the Association of Metropolitan Authorities in 1992 and *The Times* in 1993 suggested that some 90 per cent. of parents gained a place at their first choice school.

Parliamentary Questions

25. **Mr. MacShane:** To ask the Secretary of State for Education and Employment how many oral questions she has answered on employment issues; and how many on education and training matters. [20149]

Mr. Robin Squire: Since the formation of the Department on 5 July 1995, 163 oral questions have been answered; 47 on employment issues and 116 relating to education.

Grant-maintained Schools

26. **Mr. Michael Brown:** To ask the Secretary of State for Education and Employment what plans she has to encourage more schools to become grant-maintained. [20150]

Mrs. Gillan: As my right hon. Friend the Prime Minister has made clear, we are actively considering ways of extending the benefits of self-government for all schools. We shall continue to encourage schools to become grant-maintained by ensuring that governors and parents have ready access to reliable information about GM status when making their decisions about the future of their school, and by seeking ways to give GM schools even greater flexibility to improve and develop what they offer to pupils and parents.

Young People (Employment Opportunities)

28. **Mr. Jim Cunningham:** To ask the Secretary of State for Education and Employment what plans she has to improve employment opportunities for young people in Coventry. [20153]

Mr. Paice: The Department will continue to offer and support a wide range of opportunities for all young people.

Activity Centres

29. **Mr. Steen:** To ask the Secretary of State for Education and Employment what progress has been made in drawing up the guidelines following the enactment of Activity Centres (Young Persons' Safety) Act 1995. [20154]

Mrs. Gillan: Good progress has been made. The Health and Safety Commission issued a consultation document, containing draft regulations and guidance to the licensing authority, last September. The consultation period ended on 24 November. I understand that the commission hopes to publish its guidance to the licensing authority when the order designating the body concerned is laid before the House. This should be soon.

Job Security

30. **Ms Quin:** To ask the Secretary of State for Education and Employment what new proposals she has to improve job security. [20155]

Mr. Forth: The best protection against job insecurity is sustained economic growth and increased competitiveness. We shall continue with the policies which have seen the economy grow for over three years, unemployment fall by over 750,000 since recovery began and the number of jobs rise by 259,000 over the last year.

Education Standards

31. **Mr. Atkins:** To ask the Secretary of State for Education and Employment when she last met the Secondary Heads Association to discuss standards in education. [20156]

Mr. Robin Squire: My right hon. Friend the Secretary of State meets the Secondary Heads Association from time to time to discuss a range of issues. There is no record of a recent meeting relating specifically to standards in education.

Representatives of the SHA met with officials to discuss matters relating to standards in education on 28 February 1996. I shall be meeting the SHA shortly to discuss its paper "Towards More Effective Schools".

Teachers' Qualifications

33. **Mr. Gunnell:** To ask the Secretary of State for Education and Employment what plans she has to introduce specific qualifications for *(a)* expert teachers and *(b)* head teachers. [20158]

Mr. Robin Squire: At my right hon. Friend's request, the Teacher Training Agency is developing a national professional qualification for head teachers for implementation from September 1997. There are no current plans for other qualifications, although the agency is developing national standards for four key points in the profession.

Whole Group Teaching (Primary Schools)

34. **Mr. Congdon:** To ask the Secretary of State for Education and Employment what assessment her Department has *(a)* undertaken and *(b)* commissioned of the impact of whole group teaching in primary schools. [20159]

Mr. Robin Squire: The Department has not undertaken or commissioned such studies. However, Ofsted's recent report on class sizes, a copy of which is in the Library, contains relevant analysis in paragraphs 71 to 77.

Grant-maintained Schools (London)

35. **Mr. Deva:** To ask the Secretary of State for Education and Employment what assessment she has made of the academic performance of children at grant-maintained schools in London. [20160]

Mr. Paice: The 1995 performance tables show that 47 per cent. of pupils in grant-maintained schools in Greater London achieved five or more good GCSE passes, compared with 34 per cent. of pupils in local education authority schools. A comparison of comprehensive schools only in the two sectors shows that 43 per cent. of pupils in GM comprehensive schools achieved five or more good GCSE passes compared with 32 per cent. in LEA schools.

Primary School Teachers

36. **Mr. Foreman:** To ask the Secretary of State for Education and Employment if she will review the regulations governing in-service training for primary school teachers. [20161]

Mr. Robin Squire: We have no plans to review the statutory provision of five non-contact days per year, which may be used for in-service training; pupils should be offered 190 days of teaching each year. Where in-service training takes place in school hours, schools should ensure that their arrangements cause minimal disruption to pupils.

Departmental Research

Mr. Redmond: To ask the Secretary of State for Education and Employment if she will list all Department for Education and employment-funded pilots, trials and research studies which have been conducted since 1990 in *(a)* Doncaster, *(b)* Mexborough, *(c)* Doncaster travel-to-work area and *(d)* Mexborough travel-to-work area identifying (i) title, summary and duration of the pilot/trial, (ii) target population and total number of participants and (iii) whether each pilot, trial or research finding was published and the date of publication; and if she will list all other non-Department for Education and Employment research bodies or organisations involved in each pilot, trial or research scheme. [19088]

Mr. Paice: I will write to the hon. Member and place a copy in the Library.

Schools (Admission Policies)

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will list those bodies involved in the consultation exercise in respect of schools' admission policies which favoured allowing schools the option to select up to 15 per cent. of pupils by aptitude or ability; and what proportion of the total number of organisations consulted these represent. [21056]

Mrs. Gillan: The draft admissions circular, issued for consultation on 8 January, set out the Secretary of State's view that schools could select up to 15 per cent. of pupils with reference to ability or aptitude without having to publish statutory proposals. The previous benchmark for which statutory proposals had been necessary was 10 per cent. in certain subjects. A total of 218 responses were received from the around 1,500 bodies consulted. Some 94 of the responses made no reference to this interpretation of existing legislation. Of the 124 which did comment on the new interpretation, 15 welcomed the Secretary of State's view. The other responses included opposition to selection and concern about the impact on the provision of places locally. The following supported the Secretary of State's view and were content for their responses to be made public under the code of practice on access to government information:

Bennett Memorial School, Kent

Castle Hall School, West Yorkshire

Chancellors School, Hatfield

Chatham House Grammer School, Kent

Chelmsford County High School for Girls, Essex

The City Technology Colleges Trust

Davonport High School for Boys, Devon

Funding Agency for Schools

Grant Maintained Schools Advisory Committee

Hayes School, Bromley

The King John School, Essex

Oldfield School for Girls, Avon

St. Clement Danes School, Hertfordshire

Thomas More School, Surrey

Wandsworth Borough Council, Education Department.

Of course it will be for individual admission authorities to decide whether to introduce these new selective arrangements.

Personal Performance Consultants

Mr. McAllion: To ask the Secretary of State for Education and Employment (1) what steps she is taking to ensure that Personal Performance Consultants is not given unfair commercial advantage through being allowed special access to employment services staff under their contract to provide welfare services; [21166]

(2) which welfare services are to be provided for employment service staff by Personal Performance Consultants under the contract recently awarded to it; and what is the cost of the contract. [21167]

Mr. Forth: Responsibility for the subject of the questions has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. John McAllion, dated 20 March 1996:

The Secretary of State has asked me to reply to your questions about the decision to award a contract to Personal Performance Consultants (PPC) to provide welfare services to those employed within the Employment Service (ES).

My decision to award the contract to PPC was reached following a market test carried out in accordance with the Cabinet Office Efficiency Unit Guidance. It represents best value for money to ES and therefore better value for money to the taxpayer. The services to be provided by PPC under this contract cover information, advisory and counselling services both face to face and by telephone; and support to line and personnel managers within ES. The details of these services were set out clearly in the specification of our requirements. They do not allow PPC to acquire commercial advantage in offering advise to ES employees.

The amount to be paid to PPC under this contract will be determined by the number of people it is to cover. As the numbers employed in ES may vary during the life of the contract it is not possible to give a definitive contract value. However, using the indicative volumes utilised during the evaluation process it would be around £3.2 million over three years.

I hope this is helpful.

School Child Care Grant Initiative

Mr. McAllion: To ask the Secretary of State for Education and Employment how many places have been created, and how much money has been *(a)* spent and *(b)* allocated each year under the out of school child care grant initiative. [21168]

Mrs. Gillan: The following table below sets out this information in respect of England.

Out of school child care initiative	*1993–94*	*1994–95*	*1995–96*
Allocation (£ million)	2,437	12,760	17,516
Expenditure (£ million)	2,283	11,458	[1]13,306
Places created (1,000s)	4,000	22,286	[1]30,859

[1] Figures provided for 1995–96 reflect the position up to the end of February 1996.

Executive Jobclub, Wirral

Mr. Frank Field: To ask the Secretary of State for Education and Employment what is the value of the grant paid to the executive jobclub in Wirral; how many people use the service; what is the success rate of service users in finding jobs after leaving the club; what is the current budget for this financial year; and what is the projected budget for the next two financial years. [21231]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Frank Field, dated 20 March 1996:

The Secretary of State for Education and Employment has asked me to reply to your written question about payments made to the organisation running the Wirral Executive Jobclub, and the projected budgets for the Jobclub for the next two financial years.

The Employment Service (ES) has, for a number of years, awarded commercial contracts, after tendering, to external organisations and companies to run its programmes to assist unemployed people. The programmes and contractual agreements are regularly reviewed and monitored locally by ES staff.

Jobclubs have proved very successful since they were introduced over ten years ago, and the Wirral Executive Jobclub opened in October 1994, with both morning and afternoon sessions.

During the period April 1995 to February 1996, 277 people have used both sessions of the Wirral Executive Jobclub, resulting in 122 job placings. However, performance has declined in the second half of the year in both Jobclubs. In the period April to October 1995, 79 job placings were achieved by the Jobclubs, compared with 43 for the period November 1995 to February 1996. Total positive outcomes including job placings and training have shown a similar decline from 103 for the period April to October 1995 to 53 for the period November 1995 to February 1996. The ES does not track clients after they have left Jobclubs, so it is not possible to say how many enter employment after leaving.

As financial renumeration is a commercial matter between the ES and its programme providers, I am unable to provide details for the Wirral Executive Jobclub. However, the total Jobclub budget allocation for the Wirral ES District for the 1995/96 financial year is £383,102. Projected budgets for Es programmes for the 1996/97 and 1997/98 financial years have not been finalised.

I hope this is helpful.

Travel-to-interview Scheme

Mr. Ian McCartney: To ask the Secretary of State for Education and Employment (1) for how long, and between what dates, the pilot of a revised travel-to-interview scheme took place in the north-west region in 1995; [21696]

(2) how many unemployed people were assisted by the travel-to-interview scheme in the north-west region during the pilot scheme in 1995, involving the relaxation of the rules; what would have been the figure if the rules that applied to the rest of the United Kingdom had been applied; and how many would have been assisted *(a)* under the criteria set by the pilot if the qualifying period had changed to 13 weeks of unemployment and *(b)* if the rules that applied to the rest of the United Kingdom had been applied with the qualifying period changed to 13 weeks of unemployment. [21698]

Mr. Forth: Responsibility for the subject of the questions has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Ian McCartney, dated 20 March 1996:

The Secretary of State has asked me to reply to your question about the number of people in the North West who would have been assisted by the Travel to Interview Scheme under a variety of conditions.

The pilot of a revised Travel to Interview Scheme in the North West Region ran from October 1994 to March 1995. The scheme helped 3,359 people during that six month period.

It is not possible at the present time to provide the other information you require. However, it is anticipated that a copy of the report of the evaluation of the pilot will be placed in the House of Commons Library shortly. Some of the figures requested will be available in the forthcoming report but the decision to restrict eligibility to 13 weeks was not part of the piloted changes and the figures you request will therefore not be available.

I hope this is helpful.

Public Bodies

Dr. Wright: To ask the Secretary of State for Education and Employment which of the advisory non-departmental public bodies sponsored by her Department *(a)* hold public meetings, *(b)* conduct public consultation exercises, *(c)* conduct consultation exercises with outside commercial interests, *(d)* publish a register of members' interests, *(e)* publish agendas for meetings and *(f)* publish the minutes of meetings (i) under a statutory requirement and (ii) voluntarily. [21278]

Mr. Robin Squire: The Department's advisory non-departmental public bodies are:

Committees for the Employment of People with Disabilities

National Advisory Council on Employment of people with Disabilities

Race Relations Employment Advisory Group

Supported Employment Consultative Group

Women's National Commission.

For each of these bodies the answer to each part of the question is none.

Statistical Data and Analysis

Mrs. Maddock: To ask the Secretary of State for Education and Employment what plans her Department has to provide statistical data and analysis on an individual gender-disaggregated basis and to use this to inform the preparation of education and employment policies; and if she will make a statement. [21402]

Mrs. Gillan: Gender is a key characteristic of most of the statistics we collect and of much of the information we publish. Additional analyses are often available on request although, for obvious reasons, not at the level of individual people.

Such information already informs our education and employment policies and will continue to do so in future.

Ministerial Committee on Women's Issues

Mrs. Maddock: To ask the Secretary of State for Education and Employment if she will issue a press release following each meeting of the ministerial committee on women's issues; and if she will make a statement. [21403]

Mrs. Gillan: "Questions of Procedure for Ministers" makes it clear that information relating to the proceedings of Cabinet or Cabinet committees is not normally made public.

Firlands Training Ltd.

Mr. Morgan: To ask the Secretary of State for Education and Employment what information she has on the number of training and enterprise councils which have contracts under *(a)* training for work and *(b)* youth training schemes with Firlands Training Ltd., Whitchurch in Aylesbury. [21498]

Mr. Paice: The Department does not collect information about contracts between training and enterprise councils and providers of training.

Training and Enterprise Councils

Mr. Kenneth Baker: To ask the Secretary of State for Education and Employment what progress Surrey, North Yorkshire and Heart of England TECs have made in meeting the criteria for the award of a three-year licence. [22398]

Mr. Paice: I am pleased to announce the award of a three-year licence to Surrey, North Yorkshire and Heart of England training and enterprise councils, which have now completed the process of meeting the rigorous standards we set.

AGRICULTURE, FISHERIES AND FOOD

Live Animal Exports

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food on how many occasions in the last five years appointed local veterinary inspectors have certified animals which they owned for export. [20773]

Mrs. Browning: No cases of LVIs certifying for export animals which they owned have been recorded.

The conditions of appointment of local veterinary inspectors contain a strict condition that an LVI must not certify any animal for export when he or she has a direct financial interest in the animal including an interest arising from ownership of the animal or from employment in the service of the exporter of the animal. For this purpose, "animal" means any animal, bird or fish or any material in relation to any one of them.

Farm Animals (Cloning)

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his policy on the cloning of farm animals. [20898]

Mrs. Browning: The Department's policy on the cloning of farm animals is guided by the recommendations of the report of the Committee to Consider the Ethical Implications of Emerging Technologies in the Breeding of Farm Animals—the Banner committee—which reported in 1995.

Agriculture Council

Mr. Patrick Thompson: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council held in Brussels on 18 and 19 March; and if he will make a statement. [22394]

Mr. Baldry: I represented the United Kingdom at the Agriculture Council meeting in Brussels on 18 to 19 March 1996.

The Council had before it three proposals relating to beef hormones, which together re-enacted the ban on growth-promoting hormones and the import of meat treated with such hormones; introduced rules on the use of so-called beta-agonists; and strengthened controls on the illegal use of these substances. On behalf of the UK, I argued against enacting these proposals in view of the imminent negotiations in the World Trade Organisation framework between the European Union on the one hand, and the United States and other complainants on the other. However, all other member states were able to agree. I indicated our intention to vote against the measures when formally adopted for the reasons which I had stated in the Council.

The Agriculture Commissioner introduced a proposal to amend the Council regulation on the common organisation of the market in bananas, principally to increase the tariff quota to provide for the market requirements of the new member states of the EU, but also to introduce other changes. I made clear the UK's willingness to remedy operational deficiencies in the present banana regime, but not to accept fundamental changes to the regime to the detriment of African, Caribbean and Pacific banana producers. Work will now begin on this proposal at technical level.

The presidency and Commission conducted bilateral meetings with member states on the proposals for reform of the common organisation of the market in fruit and vegetables and in products processed from fruit and vegetables. I made clear the importance which the UK attaches to reform of these regimes. I stressed the need for measures to reduce dependence on intervention, to allow specialist producer groups to flourish, and to prevent market arrangements of an anti-competitive nature. The presidency said that these proposals would be discussed further at the Council in April in the light of conclusions drawn from bilateral contacts.

Finally the Commissioner said, in response to UK questioning, that work was under way at technical level on the proposal to improve the welfare of calves used for veal production, and expressed the Commission's hope that this would proceed as quickly as possible.

SOCIAL SECURITY

State Earnings-related Pension

Mr. Foulkes: To ask the Secretary of State for Social Security if he will provide estimates of the SERPS additional pension payable weekly to men and women on *(a)* average earnings and *(b)* earnings below £12,000 per annum relative to the weekly state retirement pension in each year to 2040. [18338]

Mr. Heald: The information is not available in the format requested. Such information as is available is in the table. The table gives estimates of the weekly additional pension that men and women on *(a)* average earnings and *(b)* half average earnings will accrue relative to the rate of basic state retirement pension. The estimates cover the period from 1995 to 2040.

	Average earnings				*Half average earnings*			
	Additional pension (£ per week)		*Relative to basic retirement pension*		*Additional pension (£ per week)*		*Relative to basic retirement pension*	
Year	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*
1995	72.60	44.40	1.19	.73	30.00	15.90	.49	.26
1996	77.30	47.70	1.27	.78	32.10	17.30	.53	.28
1997	80.60	49.90	1.32	.82	33.40	18.10	.53	.30
1998	85.60	53.30	1.40	.87	35.50	19.40	.58	.32
1999	86.90	54.50	1.42	.89	36.20	20.00	.59	.33
2000	84.80	52.50	1.39	.86	34.00	17.80	.56	.29
2001	85.10	52.80	1.39	.86	34.20	18.00	.56	.30
2002	85.20	53.10	1.39	.87	34.30	18.20	.56	.30
2003	85.30	53.30	1.40	.87	34.40	18.30	.56	.30
2004	85.30	53.40	1.40	.87	34.40	18.50	.56	.30
2005	85.30	53.60	1.40	.88	34.40	18.60	.56	.30
2006	85.30	53.60	1.40	.88	34.50	18.70	.56	.31
2007	85.10	53.70	1.39	.88	34.50	18.70	.56	.31
2008	84.90	53.70	1.39	.88	34.50	18.80	.56	.31
2009	84.50	53.60	1.38	.88	34.40	18.80	.56	.31

	Average earnings				Half average earnings			
	Additional pension (£ per week)		Relative to basic retirement pension		Additional pension (£ per week)		Relative to basic retirement pension	
Year	Male	Female	Male	Female	Male	Female	Male	Female
2010	85.50	54.50	1.40	.89	34.90	19.20	.57	.31
2011	86.40	55.30	1.41	.90	35.40	19.60	.58	.32
2012	87.40	56.20	1.43	.92	35.90	20.00	.59	.33
2013	88.30	57.00	1.44	.93	36.50	20.30	.60	.33
2014	89.20	57.90	1.46	.95	37.00	20.70	.61	.34
2015	90.20	58.80	1.47	.96	37.60	21.10	.61	.35
2016	91.10	59.80	1.49	.98	38.20	21.50	.62	.35
2017	92.00	60.70	1.50	.99	38.70	22.00	.63	.36
2018	93.00	61.70	1.52	1.10	39.30	22.40	.64	.37
2019	93.90	62.70	1.54	1.03	40.00	22.80	.65	.37
2020	94.80	63.70	1.55	1.04	40.60	23.20	.66	.38
2021	95.80	64.70	1.57	1.06	41.20	23.70	.67	.39
2022	96.70	65.70	1.58	1.07	41.90	24.10	.69	.40
2023	97.70	66.70	1.60	1.09	42.50	24.60	.70	.40
2024	98.60	67.80	1.61	1.11	43.20	25.10	.71	.41
2025	99.60	68.90	1.63	1.13	43.90	25.50	.72	.42
2026	100.60	70.00	1.64	1.14	44.60	26.00	.73	.43
2027	101.50	71.10	1.66	1.16	45.30	26.50	.74	.43
2028	101.90	72.20	1.67	1.18	45.90	27.10	.75	.44
2029	102.00	73.30	1.67	1.19	46.50	27.70	.76	.45
2030	102.10	74.20	1.67	1.21	47.00	28.30	.77	.46
2031	102.40	75.30	1.58	1.23	47.70	28.90	.78	.47
2032	102.70	76.40	1.68	1.25	48.40	29.60	.79	.49
2033	103.00	77.50	1.69	1.27	49.10	30.30	.80	.50
2034	103.30	78.60	1.69	1.29	49.90	31.00	.82	.51
2035	103.50	79.60	1.69	1.30	50.60	31.70	.83	.52
2036	103.70	80.60	1.70	1.32	51.40	32.40	.84	.53
2037	103.80	81.60	1.70	1.33	52.10	33.00	.85	.54
2038	104.40	82.80	1.71	1.35	53.10	33.80	.87	.55
2039	104.90	84.00	1.72	1.37	54.00	34.50	.88	.57
2040	105.40	85.10	1.72	1.39	55.00	35.30	.90	.58

1. It is assumed that earnings are at, or half of, the average for each year throughout the working life. Weekly average earnings for 1996 are assumed to be £397.40 (Male) and £288.90 (Female).
2. The basic rate of retirement pension is assumed to be £61.15.
3. Figures for weekly additional pension entitlement are in 1996 prices, and are rounded to the nearest 10p.
4. Figures for the weekly additional pension relative to the rate of basic retirement pension are rounded to two decimal places.
5. The future level of real earnings growth is assumed to be 1.5 per cent. per annum.

National Insurance

Ms Corston: To ask the Secretary of State for Social Security what is his estimate of the value of national insurance contributions unpaid by employers *(a)* in total and *(b)* as a percentage of total contributions owed and *(c)* the approximate number of employees affected for the latest year for which information is available. [18913]

Mr. Heald: Social security regulations provide that all employees are liable to pay class 1 national insurance contributions—provided that their earnings reach or exceed a minimum amount. They further provide that it is the responsibility of employers, in the first instance, to pay both their own, secondary, and their employees' primary share of the contribution at the time earnings are paid.

Estimates of the underpayment of NICs have been made through an employer survey, conducted by the Contributions Agency, looking at the 1992–93 tax year. From the results of the survey, it is estimated that £111 million of NICs, both primary and secondary, were unpaid in 1992–93. The total amount of NICs paid by employers for 1992–93 was £35,473 million. The survey therefore indicates that the amount underpaid was 0.31 per cent. of the total amount paid.

The survey also estimates that 3 per cent. of employees were affected by underpayment of primary NICs. The underpayment of secondary contributions does not affect the employee.

The survey looked at a random sample of 2,336 employees and the results are therefore subject to wide margins of error. The survey has been followed up by a survey of employer compliance levels for 1993–94 with a larger sample size. The results of this survey will be placed in the Library when available.

Agencies (Running Costs)

Mr. Chris Smith: To ask the Secretary of State for Social Security what are the budgeted running costs of each of the agencies that report directly to his Department for financial years *(a)* 1996–97, *(b)* 1997–98 and *(c)* 1998–99. [19261]

Mr. Burt: The information is in the table:

Department of Social Security—Agency running costs

£ million

Agency	1996–97	1997–98	1998–99
Information Technology Services Agency	nil	nil	nil

Department of Social Security—Agency running costs

£ million

Agency	1996–97	1997–98	1998–99
Benefits Agency	2,517	2,418	2,162
Contributions Agency	225	216	193
Child Support Agency	209	212	191
War Pensions Agency	34	33	29

Notes:
1. The Information Technology Services Agency has a nil net running costs limit.
2. From 1996–97 the residual functions of the Resettlement Agency have been absorbed within Social Security Headquarters.

Source:
DSS Departmental Report—due to be published on 20 March 1996.

Departmental Running Costs

Mr. Chris Smith: To ask the Secretary of State for Social Security if he will set out the public expenditure survey figures for his Department's administration over the years *(a)* 1996–97, *(b)* 1997–98 and *(c)* 1998–99 identifying separately the running costs element. [19262]

Mr. Burt: The information is in the table:

Department of Social Security—Administration

£ million

	1996–97	1997–98	1998–99
Administration of which:	3,307	3,137	2,799
Running costs	3,162	3,065	2,744

Source:
DSS Departmental Report—due to be published on 20 March 1996.

Cold Weather Payments

Mr. Redmond: To ask the Secretary of State for Social Security what assessment he has made of the suitability of Warrington weather station for assessing temperature for cold weather payments in the Mexborough area of the Don Valley constituency; and if he will make a statement. [19344]

Mr. Roger Evans: Each year, after the end of March, the cold weather payment scheme is reviewed. The Meteorological Office advises on the availability of weather stations and the appropriate linkages with postcodes.

The postcode areas in Mexborough are linked to the weather station at Leeds. This linkage is considered to be the most appropriate based on advice from the Meteorological Office.

Executive Action

Mr. Gordon Prentice: To ask the Secretary of State for Social Security if he will list those areas of executive action where he has discretion to act in respect of an individual without giving reasons for his decision. [20534]

Mr. Burt: In many areas, the reasons for a decision will be self-evident. In other areas, individuals are notified of the decision, and may be given reasons if it is not clear to them why it has been made.

Child Support Agency

Ms Lynne: To ask the Secretary of State for Social Security what computer package was used by the Child Support Agency when calculating travel-to-work distances; and which parts of the postcode are taken into account. [19487]

Mr. Andrew Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Ms Liz Lynne, dated 19 March 1996:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about Child Support Agency computer packages.

There are two computer packages utilised to calculate the travel-to-work distances. The first computer package is the Post Office Address File produced by the Royal Mail and the second is a bespoke system, called TravCost, based on the computer package DataEase. The TravCost System was developed and is currently supported by the Child Support Agency Small Systems Team.

The complete postcode of an address, which may be composed of between five and seven alphanumeric characters, is used to obtain an Ordnance Survey North and East Grid Reference from the Post Office Address File computer package. The package utilises grid references assigned by the Office of Population Censuses and Surveys, and is updated every three months with the latest post code and grid reference information. The grid references for both the client's home and work address are then entered onto the TravCost System, which calculates allowable travel-to-work costs.

I hope this is helpful.

Capacity for Work Tests

Mr. Bradley: To ask the Secretary of State for Social Security (1) how many people are exempt from the all-work test *(a)* in total and *(b)* during each of the months since April 1995, for each of the 11 medical services centres; [20178]

(2) how many people are currently exempt from the all-work test by virtue of *(a)* receipt of the highest rate of the disability living allowance care component, *(b)* receipt of invalidity benefit and being aged 58 years or over on 13 April and *(c)* a serious, medical condition. [21077]

Mr. Burt: Information is not available in the format requested. An estimated 705,000 claimants are currently treated as satisfying the all-work test because they were receiving invalidity benfit between 1 December 1993 and 12 April 1995 and were aged 58 or over on 13 April 1995. National figures on exemptions are in the table.

	April 1995	May 1995	June 1995	July 1995	August 1995	September 1995	October 1995	November 1995	December 1995	January 1996	Total
In receipt of disability living allowance higher care component	8,956	4,143	1,940	1,626	1,302	1,286	1,723	1,999	1,291	2,192	26,458
Severe medical condition	9,929	21,743	26,086	23,278	18,555	17,698	21,539	21,755	14,623	19,687	194,893
Total	18,885	25,886	28,026	24,904	19,857	18,984	23,262	23,754	15,914	21,879	221,351

Figures are provisional and do not include clerically processed claims.

Independent Tribunal Service

Mr. Sheerman: To ask the Secretary of State for Social Security what communications he received from Mr. Richard Allen of the Independent Tribunal Service before his decision to close local tribunal service offices. [20224]

Mr. Roger Evans: None. The provision of suitable accommodation for social security appeal tribunals and disability appeal tribunals is the responsibility of the Independent Tribunal Service. As suitable premises in Huddersfield are not currently available, arrangements have been made to hear appeals at the Wakefield venue.

Attendance Allowance

Mr. David Atkinson: To ask the Secretary of State for Social Security what *(a)* advice and *(b)* guidance his Department have issued on the retrieval of overpayment of attendance allowance from the spouse following the death of the recipient; and if he will make a statement. [20800]

Mr. Andrew Mitchell: The advice and guidance involving the recovery of an overpayment under these circumstances is common to all benefits. Each case is treated on its merits, although recovery is sought only if the amount exceeds £25.

If there is a recoverable overpayment outstanding at death, it can be recovered from the deceased's estate under social security legislation. If the overpayment arises after death, for example an automated credit transfer, ACT, payment continues directly into a bank account, as entitlement ceases on death, the deceased's estate has no title to the payment and repayment is then sought either from the estate or a beneficiary of that estate. This is under the established principle of common law, that if a person who finds himself in receipt of money to which he is not entitled, he should return the sum involved.

There are specific instructions not to seek recovery within three weeks of bereavement to avoid causing unnecessary distress and anxiety to the bereaved.

If the hon. Member wishes to write to me separately concerning an individual case, I shall provide a detailed reply.

Tribunals (Disabled People)

Mr. David Atkinson: To ask the Secretary of State for Social Security what representation disabled people have on tribunals dealing with appeals on claims for benefits for the disabled; and if he will make a statement. [20801]

Mr. Burt: The membership of tribunals is a matter for the president of the Independent Tribunal Service. He has written to the hon. Member.

Social Fund (Merthyr)

Mr. Rowlands: To ask the Secretary of State for Social Security (1) what is his estimate of the amount paid within the Merthyr district benefit area under the social fund in 1994–95; and what proportion of these funds were *(a)* community care grants and *(b)* crisis loans; [20861]

(2) what was the allocation under the social fund to the Merthyr benefit district in 1994–95. [20862]

Mr. Roger Evans: The administration of the social fund is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Ted Rowlands, dated 19 March 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking what is his estimate of the amount paid within the Merthyr District benefit area under the Social Fund (SF) in 1994–95; and what proportion of these funds were (a) community care grants (CCGs) and (b) crisis loans and what was the allocation under the SF to the Merthyr Benefit District in 1994–95.

When the Benefits Agency was formed in April 1991, existing benefit offices were grouped into Districts. Merthyr Tydfil office forms part of the Eastern Valleys District which also includes Blackwood, Caerphilly and Ebbw Vale offices and Bargoed One Stop Shop.

The total amount paid under the discretionary SF in 1994/95 for Eastern Valleys District was £2,268,189.02, of which 27.87% (£632,101.87) was for CCGs and 8.72% (£197,731.77) was for crisis loans. The total amount paid under the non-discretionary SF in 1994/95 for Eastern Valleys District was broken down as follows:-

Funeral Payments: £557,044.20

Maternity Payments: £140,400.00

Cold Weather Payments: None

Total: £697,444.20

The District allocation for 1994/95 was £2,281,469 comprising £1,643,671 for loans and £637,798 for grants. These figures are provisional and subject to change.

I hope you find this reply helpful.

Competitive Tendering (Contracts)

Mr. Donohoe: To ask the Secretary of State for Social Security how many contracts for goods or services have been awarded in each of the last three financial years by his Department and its executive agencies after competitive tendering; and what was the total combined value of these contracts. [21034]

Mr. Burt: It is not possible to say how many contracts have been awarded in each of the last three years since information on the number of contracts is not kept centrally. Framework agreements are let on a competitive basis. Contracts arising from those agreements are entered into by budget holders when orders are placed.

With the exception of the Information Technology Services Agency, the authority to make purchases and place orders in the DSS is devolved to local budget holders. Current guidance to managers requires every purchase of over £5,000 to be subject to formal tendering procedures.

DSS policy is to give equal opportunity in competitive bidding to all firms invited.

State Pension Entitlement

Mr. Connarty: To ask the Secretary of State for Social Security what plans he has to review the rules on date of entitlement to state pensions. [21258]

Mr. Heald: We have no plans to do so.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Social Security what was the average cost of answering an

(a) oral and *(b)* written parliamentary question from (i) Opposition and (ii) Conservative hon. Members in each Session since 1989–90. [21793]

Mr. Burt: This Department does not collect the information in the format requested.

Income Support (Student Loans)

Ms Lynne: To ask the Secretary of State for Social Security if an individual's income support entitlement is changed if their spouse is a mature student and takes out a full student loan from the Student Loan Company; and if the individual's income support entitlement is based on the assumption that the spouse will automatically take out a full student loan from the Students Loan Company when the spouse becomes a mature student. [21275]

Mr. Roger Evans: For income support purposes, student loans are treated as income and attract a disregard of £10 per week.

An individual's entitlement to income support would be affected if their spouse or partner was eligible for a student loan regardless of whether the loan had been taken out.

The individual's income support entitlement would be reassessed to take into account the maximum student loan that their spouse/partner could acquire by taking reasonable steps to do so.

Occupational Pensions

Mr. Frank Field: To ask the Secretary of State for Social Security if he will list the numbers of the long-term sick and those claiming invalidity benefit who are in receipt of an occupational pension; if he will sub-divide these data according to the age of the recipient *(a)* up to 55 years, *(b)* 55 to 60 and *(c)* 60 years plus; and if he will denote the average size payments to each age group. [12963]

Mr. Burt *[holding answer 1 February 1996]:* Estimates of the numbers of invalidity benefit recipients also receiving occupational pensions at 2 April 1994 and of the average weekly pension payment, at 1993–94 prices, to these groups are in the table. Estimates are based on survey data and are subject to a wide margin of uncertainty.

	(a) Under 55	*(b) 55 to 59*	*(c) 60 years plus*
Estimated number of Invalidity Benefit recipients also receiving occupational pension at April 1994	130,000	135,000	360,000
Estimated average weekly amount of occupational pension	£75	£80	£65

1. Numbers are rounded to the nearest 5,000 and amounts are rounded to the nearest £5.
2. Estimates are based on data from the 1993–94 Family Resources Survey.

Overseas Visits

Mr. Hall: To ask the Secretary of State for Social Security if he will place in the Library a list of all overseas visits made by all Ministers of his Department since 1990, including *(a)* details of the places visited and brief reasons for the visit, *(b)* details of the size, composition and cost to public funds of the delegation and *(c)* the names of non-ministerial members of each delegation and the capacity in which each was present. [17486]

Mr. Burt *[holding answer 1 March 1994]:* The available information is in the tables. Information on visits made before 1992 can be obtained only at disproportionate cost.

Secretary of State

Date and duration of visit	*Minister*	*Number accompanying*	*Place and purpose of visit*	*Cost £*
15 April 1992	Peter Lilley	0	Recalled from France to attend Cabinet and departmental meetings	1,045.00
1 September 1992	Peter Lilley	0	Recalled from France to attend departmental meetings	2,980.00
29 January—1 February 1993	Peter Lilley	0	Zurich—to attend World Economic Forum	735.00
7 April 1993	Peter Lilley	0	Returned from France to launch Child Support Agency	324.10
7–8 November 1993	Peter Lilley	0	Paris—meeting with French Social Security Minister	165.00
27–28 October 1994	Peter Lilley	4	Madrid—speech at pensions conference	2,185.82
1–2 February 1995	Peter Lilley	4	Paris—informal Social Affairs Council	2,445.17
11–12 May 1995	Peter Lilley	1	Switzerland—fact finding visit about Swiss social security system	1,133.75
8–9 September 1995	Peter Lilley	2	Bonn/Dusseldorf—fact finding visit about German social security system	4,586.52

Ministers of State

Date and duration of visit	*Minister*	*Number accompanying*	*Place and purpose of visit*	*Cost £*
20–21 May 1992	Nicholas Scott	0	Limerick–Council of Europe Conference of Social Security Ministers	143.35
23–24 May 1992	Nicholas Scott	2	Luxembourg–Social Affairs Council	1,006.86
2–5 September 1992	Nicholas Scott	2	Barcelona–Paralympic Games	1,303.68
7–11 October 1992	Nicholas Scott	2	Montreal–International meeting of Ministers	4,473.90
11–13 October 1992	Nicholas Scott	2	New York–UN General Assembly	3,012.90
8–9 December 1992	Nicholas Scott	1	Paris OECD meeting	456.78
27 May–6 June 1993	Nicholas Scott	6	China–Fact finding visit about disability issues	13,926.30
9–10 November 1993	Nicholas Scott	1	Brussels–Informal Social Affairs Council	550.62
17–20 March 1994	Nicholas Scott	3	Lillehammer–Paralympic Games	1,275.00
9–15 September 1994	William Hague	2	USA–Fact finding visit about disability anti-discrimination legislation	6,813.59
29–31 May 1995	Lord Mackay	3	Lisbon–Sixth Conference of European Social Security Ministers	3,088.60
12–19 September 1995	Alistair Burt	1	Pakistan–Fact finding visit	361.44

Parliamentary Secretaries

Date and duration of visit	*Minister*	*Number accompanying*	*Place and purpose of visit*	*Cost £*
28 January 1993	Ann Widdecombe	4	Copenhagen— Social Affairs Council	4,500.00
1 February 1993	Lord Henley	2	Strasbourg—To open Beveridge Exhibition	1,125.00
26–27 February 1993	Alistair Burt	2	Germany—Bilateral talks with German Social Security Ministers	332.50
28 April 1993	Lord Henley	1	Eire—Meeting Board of Management Trust: War Pensions	460.00
15 May 1993	Alistair Burt	2	Brussels—Bilateral talks with Belgian Social Security Ministers	590.52
28–30 September 1993	Alistair Burt	1	Eire—Bilateral talks with Irish Social Security Minister and Community Development programme visit	426.00
28 May–5 June 1994	Alistair Burt	3	Canada and USA—Fact finding visit about family issues	13,177.38
21–22 June 1994	Alistair Burt	4	Luxembourg— Social Affairs Council	2,948.42
11–15 November 1995	Oliver Heald	4	USA—Fact finding visit on the provisions for long term care	3,879.39

Benefit Payment Card

Mr. Bradley: To ask the Secretary of State for Social Security what plans he has to ensure that information currently contained in the pension book will be preserved and improved with the proposed new benefit payment card system with particular reference to *(a)* a permanent record of pension payments received, *(b)* details of how the pension is made up, *(c)* clear information on the amount due and the date available, *(d)* information on change of circumstances and *(e)* details of claiming income support. [11750]

Mr. Heald *[pursuant to his reply, 31 January 1996, c. 947]:* I am advised that Peter Mathison, the chief executive of the Benefits Agency, is writing again to clarify his reply of 31 January 1996.

Letter from Peter Mathison to Mr. Keith Bradley, dated 20 March 1996:

I am writing to clarify the information provided to you in my letter of 31 January 1996 in response to your Parliamentary Question. You asked the Secretary of State for Social Security what plans he has to ensure that information currently contained in the pension book will be preserved and improved with the proposed new benefit payment card system with particular reference to (a) a permanent record of pension payments received, (b) details of how the pension is made up, (c) clear information on the amount due and the date available, (d) information on change of circumstances and (e) details of claiming Income Support (IS).

The potential service suppliers have been asked to produce a receipt which will only include the following information; details of the type(s) of benefit paid, the amount(s) payable and the due date and the date of payment, but not the date of the last payment(s) made, as indicated in my earlier reply. As I explained in my earlier letter, customers should have no difficulty keeping a record of payment collected from the post office as a receipt will be given and the facility to request a full statement of the benefit account will be retained. This statement will be available on request from the local benefits office.

I hope this explains the position and I apologise for any confusion.

HEALTH

Hertfordshire Health Authorities

Mr. Redmond: To ask the Secretary of State for Health what additional costs to public funds will result from the division of the Hertfordshire health authorities. [17955]

Mr. Malone: The costs of running health authorities in Hertfordshire, to be met from within the allocation is planned to increase for £7.66 million in 1995–96 to £8.16 million in 1996–97.

Doctors and Nurses

Mr. Battle: To ask the Secretary of State for Health (1) how many doctors and nurses have been employed in NHS hospitals in *(a)* West Yorkshire and *(b)* Leeds since 1990; [18433]

(2) how many vacancies for doctors and nurses in *(a)* West Yorkshire and *(b)* Leeds remained unfilled in 1995. [18434]

Mr. Malone: Information about the number of vacancies for doctors and nurses which remained unfilled in 1995 in West Yorkshire and Leeds, and the number of doctors in hospitals in these areas for the last five years is not available centrally.

Figures for medical staff working in the hospital and community health service (HCHS) are collected by the Department of Health's medical and dental work force census. Copies of the census results at national and regional level, including figures on the number of vacancies at September each year, are in the Library.

Figures on vacancies for HCHS nurses and midwives are collected by the Office of Manpower and Economics and published in the annual reports of the Review Body for Nursing Staff, Midwives, Health Visitors and Professions Allied to Medicine; copies are in the Library.

Information on vacancies for general medical practitioners and general medical services practice staff is not available centrally.

The number of HCHS nursing and midwifery staff is collected by the Department of Health's non-medical work force census; the latest figures available are for 1994. Individual hospital units cannot be separately identified in the census, but nursing and midwifery staff can be sub-divided between those working in hospitals and those working in the community on the basis of their area of work.

The table gives the number of nursing and midwifery staff working in hospital areas of work in Leeds district health authority, formerly Western Leeds, Eastern Leeds and Leeds DHAs and West Yorkshire health authority, formerly Huddersfield, Dewsbury and Calderdale DHAs, from 1990 to 1994. It is not possible to sub-divide other HCHS non-medical staff groups between hospital and community areas of work. Also, the sub-division of nursing and midwifery staffs between hospital and community areas of work will not be possible for the 1995 non-medical work force census and future censuses because of the introduction of new occupation codes.

NHS hospital and community health services nursing and midwifery staff, excluding agency staff and learners, in hospital areas of work, Leeds and West Yorkshire district health authorities at September 1990 to 1994

Whole-time equivalents

	1990	*1991*	*1992*	*1993*	*1994*
Leeds DHA	5,140	5,470	5,290	5,250	5,210
West Yorkshire DHA	3,030	2,750	2,780	2,820	2,810
Excluded from foregoing figures:					
Learners[1]					
Leeds DHA	870	300	180	60	30
West Yorkshire DHA	820	720	540	[2]—	[3]—

Notes:

[1] Learners are nurses on traditional nurse training courses and are directly employed by the NHS HCHS. Project 2000 training was introduced in 1989 and has gradually replaced traditional pre-registration nurse training. Project 2000 students are funded by bursaries, they are supernumary not employees, and are thus excluded from the count of NHS HCHS nursing staff. Figures for Project 2000 students are not available by DHA.

All figures are rounded to the nearest ten whole-time equivalents.

[2] Denotes five or less.

[3] Denotes zero.

Source:

Department of Health annual non-medical work force census.

Executive Agencies

Mr. Cummings: To ask the Secretary of State for Health on how many occasions in each of the past five years Ministers in his Department have passed *(a)* hon. Members' letters and *(b)* hon. Members' questions to agencies for response; and what this figure is as a percentage of the total number of letters and questions received. [19425]

Mr. Horam: The information requested on questions passed to agencies for response is shown in the table.

Session	*Number of questions passed to agencies*	*Percentage of questions passed to agencies*
1991–92	0	0
1992–93	5	0.08
1993–94	2	0.04
1994–95	17	0.35
1995–96[1]	12	0.63

[1] Figures as at 18 March 1996.

The other information requested could be provided only at disproportionate cost.

Anaesthetists

Mr. Gordon Prentice: To ask the Secretary of State for Health what representations he has received about the shortages of qualified anaesthetists in NHS trusts. [20325]

Mr. Malone: Representations have been received from various trusts and the Royal College of Anaesthetists.

I recently announced additional funding of £5.7 million in 1996–97 to provide a significant increase in training opportunities for doctors wishing to become consultants. In anaesthetics, the increase for 1996–97 is substantial and regional postgraduate deans will be expected to target the available resources on those specialities such as anaesthetics which are most in need.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Health how many questions were tabled to his Department in each Session since 1987–88; and how many were not answered on the grounds of disproportionate cost; what percentage of the total number of questions this represented; how many were not answered on the grounds that the information was not centrally available; and what percentage of the total number of questions this represented. [21145]

Mr. Horam: The Department of Health was not formed until July 1988, so information is not available for the Session 1987–88. The number of questions answered since the 1988–89 Session are shown in the table.

Session	*Number of questions*
1988–89	3,311
1989–90	4,588
1990–91	3,072
1991–92	1,523
1992–93	5,932
1993–94	5,033
1994–95	4,836

Source:
POLIS and JUSTIS Parliamentary.

I refer the hon. Member to the reply that I gave to the hon. Member for Pendle (Mr. Prentice) and the right hon. Member for Derby, South (Mrs. Beckett) on 12 December 1994, *Official Report*, cols. *470–71*, for information on replies stating that information is not held centrally, for the 1989–90 to 1993–94 Sessions.

I refer the hon. Member to the reply that I gave to the hon. Member for Darlington (Mr. Milburn) on 1 February 1995, *Official Report*, column *722*, for information on replies stating that information could not be provided on grounds of disproportionate cost, for the 1989–90 to 1993–94 Sessions.

Information for the 1988–89 and 1994–95 Sessions is shown in the table

Session	*Number answered "disproportionate cost"*	*Percentage of total answered*	*Number answered "not available centrally"*	*Percentage of total answered*
1988–89	71	0.72	71	2.14
1994–95	12	0.25	176	3.64

Source:
POLIS and JUSTIS Parliamentary.

Mr. Donohoe: To ask the Secretary of State for Health what was the average cost of answering an *(a)* oral and *(b)* written parliamentary question from (i) Opposition and (ii) Conservative hon. Members in each Session since 1989–90. [21796]

Mr. Horam: This Department does not collect the information in the form requested.

Drug Prescribing (Taxol)

Ms Harman: To ask the Secretary of State for Health what guidelines apply in respect of consultants who wish to prescribe Taxol for the treatment of ovarian cancer but are refused funding for it by their trust or health authority. [20860]

Mr. Horam: Guidance on the rational and cost-effective use of drugs for the maximum benefit of patients takes full account of the need to secure the agreement and commitment of clinicians when decisions are made. HC(88)54 recommends that this input be made through local drug and therapeutic committees.

Paperwork Initiative

Ms Harman: To ask the Secretary of State for Health how much administrative time per week he estimates his initiative on paperwork in general practice will save each general practitioner. [21011]

Mr. Malone: We estimate an annual reduction of 260 claim forms and 380 prescription forms for each general practitioner, comprising some 17 million forms in total. Time savings in individual general practices depend on how duties are assigned and organised.

Abortion

Ms Harman: To ask the Secretary of State for Health how many abortions were carried out in each month from January 1995 to March 1996. [21012]

Mr. Horam: The data presented are provisional as they are based on quarterly returns. Data for the remainder of 1995 through to March 1996 are not currently available for release.

	Total terminations performed in England and Wales
1995	
January	13,913
February	13,938
March	14,890
April	12,138
May	13,403
June	14,191
Total	82,473

Ms Harman: To ask the Secretary of State for Health how many women died as a result of abortion operations in each of the last five years. [21014]

Mr. Horam: The latest data are available for the years 1989–1993 inclusive.

	Number of deaths (England and Wales)
1989	1
1990	1
1991	0
1992	1
1993	1

The data are presently published in the Office of Population Censuses and Surveys annual reference volume "Abortion Statistics 1993", Her Majesty's Stationery Office publication 1994.

Family Planning

Ms Harman: To ask the Secretary of State for Health how many appointments *(a)* at family planning clinics and *(b)* on family planning domiciliary visits there have been in each of the last five years (i) by region and (ii) nationally. [20880]

Mr. Horam: Information on the number of appointments at family planning clinics and domiciliary visits in each of the last five years is shown in the table.

Domiciliary visits

Thousands

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*
England	30.3	32.3	29.0	29.3	37.3
Northern	1.8	1.2	1.2	1.9	1.8
Yorkshire	0.9	0.4	0.2	0.1	1.5
Trent	1.5	2.2	1.7	1.4	1.3
East Anglia	0.6	0.6	0.5	0.0	0.0
North West Thames	0.7	0.5	0.6	0.7	0.7
North East Thames	4.9	6.2	4.0	3.9	2.8
South East Thames	2.8	2.5	2.4	2.6	2.4
South West Thames	2.3	2.9	2.9	2.7	2.1
Wessex	4.0	4.1	4.0	3.8	11.8
Oxford	0.6	0.6	0.7	0.7	0.5
South Western	0.0	0.0	0.0	1.0	1.0
West Midlands	4.8	5.4	5.5	4.9	6.0
Mersey	2.2	2.0	1.4	1.7	1.3
North Western	3.3	3.7	3.8	4.0	4.2

Clinic attendances

Thousands

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*
England	2,321.6	2,282.1	2,282.3	2,314.7	2,363.4
Northern	151.4	146.6	148.6	145.8	147.4
Yorkshire	166.6	169.6	162.7	162.4	166.6
Trent	196.6	203.6	193.8	201.5	210.1
East Anglia	65.3	63.0	64.4	67.7	59.7
North West Thames	201.4	196.8	204.7	197.2	218.1
North East Thames	231.7	212.9	207.4	208.6	199.8
South East Thames	194.4	199.3	199.2	212.2	223.2
South West Thames	172.0	163.2	163.9	155.6	154.6
Wessex	124.5	126.7	130.4	132.0	138.6
Oxford	90.7	82.7	91.2	93.1	94.8

Clinic attendances

Thousands

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*
South Western	120.9	119.5	124.1	128.1	131.1
West Midlands	285.3	288.7	283.4	292.5	295.7
Mersey	116.2	112.7	115.2	125.4	127.5
North Western	204.7	197.0	193.3	192.7	196.2

Source:
KT31.

Breast Cancer Screening

Sir Andrew Bowden: To ask the Secretary of State for Health how the breast cancer screening programme pilot project for women aged 65 to 69 years, in East Sussex, will be funded; and what additional *(a)* local, *(b)* regional and *(c)* national funds will be allocated to the pilot project in addition to existing breast cancer screening programme funding in East Sussex. [21677]

Mr. Horam: South Thames regional health authority has made some £700,000 additional capital and revenue funding available for the three years 1996–1999 to undertake the breast cancer screening programme pilot for women aged 65 to 69 in East Sussex. National funding for evaluation, at an amount yet to be agreed, will also be made available.

Tuberculosis

Ms Harman: To ask the Secretary of State for Health if he will list the rates of TB for each health authority in England and Wales in *(a)* 1994 and *(b)* 1995. [21668]

Mr. Horam: The figures are shown in the table:

Notifications and rates for all tuberculosis, excluding chemoprophylaxis, by regional health authority, 1994 and 1995, England and Wales, excluding port health authorities

RHA	*Notification rates per 100,000 population* *1994*	*1995*
Northern and Yorkshire	8.7	9.6
Trent	9.6	10.6
Anglia and Oxford	5.9	5.3
North Thames	24.9	26.3
South Thames	10.4	9.5
South and West	4.1	4.3
West Midlands	13.8	12.4
North-west	10.0	9.5
England	11.1	11.1
Wales	6.2	6.2
England and Wales	10.8	10.9

Source:
OPCS.

New Hospitals

Ms Harman: To ask the Secretary of State for Health how many new hospitals have been built in each of the last six years. [21669]

Mr. Horam: Information is collected on reported major capital projects. I refer the hon. Member to the reply that the then Under-Secretary, my hon. Friend the Member for Bolton, West (Mr. Sackville), gave to the right hon. Member for Derby, South (Mrs. Beckett) on 26 October 1995, *Official Report*, column *783*. In the calendar year 1995, 53 schemes finished on site.

Private Nursing Homes

Mr. Milburn: To ask the Secretary of State for Health how much each health authority spent on private nursing home provision in each of the last five years. [21643]

Mr. Bowis: This information is not available centrally.

Employment of Children

Mrs. Clwyd: To ask the Secretary of State for Health if he will make a statement on the results of the recent consultation paper on the employment of children. [20138]

Mr. Bowis: We have received an encouraging number of responses to the consultation paper and we are now considering these.

Paediatric Units

Mr. Wilshire: To ask the Secretary of State for Health if he will list the consultant-led in-patient paediatric units in NHS hospitals and the number of patients admitted in the latest year for which information is available in descending order of number of admissions. [20925]

Mr. Horam: The latest information available centrally is contained in the booklet "Ordinary and day case admissions for England, Financial year 1994–95". This shows the number of paediatric in-patients for individual trusts and directly managed units. Copies are available in the Library.

Information on admissions to units in individual national health service hospitals is not available centrally.

Maternity Units

Mr. Wilshire: To ask the Secretary of State for Health (1) if he will list the midwife and general practitioner-led maternity units in NHS hospitals and the number of deliveries in the latest year for which information is available in descending order of number of deliveries; [20926]

(2) if he will list the consultant-led maternity units in NHS hospitals and the number of deliveries in the latest year for which information is available in descending order of number of admissions. [20927]

Mr. Horam: This information is not available centrally.

Public Transport

Mr. Garrett: To ask the Secretary of State for Health what powers are available to health commissions to subsidise public transport services to NHS facilities. [21500]

Mr. Horam: A district health authority may exercise my right hon. Friend the Secretary of State's power under section 2(b) of the National Health Service Act 1977 to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of a duty under that Act, but only to such an extent as is necessary for the proper exercise of other functions which are its responsibility.

Health commissions will decide in the light of local circumstances whether they may subsidise public transport services.

Children from Former Yugoslavia

Mr. Frank Field: To ask the Secretary of State for Health how many children from the former Yugoslavia have been *(a)* adopted, *(b)* taken into local authority care and *(c)* placed with foster parents in the United Kingdom each year since 1991; and what estimate he has made of the number of children from the former Yugoslavia living in informal foster families in the United Kingdom.[21493]

Mr. Bowis: Adoption figures for England and Wales are collected by the Office of Population Censuses and Surveys. The figures are shown in the table. Information relating to adoptions in Scotland and Northern Ireland are matters for my right hon. Friend the Secretary of State for Scotland and my right hon. and learned Friend the Secretary of State for Northern Ireland respectively. Figures on the country of birth of children looked after by local authorities or privately fostered are not available centrally.

The numbers of children who were born in the former country of Yugoslavia and adopted by means of adoption orders made by courts within England and Wales were:

1991: 0
1992: 0
1993: 1
1994: 2
1995: 5

(1) These figures do *not* include any children who were adopted in the former Yugoslavia and who subsequently came to live in England and Wales.

Written Answers to Questions

Thursday 21 March 1996

LORD CHANCELLOR'S DEPARTMENT

House of Commons Notepaper

Mr. Morgan: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 18 March, *Official Report*, column *692*, if he will specify the nature and duration of the Wilprint contract. [22132]

Mr. Jonathan Evans: The contract referred to in my answer of 18 March is for the provision of judge's stationery and envelopes. The Department places orders with HMSO. HMSO made its contractual arrangements with Wilprint independently of the Department. I have asked HMSO to inform the hon. Member directly of the details of its contract.

Public Bodies

Dr. Wright: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list those of his Department's advisory non-departmental public bodies which *(a)* the Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish their response to advice supplied by them. [21860]

Mr. Jonathan Evans: Of the Lord Chancellor's Department's advisory bodies, the Insolvency Rules Committee and Land Registration Rule Committee have to be consulted about relevant rules and the Council on Tribunals must be consulted before procedural rules are made for any tribunal specified in schedule 1 to the Tribunals and Inquiries Act 1992 and on procedural rules made by the Chancellor or the Lord Advocate concerning statutory inquiries.

The Government are not required to publish their response to advice from these bodies. Although there is no legal requirement to consult the Advisory Council on Public Bodies, it generally is consulted on legislation affecting public records. The County Court Rule Committee, Supreme Court Rule Committee, Family Proceedings Rule Committee and Crown Court Rule Committee actually make rules and the Lord Chancellor is a member of all but the first.

ATTORNEY-GENERAL

Public Interest Immunity Certificate

Mr. Allason: To ask the Attorney-General if a public interest immunity certificate was issued in the case of R. *v.* Roche at Plymouth Crown Court in July–August 1991. [21692]

The Attorney-General: So far as I am aware, no public interest immunity certificate was issued in this case.

SCOTLAND

Cairngorm Plateau

Mr. Graham: To ask the Secretary of State for Scotland when his Department first received a recommendation from his statutory advisers for the designation of the Cairngorm plateau as a special protection area under EC directive 79/409; when he expects to designate this area; and what consideration he has made in the intervening period. [20320]

Mr. Kynoch: An initial recommendation without supporting data was received from the former Nature Conservancy Council in 1987. SPA classification has significant long-term implications for both nature conservation and other legitimate land use interests. Officials have, therefore, been involved in detailed discussions with Scottish Natural Heritage on the scientific case for classification. SNH will be commencing consultations very shortly with owners and occupiers and other local interests. Subject to the outcome of these, I expect a decision on classification to be taken later this year.

Poverty

Mr. David Marshall: To ask the Secretary of State for Scotland what proposals he has to reduce the levels of poverty in Scotland; and if he will make a statement. [21101]

Mr. Kynoch: We shall continue our policies of promoting sustained economic growth and helping those in greatest need.

Cervical Smear Tests

Dr. Godman: To ask the Secretary of State for Scotland, pursuant to his answer of 28 February, *Official Report*, column *878*, if the women pursuing claims against the Argyll and Clyde health board in respect of the mis-reading of cervical smear slides at the Inverclyde Royal hospital have recourse to the newly instituted complaints procedure; and if he will make a statement. [21691]

Lord James Douglas-Hamilton: The new complaints procedure to which I referred in my answer of 28 February will become operational on 1 April 1996. There will be a transitional period during which existing complaints procedures will run in parallel with the new procedure, and it has been decided that non-clinical complaints, such as those referred to by the hon. Gentleman, received before 1 April 1996 will be dealt with under the old procedures. The women pursuing claims against the Argyll and Clyde health board in respect of the mis-reading of cervical smear slides at the Inverclyde Royal hospital will not therefore have recourse to the new complaints procedure.

Fire Service

Mr. Llwyd: To ask the Secretary of State for Scotland how many fire brigades failed to meet the statutory minimum standards for their rescue and firefighting role in 1995–96; and if he will make a statement. [21577]

Lord James Douglas-Hamilton: I am satisfied that the fire brigades in Scotland are able to meet the nationally recommended standards of fire cover. Her Majesty's inspectorate of fire services for Scotland draws attention to any localised exceptions in the course of its inspections of brigades. It is for the fire authority concerned to take the appropriate action in any such case.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Secretary of State for Scotland what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21463]

Lord James Douglas-Hamilton: In procuring goods and services, the Department's prime objective is to obtain value for money from public expenditure. To this end, we encourage and use competition unless there are convincing reasons to the contrary. Terms and conditions of employment, including wages, are a matter between the contractors or suppliers and their employees, subject of course to any relevant legal requirements. In the case of workplace health and safety, compliance with relevant regulations is a legal requirement for contractors or suppliers although in practice the Department draws the regulations to the attention of any contractors or suppliers whose staff will be working on our premises.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Scotland what was the average cost of answering an *(a)* oral and *(b)* written parliamentary question from (i) Opposition and (ii) Conservative hon. Members in each Session since 1989–90. [21789]

Lord James Douglas-Hamilton: This Department does not collect the information in the form requested.

Further Education Colleges

Mr. Worthington: To ask the Secretary of State for Scotland what mechanisms exist in respect of a further education college becoming insolvent. [20589]

Mr. Raymond S. Robertson: Provisions in the Further and Higher Education (Scotland) Act 1992 allow for my right hon. Friend to make an order for the closure and dissolution of boards of management. Such an order may include provision on the transfer and vesting of property, rights, liabilities and obligations.

Mr. Worthington: To ask the Secretary of State for Scotland *(a)* which principals and *(b)* which boards of management of further education colleges have met his Department to discuss the finances of their colleges in the current year. [20590]

Mr. Robertson: Officials maintain regular contact with the principals and boards of management of further education colleges on financial and other matters. Meetings took place with North Glasgow and Clydebank colleges in 1995 to discuss their forward development plans.

Mr. Worthington: To ask the Secretary of State for Scotland which aspects of further education colleges' financial affairs are *(a)* open and *(b)* not open to public scrutiny. [20591]

Mr. Robertson: The Further and Higher Education (Scotland) Act 1992 requires the agenda, minutes and papers of board of management proceedings to be available for public inspection, except where it appears to the board that matters should be treated as confidential because of their commercial nature or otherwise. Audited annual accounts are publicly available from colleges and annual reports with financial information are published.

Public Bodies

Dr. Wright: To ask the Secretary of State for Scotland which of the national health service bodies sponsored by his Department have a statutory base; and if he will list those bodies which *(a)* admit members of the public to all board or committee meetings and *(b)* hold open meetings for the public (i) under a statutory requirement and (ii) voluntarily. [21829]

Lord James Douglas-Hamilton: All national health service bodies in Scotland have a statutory basis. Health boards and special health boards are statutorily required to admit members of the public to their meetings, unless by resolution they exclude the public to all or part of their meetings for a specific reason, such as security considerations. NHS trusts are statutorily required to hold an annual public meeting and many trusts voluntarily admit the public to their board meetings. The Mental Welfare Commission, the Common Services Agency and the National Board for Nursing, Midwifery and Health Visiting for Scotland are not required to hold any board meetings to which the public are admitted.

Dr. Wright: To ask the Secretary of State for Scotland which of the national health service bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* minutes of meetings, *(d)* agendas of meetings and *(e)* a register of members' interests (i) under a statutory requirement and (ii) voluntarily. [21835]

Lord James Douglas-Hamilton: There is a statutory obligation on national health service trusts to publish an annual report; all other NHS bodies are required to do so by the codes of conduct and accountability and the code of practice on openness in the NHS in Scotland. There is a statutory obligation on all NHS bodies to publish annual accounts but no obligation on them to publish minutes of their meetings, although many do. Health boards and special health boards are statutorily required to publish the agendas of their meetings. All NHS bodies are required by the codes of conduct and accountability to maintain a register of members' interests.

Dunblane (Shootings)

Mr. George Robertson: To ask the Secretary of State for Scotland on what basis the inquiry into the Dunblane shootings will be established; and what will be its terms of reference. [22729]

Mr. Michael Forsyth: The inquiry will be established under the Tribunals of Inquiry (Evidence) Act 1921. This procedure, which was followed in the case of the Aberfan inquiry, will enable evidence to be taken on oath,

as Lord Cullen wishes, and will attract the provisions of the Contempt of Court Act 1981. I propose that the inquiry's terms of reference should be:

> "To inquire into the circumstances leading up to and surrounding the events at Dunblane Primary School on Wednesday 13 March 1996, which resulted in the deaths of 18 people; to consider the issues arising therefrom; to make such interim and final recommendations as may seem appropriate; and to report as soon as practicable."

It is important that adequate preparation time is allowed as this will enable the inquiry itself to be shorter and more focused. I anticipate that, after initial procedure, the inquiry will begin to take evidence in public in June with a view to reporting by about the end of September.

Meanwhile, work will be carried forward within Government to review relevant aspects of firearms legislation, school security and the supervision of adults working with children so that we will be in a position to respond promptly to recommendations from the inquiry.

TRANSPORT

Rail Privatisation

Mr. Gordon Prentice: To ask the Secretary of State for Transport if he will list those rail track renewal and maintenance companies that have been sold to date indicating the sale price, the number of bidders and the successful purchaser. [21221]

Mr. Watts: The table lists those track renewal and infrastructure maintenance company sales which have been completed, or where sale contracts have been exchanged. It would be contrary to the commercial interests of the British Railways Board and the taxpayer to publish price and bidding details at this stage; this could prejudice sales still in progress.

Company	*Purchaser*
Scotland Track Renewals Company Ltd.	Relayfast Ltd.
Scotland Infrastructure Maintenance Company Ltd.	Track Action Ltd.
Central Track Renewals Company Ltd.	Tarmac Construction Ltd.
Central Infrastructure Maintenance Company Ltd.	GT Railway Maintenance Ltd.
Western Infrastructure Maintenance Ltd.	Amey Railways Ltd.
Eastern Track Renewals Company Ltd.	Fastline Rail Services Ltd.

Mr. Prentice: To ask the Secretary of State for Transport (1) if he will list the track renewal and maintenance companies whose sale is currently being negotiated and, in each case, the number of bidders; [21226]

(2) what is the timetable for the sale of the remaining rail track renewal and maintenance companies. [21224]

Mr. Watts: The British Railways Board is pursuing sales of the following businesses and expects to conclude them over the coming months:

Western Track Renewals Company Ltd.

Northern Infrastructure Maintenance Company Ltd.

Northern Track Renewals Company Ltd.

Eastern Infrastructure Maintenance Company Ltd.

Southern Track Renewals Company Ltd.

South West Infrastructure Maintenance Company Ltd.

South East Infrastructure Maintenance Company Ltd.

It would be contrary to the commercial interests of the British Railways Board and the taxpayer to give the number of bidders for each company at this stage.

Royal Train

Mr. Gordon Prentice: To ask the Secretary of State for Transport, pursuant to his answer of 12 March, 1996, *Official Report*, column *572*, on what basis he considers the period of the contract awarded to Wisconsin Central to operate the royal train to be commercially confidential. [21589]

Mr. Watts: The royal train is operated by Rail Express Systems Ltd. under a contract with Railtrack. Details of all Railtrack's contracts with private sector suppliers are a matter of commercial confidentiality between the parties.

Doncaster, Selby and York Rail Service

Mr. Redmond: To ask the Secretary of State for Transport for what reasons there was no rail service between Doncaster and Selby and Selby and York on the morning of 12 March. [21730]

Mr. Watts: On the morning of 12 March, the 06.16 service from Selby to Doncaster and the 06.52 service from Selby to York were cancelled due to points failure.

TREASURY

Executive Action

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer if he will list those areas of executive action where he has discretion to act in respect of an individual without giving reasons for his decision. [20531]

Mrs. Angela Knight: Records are not kept in the form requested.

Contracts

Mr. Donohoe: To ask the Chancellor of the Exchequer how many contracts for goods or services have been awarded in each of the last three financial years by his Department and its executive agencies after competitive tendering; and what was the total combined value of these contracts. [21027]

Mrs. Angela Knight: The total number of contracts awarded by the Treasury after competitive tender for the years in question are shown in the table. It is Treasury policy that all contracts with a potential value of over £10,000 be the subject of competitive tender. The total value of orders over £10,000 placed in these years is also given. These relate not only to the contracts placed in the same year but to those continuing from previous years.

	1993–94	*1994–95*	*1995–96 (to date)*
Total number of contracts subject to competitive tender	36	32	20
Total value of orders of over £10,000 placed excluding VAT (£ million)	6.8	14.0	7.3

Parliamentary Questions

Mr. Donohoe: To ask the Chancellor of the Exchequer how many questions were tabled to his Department in each Session since 1987–88; how many were not answered on the grounds of disproportionate cost; what percentage of the total number of questions this represented; how many were not answered on the grounds that the information was not centrally available; and what percentage of the total number of questions this represented. [21144]

Mrs. Angela Knight: The table gives the number of written and oral questions tabled to Treasury Ministers since 1987–88:

Session	*Written*	*Oral*
1987–88	3,244	464
1988–89	2,694	330
1989–90	2,145	338
1990–91	1,465	251
1991–92	859	148
1992–93	2,857	402
1993–94	1,742	217
1994–95	2,031	246
1995–96[1]	677	143

[1] To 10 March.

The analyses sought of questions not answered substantively are not readily available and could be provided only at disproportionate cost.

Economic and Monetary Union

Mr. Llew Smith: To ask the Chancellor of the Exchequer what assessment he has made of the effect on public services in Wales of measures necessary to meet the Budget deficit criteria for membership of the EMU. [19400]

Mr. Waldegrave *[holding answer 18 March 1996]:* I have made no such estimates. The Government's plans for spending on public services in Wales reflect the importance they attach to controlling overall public expenditure while shifting more money towards hospitals, schools and the police. The plans help to keep the budget deficit on a clear downward path, so that the recovery will be sustained.

Housing Associations

Mr. Frank Field: To ask the Chancellor of the Exchequer what representations he has received from Wirral-based housing associations about the Registrar of Friendly Societies having allowed the establishment of new housing associations with similar names to existing housing associations. [21237]

Mrs. Angela Knight: None.

Public Bodies

Dr. Wright: To ask the Chancellor of the Exchequer if he will list those of his Department's advisory non-departmental public bodies which *(a)* the Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish their response to advice supplied to them. [21867]

Mrs. Angela Knight: There are none.

Office for National Statistics

Mr. Matthew Banks: To ask the Chancellor of the Exchquer if he will make a statement about his plans for the new Office for National Statistics. [22582]

Mrs. Angela Knight: The new Office for National Statistics will be created on 1 April. I am today placing in the Libraries of the House copies of its framework document, its first business plan and policy statements on confidentiality, pricing and dissemination and release of data.

The creation of the new office is a significant milestone in the development of official statistics in the United Kingdom. These documents set out its constitution, key policies and future plans, including performance targets for the coming year. They will guide the office in meeting its aims to serve Government and the wider community. I am confident that rapid progress will be made both in the field of national statistics and in the registration activities to be undertaken by the office.

TRADE AND INDUSTRY

Cable Television (Northern Ireland)

Mr. Ian Bruce: To ask the President of the Board of Trade what estimate he has made of the speed at which cable television will be introduced to Northern Ireland; if telephone services will be available via this cable network; and what assessment he has made of the effect on householders and businesses. [21433]

Mr. Ian Taylor: Cable Tel Northern Ireland Ltd., which was awarded the franchise for the whole of Northern Ireland in May 1995, has committed to offer service to at least 428,000 homes in the province by the end of 2003. The company is expected to build past some 60 per cent. of homes in the franchise by the end of 1999. I am pleased to confirm that telephone services will be available via this cable network, which means that domestic and commercial customers alike will be able to benefit from the choice and competitive prices which are already available to more than 6 million homes in mainland Britain where cable networks pass.

Ministerial Visit (South Africa)

Mr. Terry Davis: To ask the President of the Board of Trade if he will list in the *Official Report* the names of the business men who accompanied his predecessor to South Africa in July 1994; and if he will list the companies represented by those business men. [21665]

Mr. Lang: The information requested is as follows:

Delegates accompanying the President of the Board of Trade to South Africa—July 1994

Name	*Position*	*Company/Organisation*
Mr. S. Wauchope	Managing Director	Acorn Computers Ltd.
Mr. J. Cheesbrough	Regional Director and General Manager (Africa)	AMEC Process and Energy Ltd.
Mr. C. R. Kemp	Director General	The Association of British Healthcare Industries
Mr. G. Edington	Chairman	BAA International Ltd.
Mr. R. Mabey	Managing Director	Bovis International Ltd.
Mr. J. Weston	Executive Director	British Aerospace plc
Mr. I. Alston	Regional manager	BT (Worldwide) Ltd.
Mr. R. J. Petersen	Chief Executive	Bridon plc
Mr. D. Savage	Director	British Educational Suppliers Association
Mr. J. Carrington	Director of Regional Businesses	Cable and Wireless plc
Mr. J. Caudwell	Chairman	Caudwell Communications Ltd.
Mr. A. Boyd	Advisor to CDC4	Commonwealth Development Corporation
Professor M. Brown	Managing Director	De Montfort University
Mr. D. Probert	Chairman	Crown Agents
Mr. A. Morrison	Chairman	Defence Systems Ltd.
Mr. G. Cowen	Managing Director	Dewplan Ltd.
Mr. P. Daubeney	Chief Executive	Electricity Association Ltd.
Mr. H. J. Pearce	Managing Director	EMS Medical Group
Mr. N. Gutteridge	Marketing Director	Fairey hydraulics Ltd.
Mr. G. F. Page	Chief Executive	Flight Refuelling Ltd.
Mr. J. Cronin	Managing Director	GEC Alsthom
Mr. P. Turner		Goddard Kay Rogers and Associates Ltd.
Mr. B. F. Baldock	Deputy Chairman	Guinness plc
Mr. J. First	Director	Henry Ansbacher and Co. Ltd.
Mr. G. Gonszor	Managing Director	Hill Samuel Bank Ltd.

Delegates accompanying the President of the Board of Trade to South Africa—July 1994

Name	*Position*	*Company/Organisation*
Mr. D. Teague	Managing Director	ICL
Mr. G. Cooper	Managing Director	Industrial Control Services plc
Mr. H. A. Lyons	Managing Director	International Hospitals Group Ltd.
Mr. J. Patterson	Managing Director	J C Sales Ltd.
Mr. D. Spencer	Director	John Laing International Ltd.
Mr. D. A. Piesold	Chairman	Knight Piesold and Partners
Mr. S. C. Y. Parker	Director	Kleinwort Benson Ltd.
Mr. P. G. Emmel	Managing Director	Johnson Matthey Ltd.
Mr. B. Kennedy	Deputy Chief Executive	Longwall International Ltd.
Mr. H. Johnston	Managing Director	MIVAN Overseas Ltd.
Mr. M. Kingston	Director	Morgan Grenfell and Co. Ltd.
Mr. D. Mansfield	Chief Executive	Nottingham Group Holdings plc
Mr. R. M. Bostock	Director	Ove Arup Economics and Planning
Mr. S. Lister	Sales Director	Pace Micro Technology Ltd.
Mr. J. Foley	Marketing Director	Philip Harris Education and Scientific
Mr. K. McDonald	Chairman	Polypipe plc
Mr. A. Carnell	Group Commercial Director	Racal Electronics plc
Dr. R. Davies	Managing Director	Rialech International
Dr. T. Harrison	Chief Executive	Rolls-Royce plc
Mr. P. Hills	Managing Director	Samuel Montagu and Co. Ltd.
Mr. A. Platt	Director Group Development	Sedgwick Group plc
Mr. G. Henderson	Senior Partner	Slaughter and May
Mr. T Gould	Chief Executive	Structherm Ltd.
Mr. R. A. Davies	Chief Executive	TecQuipment Ltd.
Mr. B. Myers	Chief Executive	Trafalgar House plc
Mr. J. Smith	Group Chairman	Turner and Townsend Group
Mr. A. Hicks	Chief Executive	United Kingdom Southern Africa Business Association
Mr. D. Henning	Managing Director	Vodafone Group plc
Mr. D. Hastie	Sales Director	Vickers Defence Systems

Delegates accompanying the President of the Board of Trade to South Africa—July 1994

Name	*Position*	*Company/Organisation*
Mr. M. D. Willetts	President (Development)	Wade Adams Construction
Mr. T. Quick	Acting Sales and Marketing Director	Westland Group plc
Mr. D. G. Brant	Executive Director	George Wimpey plc

Parliamentary Questions

Mr. Donohoe: To ask the President of the Board of Trade what was the average cost of answering an *(a)* oral and *(b)* written parliamentary question from (i) Opposition and (ii) Conservative hon. Members in each Session since 1989–90. [21791]

Mr. Lang: This Department does not collect information in the form requested.

Trade Delegations

Mr. Fatchett: To ask the President of the Board of Trade if he will list, with location and dates, all trade delegations which took place in *(a)* 1994, *(b)* 1995 and *(c)* 1996 to date, and those which are planned for the remainder of 1996. [21064]

Mr. Nelson *[holding answer 18 March 1996]:* The number of trade delegations supported under the outward mission scheme were 151 in 1994, 184 in 1995 and 49 so far in 1996. In the remainder of 1996, it is anticipated that more than 190 additional supported missions will take place.

I have arranged for a full list of the details of these mission giving locations and dates to be placed in the Libraries of both Houses.

AST Group, Aylesbury

Mr. Morgan: To ask the President of the Board of Trade what investigative action he has initiated into the collapse of the AST Group of Aylesbury under the Companies Act. [21496]

Mr. John M. Taylor *[holding answer 20 March 1996]:* It is not the policy of the Department of Trade and Industry to comment on the affairs of individual companies.

Electrical Goods Supply Industry

Mr. William O'Brien: To ask the President of the Board of Trade, pursuant to his answer of 12 March 1996, *Official Report*, column *526*, (1) what consultations his Department has had with the electrical goods supply industry on the extension of time for the Monopolies and Mergers Commission to report on the supply of certain goods; [21233]

(2) what were the reasons given by the Monopolies and Mergers Commission for its application for an extension of time to report on the supply of certain electrical goods. [21232]

Mr. John M. Taylor: The Monopolies and Mergers Commission requested an extension because of the complexity of the inquiry. The scale of the exercise is exceptional in terms of the number of referred markets—eight—and interested parties. It is important that all those with a significant interest are given the chance to give evidence to the Monopolies and Mergers Commission. Section 55 of the Fair Trading Act 1973 does not require the Secretary of State to consult on extensions given to the Monopolies and Mergers Commission to complete reports and he did not do so.

FOREIGN AND COMMONWEALTH AFFAIRS

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21513]

Mr. Hanley: Records of the number of hours worked by each employee are not kept centrally and could be provided only at disproportionate cost.

Public Bodies

Dr. Wright: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those of his Department's advisory non-departmental public bodies which *(a)* the Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish their response to advice supplied by them. [21857]

Mr. Hanley: None.

European Commission Publications

Mrs. Ann Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs through which directorate of the European Commission funds are allocated for the production of "Social Europe Magazine"; how much is spent annually upon this publication; upon what authority that money is allocated; upon what basis Mr. Padraig Flynn was appointed editor; if he is consulted about the content of that magazine; whether the statement in that publication relating to the AIDS campaign mounted by CSV Media constitutes European Union policy; and if he will make it his policy to ensure that in future the European Commission publishes only magazines which are essential to its core purpose. [20506]

Mr. David Davis *[holding answer 12 March 1996]:* The Commission is responsible for the preparation and presentation of Community information and communication policy, for which it has a budget of 78 mecu—£65.6 million—in 1996.

"Social Europe Magazine" is published by Directorate General V of the European Commission. I understand that the hon. Member has asked the European Commission separately about its cost and editorial content, and a reply is in preparation.

I can confirm that it is European Union policy to promote AIDS awareness.

Mrs. Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those magazines, journals, periodicals, and leaflets which are published by each directorate of the European Commission, indicating for each the size of budget, the proportion of that budget which statistically would be represented by United Kingdom contributions and the specific steps which are taken to ensure that his Department is consulted in advance about the content of such publications. [20509]

Mr. Davis *[holding answer 12 March 1996]:* A list of such publications and their costs will be placed in the Libraries of the House in due course.

The Commission is responsible for the preparation and presentation of Community information and communication policy, for which it has a budget of 78 mecu—£65.6 million—in 1996.

The UK contribution to the EC Budget is calculated on the basis of the whole of the budget and is not attributed to specific items.

The UK gross contribution after abatement to the 1996 EC budget is expected to be 8.8 becu—£7.4 billion. The total 1996 EC budget is 81 becu.

EDUCATION AND EMPLOYMENT

Hampstead Garden Suburb Institute

Mr. John Marshall: To ask the Secretary of State for Education and Employment what grants were paid to the Hampstead Garden Suburb Institute in each of the last three financial years. [19653]

Mr. Paice: Funding of the Garden Suburb Institute by the Further Education Funding Council for the period from April 1993 to July 1995 was as shown in the answer of 2 November 1994, *Official Report,* column *1160.* The institute's recurrent funding for the 1995–96 academic year has yet to be finalised, but core funding is expected to amount to £127,958.

Capital Spending

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment, pursuant to her answer of 7 March, *Official Report,* columns *343–47,* on local education authority capital spending, what have been the Government *(a)* credit approvals and *(b)* announced total capital allocations to each local education authority in each of the years for which spending figures were given. [20551]

Mrs. Gillan: The data are contained in a number of tables, copies of which will be placed in the Library.

Table 1(A) gives total education annual capital guidelines for the years 1990–91 to 1995–96 inclusive, while data for 1996–97, when several new local education authorities will exist, are given in table 1(B). Table 2 gives details of supplementary credit approvals from 1993–94 to 1995–96. A sum of approximately £42 million will be distributed as SCAs in 1996–97. Comparable data on SCAs for earlier years could be provided only at disproportionate cost.

A-level Examinations

Mr. Callaghan: To ask the Secretary of State for Education and Employment how many students sat A-level examinations in the summer terms of 1994 and 1995 in each secondary school and further education college in England. [21524]

Mr. Paice: The school and college performance tables for the 16 to 18 age group for 1994 and 1995, published by the Department in November 1994 and 1995 respectively, give details of the numbers of students aged 16 to 18 who sat GCE A-AS examinations in each secondary school and further education college in England. They show separately the numbers who sat fewer than two GCE A-AS examinations and those that sat two or more.

Public Bodies

Dr. Wright: To ask the Secretary of State for Education and Employment if she will list those of her Department's advisory non-departmental public bodies which *(a)* the Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish their response to advice supplied by them. [21855]

Mr. Robin Squire: This information is not available centrally other than in the relevant statutory provisions. A comprehensive list cannot, therefore, be assured. The Department is, however, aware of the following.

In relation to the national curriculum, section 20 of the Education Reform Act 1988 requires the Secretary of State to refer certain proposals for regulations to the School Curriculum and Assessment Authority, which then reports back to the Secretary of State. That report is published. There is a subsequent statutory consultation on the proposed order or regulations.

In relation to certain procedural rules—for instance, for the special educational needs tribunal or appeal committees relating to admission to and exclusion from schools—the Secretary of State is required to consult the Council on Tribunals.

Section 3(3) of the Activity Centres (Young Persons Safety) Act 1995 obliges the Secretary of State to consult the Health and Safety Commission in certain circumstances before making regulations.

In a number of cases the Secretary of State is under a statutory obligation to consult before making regulations. Such consultation might involve one of the Department's advisory non-departmental public bodies but such consultation is not specified.

Under section 80 of the Sex Discrimination Act 1975, the Secretary of State has power to amend certain sections of the Act by order subject to draft affirmative parliamentary procedure. Section 80(2) requires her to consult the Equal Opportunities Commission before laying any such draft order before Parliament.

Section 73 of the Race Relations Act 1976 makes similar provision in relation to that Act, requiring the Secretary of State to consult the Council for Racial Equality before laying a draft order before Parliament.

Except to the extent described in relation to the national curriculum, the Department is not aware of any requirement placed on the Government to publish its response to advice supplied by the advisory body.

Schools (Access Audit)

Mr. Peter Atkinson: To ask the Secretary of State for Education and Employment if she will publish the results of the recent access audit on mainstream schools. [22530]

Mr. Forth: Nationally, some 46 per cent. of primary and secondary schools have wheelchair access to more than 50 per cent. of teaching accommodation. The following table shows the proportion of schools in each local education authority which do so. This information will be useful to local education authorities and schools in assessing where there is a particular need for greater access for disabled pupils. A more detailed analysis of the data collected will be placed in the Library.

LEA	Total number of schools	Number with more than 50 per cent. access to teaching accommodation	Percentage with more than 50 per cent. access to teaching accommodation
Corporation of London	1	0	0
Camden	52	5	10
Greenwich	89	31	35
Hackney	71	12	17
Hammersmith	46	12	26
Islington	66	1	2
Kensington	29	7	24
Lewisham	82	36	44
Southwark	80	21	26
Tower Hamlets	89	31	35
Wandsworth	67	15	22
Westminster	49	8	16
Barking	63	41	65
Barnet	108	16	15
Bexley	77	31	40
Brent	69	20	29
Bromley	95	16	17
Croydon	115	50	43
Ealing	74	5	7
Enfield	82	17	21
Haringey	85	4	5
Harrow	63	19	30
Havering	89	35	39
Hillingdon	86	38	44
Hounslow	76	46	61
Kingston upon Thames	45	19	42
Merton	60	20	33
Newham	79	28	35
Redbridge	68	3	4
Richmond upon Thames	47	6	13
Sutton	54	22	41
Waltham Forest	78	45	58
Birmingham	405	141	35
Coventry	108	56	52
Dudley	104	54	52
Sandwell	130	44	34
Solihull	82	49	60
Walsall	121	58	48
Wolverhampton	118	53	45
Knowsley	74	19	26
Liverpool	208	6	3
St. Helens	78	49	63
Sefton	115	56	49
Wirral	125	73	58
Bolton	120	60	50
Bury	84	41	49
Manchester	199	79	40
Oldham	117	77	66
Rochdale	84	45	54
Salford	105	21	20
Stockport	123	69	56
Tameside	98	50	51
Trafford	94	54	57
Wigan	142	99	70
Barnsley	106	40	38
Doncaster	144	102	71
Rotherham	132	36	27
Sheffield	169	60	36
Bradford	244	87	36
Calderdale	100	59	59
Kirklees	188	90	48
Leeds	291	122	42
Wakefield	160	93	58
Gateshead	93	42	45
Newcastle upon Tyne	100	41	41
North Tyneside	80	44	55
South Tyneside	69	40	58
Sunderland	117	51	44
Isles of Scilly	5	0	0
Avon	425	190	45
Bedfordshire	286	175	61
Berkshire	324	166	51
Buckinghamshire	322	138	43
Cambridgeshire	303	182	60
Cheshire	495	218	44
Cleveland	245	109	44
Cornwall	278	156	56
Cumbria	318	133	42
Derbyshire	501	275	55
Devon	495	188	38
Dorset	252	144	57
Durham	338	173	51
East Sussex	253	100	40
Essex	681	385	57
Gloucestershire	299	72	24
Hampshire	646	292	45
Hereford and Worcester	357	239	67
Hertfordshire	505	186	37
Humberside	409	220	54
Isle of Wight	67	45	67
Kent	672	268	40
Lancashire	693	428	62
Leicestershire	406	210	52
Lincolnshire	353	215	61
Norfolk	428	265	62
North Yorkshire	450	226	50
Northamptonshire	322	192	60
Northumberland	204	136	67
Oxfordshire	280	159	57
Shropshire	244	48	20
Somerset	261	70	27
Staffordshire	486	74	15
Suffolk	333	241	72
Surrey	366	75	20
Warwickshire	271	157	58
West Sussex	287	172	60
Wiltshire	322	186	58
Total/average	21,746	10,052	46

ENVIRONMENT

Telecommunications Masts and Wind Turbines

Mr. Nigel Evans: To ask the Secretary of State for the Environment what planning restrictions there are on the number of telecommunications masts erected in a particular area. [21415]

Sir Paul Beresford: The erection of masts by telecommunications code system operators is subject either to full planning control or the prior approval procedure under part 24 of schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, depending on the size and location of the mast. There are no specific limits on numbers.

Mr. Evans: To ask the Secretary of State for the Environment how many representations he has received from *(a)* South Somerset council and *(b)* Ryedale council in Yorkshire about planning applications for telecommunications masts. [21416]

Sir Paul Beresford: In the past two years, the Department has received one representation each from South Somerset district council and Ryedale district council.

Mr. Evans: To ask the Secretary of State for the Environment what research he has *(a)* commissioned and *(b)* evaluated on the impact of (i) telecommunications masts and (ii) wind farms on the number of visitors to rural areas. [21410]

Sir Paul Beresford: My Department has not commissioned or evaluated research of this nature.

Mr. Evans: To ask the Secretary of State for the Environment what plans he has to review the section of planning policy guidance note 8 dealing with the erection of telecommunications masts. [21406]

Sir Paul Beresford: My Department has no plans for reviewing this guidance. However, we shall shortly be publishing a code of practice on the planning procedures for the erection of masts under permitted development rights. This has been prepared jointly with local authority associations and the major operators who erect masts.

Mr. Evans: To ask the Secretary of State for the Environment what planning regulations apply to telecommunications masts which are under 15 ft high. [21413]

Sir Paul Beresford: Part 24 of schedule 2 to the Town and Country Planning (General Permitted development) Order 1995 gives permitted development rights for telecommunications code system operators' masts up to 15 m high, except in protected areas such as conservation areas, national parks and areas of outstanding natural beauty, where full planning control applies. These rights are subject to a prior approval procedure which enables a local planning authority to give or refuse approval for the siting or appearance of a mast within 28 days of receipt of an application from an operator.

Mr. Evans: To ask the Secretary of State for the Environment what statutory protection is provided to areas on the outskirts of areas of outstanding natural beauty from *(a)* telecommunication masts and *(b)* telecommunications masts less than 100 ft high. [21417]

Sir Paul Beresford: The erection of masts by telecommunications code system operators in these adjoining areas is subject to either to full planning control or the prior approval procedure under part 24 of schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, depending on the size and location of the mast. The fact that it is visible from a specially protected area could be a material consideration in a planning decision relating to a mast.

Mr. Evans: To ask the Secretary of State for the Environment what plans he has to require companies which erect telecommunications masts to share these masts with other companies. [21405]

Sir Paul Beresford: My Department already encourages mast sharing in planning policy guidance note 8, "Telecommunications". It is also a condition of the licences granted by the Department of Trade and Industry to mobile operators that the possibility of sharing an existing radio site must be explored.

Mr. Evans: To ask the Secretary of State for the Environment what assessment he has made of the extent to which satellite technology will supersede telecommunications masts and over what time scale. [21407]

Sir Paul Beresford: My Department understands that, because radio frequencies are limited, satellite technology is unsuited to telephone systems which handle a great many calls simultaneously.

Tree Felling

Mr. Matthew Taylor: To ask the Secretary of State for the Environment how many appeals he has considered in each of the last five years under the Town and Country Planning Act 1990 against refusals of local authorities to grant consent to fell trees; how many of these appeals he has upheld; and how many of his Department's staff are involved in work on these appeals. [21573]

Mr. Clappison: Separate information on appeals relating to felling only is not readily available. However, the table shows all appeals on tree-related matters considered by the Secretary of State under the 1990 Act in each of the last five financial years, and those upheld by him in the years for which figures are available. Work on these appeals forms a part of the responsibilities of several staff in the Department, and especially in the Government offices for the regions. The total annual staff effort currently involved is about 10 person years.

Year	*Appeals considered*	*Appeals upheld*
1995–96 (to date)	396	141
1994–95	401	120
1993–94	383	not applicable
1992–93	349	not applicable
1991–92	331	not applicable

Mining and Quarrying Waste

Mr. Sheerman: To ask the Secretary of State for the Environment what joint working groups he has established with the mining and quarrying industries on the subject of mining and quarrying waste. [21735]

Mr. Clappison: There have been two formal joint working groups in the past to look at disposal of quarrying spoil and underground stowage in North-East Leicestershire. Other mining and quarrying issues, including waste, are covered in less formal discussions between the Department, the mining and quarrying industries and other interested parties where necessary as they arise.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for the Environment what was the average cost of answering an *(a)* and *(b)* written parliamentary question form (i) Opposition and (ii) Conservative hon. Members to each Session since 1989–90. [21813]

Sir Paul Beresford: This Department does not collect the information in the form requested.

Rough Sleepers

Mr. Hinchliffe: To ask the Secretary of State for the Environment what steps he is taking to enable local authorities to *(a)* quantify the extent of rough sleeping in their areas, *(b)* examine the causes of rough sleeping in their areas, *(c)* analyse the extent to which the needs of the homeless are catered for and *(d)* review the effectiveness of existing local strategy and the role of the public, private and voluntary sectors. [20874]

Mr. Clappison: It is the responsibility of every local authority to consider the housing needs of all its residents. The current "Housing Strategies" guidance advises local authorities to assess the resources within their area for single homeless people, including authorities' own provision and the contribution being made by others, including the private sector, housing associations, and voluntary sector organisations. The guidance also advises that, to assist this assessment, local authorities may wish to consider undertaking a count of rough sleepers, involving street agencies as appropriate.

The strategy paper "Rough Sleepers Initiative: The Next Challenge", issued by the Government on 4 March 1996 announced that the successful rough sleepers initiative would be extended outside central London to Bristol where a recent single night head count had found 84 people sleeping rough. Twenty-three other local authorities were invited to let my Department know if they would like assistance in undertaking a detailed evaluation of the number of people sleeping rough in their area, including an assessment of current services available. These counts will be undertaken in partnership with local agencies wherever possible.

South Oxfordshire (Computing Services)

Mrs. Anne Campbell: To ask the Secretary of State for the Environment (1) what was the cost to public funds of *(a)* South Oxfordshire district council's failed contract for computing services and *(b)* earlier development work by John McLintock's company; [21106]

(2) what reasons have been given by South Oxfordshire district council for terminating the contract for computing services; and what was the original expiry date; [21107]

(3) what severance arrangements South Oxfordshire district council has made with the contractor for computing services; and what payment has been made to *(a)* the owner and *(b)* his company; [21108]

(4) if the district auditor has been asked to report on the quality of computing services purchased by South Oxfordshire district council. [21109]

Sir Paul Beresford: These are matters for South Oxfordshire district council to whom these questions should be put in the first instance. If there are doubts about the propriety or value for money for the contract in question they should be raised with the authority's external auditor.

Mrs. Campbell: To ask the Secretary of State for the Environment if he will make a statement on the implications for the privatisation of local government services of the contracting out of computing services by South Oxfordshire district council. [21105]

Sir Paul Beresford: Authorities are free to contract out elements of their computer services subject to their obligations under EU and domestic legislation. As from 1 April 1999, South Oxfordshire district council will be required to subject part of its information technology services to compulsory competitive tendering.

Rateable Values

Mr. Jim Cunningham: To ask the Secretary of State for the Environment if he will make a statement on linking rateable value of property to changing house prices. [21281]

Mr. Clappison: I take it that the hon. Member is referring to the banding of dwellings for council tax. The bandings reflect the relativities between the values of dwellings, based on 1991 property values. These relativities are not necessarily affected by subsequent changes in absolute house prices, and the Government have no current plans to review the bandings.

Water Bills

Mr. Jim Cunningham: To ask the Secretary of State for the Environment what representations he has received from individuals and organisations on the payment of water bills by pensioners and low-income households. [21282]

Mr. Clappison: Over the past 18 months my right hon. Friend has received representations on the payment of water bills by pensioners and low-income families from individuals, consumer groups, charities, pensioners' associations and local authorities.

Severn Trent Water (Salaries)

Mr. Jim Cunningham: To ask the Secretary of State for the Environment what representations he has received from residents in Conventry concerning Severn Trent Water and the salaries paid to the company directors. [21283]

Mr. Clappison: My right hon. Friend has not received any representations from residents of Coventry about the salaries paid to directors of Severn Trent Water.

Mr. Cunningham: To ask the Secretary of State for the Environment what discussions he has had with Severn Trent Water regarding the level of salaries of the company's directors. [21284]

Mr. Clappison: My right hon. Friend has not held any discussions with Severn Trent Water about the salary levels of its directors. This is a matter for the company and its shareholders.

Mr. Cunningham: To ask the Secretary of State for the Environment if he will give figures for the highest paid employee of Severn Trent Water from 1979 until privatisation *(a)* in real terms and *(b)* percentage change from the previous year. [21285]

Mr. Clappison: Information about the salary levels of Severn Trent water authority's board members for the years 1984 to 1989 is given in the annual editions of "Public Bodies", published by the Cabinet Office (Office of Public Service and Science). Salary levels of the authority's chairmen only are given in the 1982 and 1983 editions of this report. Copies of these publications are available in the Library. Comparable information for the period 1979 to 1981 is not available.

Leicester City Council (Home Improvements)

Mr. Vaz: To ask the Secretary of State for the Environment how much Leicester city council has received towards home improvements for each year since 1986; and how much its bid for each year was since 1986. [22068]

Mr. Clappison: Since 1986–87, Leicester city has received the following housing investment programme allocations to spend on the whole of its housing programme, a substantial amount of which would have been spent on improvements to both the public and private sector stock. These allocations have been supplemented by expenditure from the council's capital receipts.

£ million

	HIP received	*HIP bid*
1986–87	13.375	47.735
1987–88	12.909	52.091
1988–89	12.407	57.369
1989–90	9.165	62.037
1990–91	18.320	54.392
1991–92	18.300	54.035
1992–93	19.830	49.416
1993–94	21.545	29.393
1994–95	14.998	22.500
1995–96	9.345	17.400

In addition, the city has benefited from the following additional resources to improve housing stock under the following three programmes:

The estate action programme

1986–87: £0.226 million

1987–88: £0.650 million

1988–89: £1.979 million

1989–90: £2.549 million

1990–91: £1.773 million

1991–92: £3.455 million

1992–93: £2.779 million

1993–94: £1.257 million

1994–95: £2.599 million

1995–96: £5.309 million.

City challenge

1993–94: £1.608 million

1994–95: £0.836 million

1995–96: £0.897 million.

Housing association grant for new rehab units

1986–87: not available

1987–88: £6.062 million

1988–89: £5.809 million

1989–90: £2.713 million

1990–91: £1.512 million

1991–92: £2.348 million

1992–93: £4.362 million

1993–94: £5.078 million

1994–95: £4.051 million

1995–96: £2.051 million.

Information on how these resources relate to the bids for each of the three programmes is not readily available.

Mr. Vaz: To ask the Secretary of State for the Environment what schemes for home improvements have been in receipt of housing grant in the City of Leicester since 1986. [22067]

Mr. Clappison: It is primarily for the city council to determine what schemes grant resources are spent on and the council should be able to provide full information. In the main, these resources will have funded the repurchase of defective dwellings, enveloping, group repair, homes insulation, environmental and other general improvements to the private sector stock in five housing action areas, 10 general improvement areas, and six renewal areas.

Departmental Staff (Salaries)

Ms Armstrong: To ask the Secretary of State for the Environment how many staff in his Department earn salaries in each band of £10,000 above £40,000 per annum where salary is defined on the same basis as the draft accounts and audit regulations require of local authorities; and if that definition when applied to his Department's staff includes an element for the non-contributory civil service pension. [21880]

Sir Paul Beresford: The number of staff in my Department—excluding Ordnance Survey, PSA Services and the Health and Safety Executive—in each salary band above £40,00 is as follows:

Salary band	*Number of staff*
£40,000 to £50,000	252
£50,000 to £60,000	90
£60,000 to £70,000	22
£70,000 to £80,000	5
£80,000 to £90,000	1
£90,000 to £100,000	1

Salaries do not include sums due by way of expense allowances, nor any element for the non-contributory civil service pension.

Leicester City Council (Housing Grant)

Mr. Vaz: To ask the Secretary of State for the Environment what amounts of housing grant were received by Leicester city council in each year since 1986 as *(a)* in cash terms, and *(b)* in 1986. [22066]

Mr. Clappison: In the four years from 1986–87 to 1989–90 the following housing grant was given at the rates of 75 per cent. or 90 per cent. against loan charges for improvements to private sector dwellings in Leicester:

£ million

	(a) In cash terms	*(b) In 1986 terms*
1986–87	6.782	6.782
1987–88	7.938	7.536
1988–89	8.954	7.968
1989–90	11.284	9.386

From 1990–91 a new financial control system was introduced under the Local Government and Housing Act 1989, and for the first time a separate allocation, known as the SCG or specified capital grant allocation, was given for improvements to private sector dwellings as follows:

£ million

	(a) In cash terms	*(b) In 1986 Terms*
1990–91	4.502	3,466
1991–92	3.198	2.318
1992–93	4.732	3.296
1993–94	4.300	2.910
1994–95	3.089	2.052
1995–96	2.325	1.503

For the three years 1990–91 to 1992–93 grant was given at the rate of 75 per cent. From 1993–94 the rate has been 60 per cent.

In addition, the following city challenge grant was given for the renewal of private sector dwellings in Leicester.

£ million

	(a) In cash terms	*(b) In 1986 terms*
1993–94	0.328	0.221
1994–95	0.376	0.250
1995–96	0.300	0.193

Public Bodies

Dr. Wright: To ask the Secretary of State for the Environment if he will list those of his Department's advisory non-departmental public bodies which *(a)* the Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish their response to advice supplied by them. [21856]

Sir Paul Beresford: A list of the advisory non-departmental public bodies sponsored by my Department can be found in the Cabinet Office publication "Public Bodies 1995". A copy is available in the House of Commons Library.

There are statutory requirements for Ministers to consult the Advisory Committee on Hazardous Substances, the Advisory Committee on Releases to the Environment, the Building Regulations Advisory Committee and the Inland Waterways Amenity Advisory Council in specified circumstances. Proposals for secondary legislation to effect boundary and structural changes in local government can only be put forward by the Government after the Local Government Commission has made recommendations.

There is no statutory requirement for the Government to publish responses to advice from advisory bodies.

Bradford Metropolitan Council

Mr. Devlin: To ask the Secretary of State for the Environment if he has considered the response by the City of Bradford metropolitan council to the notices served upon the authority on 3 October 1995 under section 13 of the Local Government Act 1988; and if he will make a statement. [22703]

Sir Paul Beresford: My right hon. Friend has considered carefully the responses which the City of Bradford metropolitan council have made to the notice served on the authority for alleged anti-competitive behaviour. He has today given the authority a direction under section 14 of the Local Government Act 1988 for anti-competitive behaviour.

After careful consideration, the Secretary of State remains of the opinion that the authority acted in an anti-competitive manner in awarding a contract for other catering work worth £112,516 to its in-house direct labour organisation. He considers that the authority required tenderers to have in place systems based on BS5750. He considers that the authority has not been able to demonstrate satisfactorily that the performance bond level was not too high. He is also of the belief that the authority did not consider a full analysis of the ways the contract could have been packaged and that such an analysis would have demonstrated the varying benefits to the authority from adopting different ways of tendering the work. He also notes that, contrary to the advice in paragraph 9 in the Department's circular 10/93, bidders were not allowed to bid for only parts of the contract.

The direction given to the City of Bradford metropolitan council requires the authority to retender the work so that new arrangements are in place by 1 August 1997. The authority will need to obtain the Secretary of State's permission if it is intended to award the work in-house and to consult the British Hospitality Association before drawing up the new contract specification.

Duty of Care (Code of Practice)

Sir Sydney Chapman: To ask the Secretary of State for the Environment what plans he has to revise the code of practice on the duty of care; and if he will make a statement. [22704]

Mr. Clappison: Following public consultation, my right hon. Friends the Secretaries of State for the Environment, for Wales and for Scotland have today issued a revised duty of care code of practice under section 34 of part II of the Environmental Protection Act 1990.

The code of practice gives practical guidance to all waste holders on how to discharge their responsibilities under the duty of care. It has been revised to take into account changes to waste management legislation since it was first published in 1991 and in order to provide specific guidance to the metal recycling industry.

The duty of care applies to any person who produces, imports, carries, keeps, treats or disposes of controlled waste. It obliges waste holders:

to prevent the escape of waste in their control;

to transfer it only to someone who is legally authorised to accept it; and

to ensure that it is recovered or disposed of lawfully by others.

Parties to any waste transfer must complete, sign and keep a transfer note which provides a "cradle to grave" audit trail of the waste transferred.

The code of practice is admissible as evidence in court in prosecutions for breach of the duty of care. Breach of the duty is an offence with a penalty of an unlimited fine if convicted on indictment.

As required by section 34(9) of the 1990 Act, a copy of the revised code of practice is being laid before the House and placed in the Library of the Houses.

Single Regeneration Budget

Mr. Booth: To ask the Secretary of State for the Environment when the Government will publish their response to the first report by the Environment Committee into the single regeneration budget. [22705]

Mr. Curry: The Government are today publishing their response. Copies of the response have been placed in the Library of the House.

North Lincolnshire District Council

Mr. Leigh: To ask the Secretary of State for the Environment what arrangements he is making to enable payment of the first instalments of grant under section 88A of the Local Government Finance Act 1988 to recompense North Lincolnshire district council for the income forgone as a consequence of the transitional reduction of council taxes under the Local Government Changes for England (Council Tax) (Transitional Reduction) Regulations 1996—S.I. 1996 No. 176 as amended by S.I. 1996 No. 333. [22706]

Mr. Curry: My right hon. Friend has already announced that some £2.182 million is to be paid to North Lincolnshire under section 88A of the Local Government Finance Act 1988. Parliamentary approval of this new expenditure is being sought in the 1996–97 main supply estimates for the local government and planning, England vote, class VI, vote 4. Pending that approval, urgent expenditure of £0.8 million on the first instalments of grant to the new North Lincolnshire district council will be met by a repayable advance from the contingencies fund.

HOUSE OF COMMONS

Car Travel Expenses

Dr. Lynne Jones: To ask the Lord President of the Council how many hon. Members who claim car mileage allowance as set out in his answer of 17 July 1995, *Official Report*, column *914*, only claim one rate at each of the three dates. [19268]

Mr. Newton: The Fees Office has advised me that the breakdown of the 478 Members who claimed only one rate at that date is as follows:

a) 11 Members claimed rate 1

b) 150 Members claimed rate 2

c) 317 Members claimed rate 3.

Dr. Jones: To ask the Lord President of the Council, pursuant to his letter of 9 November, what was the total cost of car travel expenses claimed in 1994–95 by *(a)* hon. Members claiming only rate 3, *(b)* hon. Members claiming only rate 2 and *(c)* hon. Members claiming both rates 2 and 3. [19264]

Mr. Newton: The Fees Office has advised me that the costs of car travel expenses claimed for standard journeys in 1994–95 are as follows:

(a) £4,207,741

(b) £761.731

(c) £1,169,171.

Divisions

Dr. Goodson-Wickes: To ask the Lord President of the Council what is the largest number of votes cast in a Division in the House since 1966. [20071]

Mr. Newton: This information is not held in the form requested, and could be provided only at disproportionate cost.

Members' Salaries and Pensions

Sir Trevor Skeet: To ask the Lord President of the Council if he will request the chairman of the Senior Salaries Review Body to present an interim report on hon. Members' salaries and pensions by 31 May if the report is to be published after that date. [21247]

Mr. Newton: The chairman of the Senior Salaries Review Body has been asked to aim to complete the review in time to make recommendations at the end of June. It would not be reasonable to ask the SSRB to produce a report before then.

Children's Act Exhibition

Mrs. Bridget Prentice: To ask the Chairman of the Administration Committee if he has considered an application for an exhibition of children's art work in London to be displayed in the Upper Waiting Hall. [22433]

Mr. Michael J. Martin: I understand that, under procedures agreed by the Administration Committee, arrangements have been made for the exhibition to be held in the Upper Waiting Hall from Monday 24 June to Friday 28 June 1996.

Reflections of Life Exhibition

Mr. John D. Taylor: To ask the Chairman of the Administration Committee if he has considered an application for an exhibition relating to reflections of life to be displayed in the Upper Waiting Hall. [22440]

Mr. Michael J. Martin: I understand that, under procedures agreed by the Administration Committee, arrangements have been made for the exhibition to be held in the Upper Waiting Hall from Monday 20 May to Friday 2 May 1996.

House of Commons Notepaper

Mr. Morgan: To ask the right hon. Member for Berwick upon Tweed, representing the House of Commons Commission, pursuant to his answer of 14 March, *Official Report*, column 692, if Wilprint held the contract for the crested notepaper prior to February 1995; and what was the original agreed duration of the February 1995 contract. [22121]

Mr. Beith: Wilprint held the contract prior to February 1995; the agreed duration of the current contract is from February 1995 to October 1996.

PRIME MINISTER

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 21 March. [20525]

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Thursday 21 March. [20526]

The Prime Minister: This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Ministerial Committee on the Co-ordination and Presentation of Government Policy

Mr. Mandelson: To ask the Prime Minister which non-ministerial individuals, other than civil servants, attend meetings of the EDCP Cabinet Committee. [21588]

The Prime Minister: Some officials from Conservative Central Office and parliamentary private secretaries attend at the invitation of the Deputy Prime Minister, as chairman of this committee. They do not take part in any discussions, but are ready to follow up any issues of a party political nature. In this way, the civil servants present are protected from following up matters that do not properly relate to the presentation and co-ordination of Government policy.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Prime Minister what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21464]

The Prime Minister: For this purpose my office is part of the Cabinet Office. I refer the hon. Member to the reply given by my hon. Friend the Parliamentary Secretary, Office of Public Service, on 20 March 1996, *Official Report*, columns *194–95*.

SOCIAL SECURITY

Benefits Agency

Mr. Redmond: To ask the Secretary of State for Social Security what was the average daily attendance at each of his Benefits Agency offices covering the *(a)* Doncaster and *(b)* Mexborough area for each year since 1993, and the current year to date; and what were the staffing levels for each benefits Agency office. [19630]

Mr. Roger Evans: This is a matter for Peter Mathison, The chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Martin Redmond, dated 20 March 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what was the average daily attendance at each of his Benefits Agency (BA) offices covering the (a) Donacaster and (b) Mexborough area for each year since 1993, and the current year to-date; and what were the staffing levels for each BA office.

The information is only available for BA Districts. The Doncaster District comprises of Doncaster West (Castle House) and Doncaster East (St Peters House) offices and the Rother and Dearne District comprises of Goldthorpe, Mexborough, Rotherham North, Rotherham South and Wath on Dearne offices.

Annex A gives details of average daily attendance at each District and Annex B gives details of the staff in post at the dates indicated in the table.

I hope you find this reply helpful.

Annex A: Average daily attendance at Doncaster and Rother and Dearne districts

	Number
1993–94	
Doncaster district	
CB Callers	265
IS Callers	392
Rother and Dearne district	
CB Callers	294
IS Callers	321
1994–95	
Doncaster and district	
CB Callers	251
IS Callers	418
Combined Callers	645
Rother and Dearne district	
CB Callers	298
IS Callers	387
Combined Callers	653

CB Callers = Contributory Benefit. IS Callers = Income related Benefit.
Combined Caller count introduced August 1995.
CB and IS Callers should not be added together to arrive at the Combined Caller Count since one caller could have approached both caller areas.

1 April 1995—31 January 1996	Number
Doncaster District	641
Rother and Dearne District	696

Data is not yet available for February/March 1996.
Data are provisional and subject to change.
Data supplied by BA central data unit.

Annex B: Staff in post for Doncaster and Rother and Dearne Districts from 1993

	1 April 1993	1 April 1994	1 April 1995	1 March 1996
Doncaster District	285.1	270.8	265.8	282.4
Rother and Dearne District	355.5	326.0	312.3	312.3

These figures are provisional and subject to change.

Child Support Agency

Mr. David Atkinson: To ask the Secretary of State for Social Security how many Child Support Agency clients are paying in maintenance more than *(a)* £400, *(b)* £500 and *(c)* £900 a month. [20887]

Mr. Andrew Mitchell: The administration of the Child Support Agency is a matter for the chief executive, Miss Ann Chant. She will write to the hon. Member.

Letter from Miss Ann Chant to Mr. David Atkinson, dated 20 march 1996:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about Child Support Agency maintenance assessments.

Information is not available on the number actually paying maintenance. However, a statistically valid sample of live cases on the Child Support Computer System in August 1995 provided the following figures relating to the amount of full maintenance assessments;

CSA clients assessed to pay	Number
Over £400 per month	4,420
Over £500 per month	940
Over £900 per month	0

I hope this is helpful.

Benefit Payment Card

Mr. Bradley: To ask the Secretary of State for Social Security what plans he has to ensure that information currently contained in the pension book will be preserved and improved with the proposed new benefit payment card system with particular reference to *(a)* a permanent record of pension payments received, *(b)* details of how the pension is made up, *(c)* clear information on the amount due and the date available, *(d)* information on change of circumstances and *(e)* details of claiming income support. [11750]

Mr. Heald *[pursuant to his reply, 31 January 1996, c. 947]:* I am advised that Peter Mathison, the chief executive of the Benefits Agency, is writing again to clarify his reply of 31 January 1996.

Letter from Peter Mathison to Mr. Keith Bradley, dated 20 March 1996:

I am writing to clarify the information provided to you in my letter of 31 January 1996 in response to your Parliamentary Question. You asked the Secretary of State for Social Security what plans he has to ensure that information currently contained in the pension book will be preserved and improved with the proposed new benefit payment card system with particular reference to (a) a permanent record of pension payments received, (b) details of how the pension is made up, (c) clear information on the amount due and the date available, (d) information on change of circumstances and (e) details of claiming Income Support (IS).

The potential service suppliers have been asked to produce a receipt which will only include the following information; details of the type(s) of benefit paid, the amount(s) payable and the due date and the date of payment, but not the date of the last payment(s) made, as indicated in my earlier reply. As I explained in my earlier letter, customers should have no difficulty keeping a record of payment collected from the post office as a receipt will be given and the facility to request a full statement of the benefit account will be retained. This statement will be available on request from the local benefits office.

I hope this explains the position and I apologise for any confusion.

War Pensions

Sir Peter Lloyd: To ask the Secretary of State for Social Security how many service personnel were awarded war pensions *(a)* between 1967 and 1987 and *(b)* since 1987; how many in *(a)* and *(b)* were awarded war pensions owing to disabilities or injuries sustained on active service; and how many in *(a)* and *(b)* were awarded war pensions for asbestos-related conditions. [21529]

Mr. Heald: The estimated number of war disablement pensions or lump sum gratuities awarded is as follows:

(a) between 1967 and 1987–76,000

(b) since 1987–297,770.

These figures include awards made to other groups such as civilians and mercantile mariners who sustained qualifying injuries since records of awards made solely to ex-service personnel for disablement due to service in the armed forces are not available.

The other information requested is not available and could be obtained only at disproportionate cost.

National Disability Council

Mr. Cohen: To ask the Secretary of State for Social Security if the minutes of the first meeting of the Government's new National Disability Council will be published. [21592]

Mr. Burt: This is a matter for the National Disability Council.

Departmental Staff (Working Homes)

Mr. Gordon Prentice: To ask the Secretary of State for Social Security how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21509]

Mr. Burt: Records of the number of hours worked by each employee are not kept centrally and could be obtained only at disproportionate cost.

War Pensions Agency Helpline

Ms Lynne: To ask the Secretary of State for Social Security if he will give a breakdown of the lost incoming telephone calls recorded by the War Pensions Agency. helpline for each month since it was introduced. [21274]

Mr. Heald: This is a matter for Mr. Kevin Caldwell, chief executive of the War Pensions Agency. He will write to the hon. Member.

Letter from K. C. Caldwell to Ms Liz Lynne, dated 20 March 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the number of lost incoming telephone calls recorded by the War Pensions Agency Helpline since it was introduced.

Although a Helpline has been in existence since February 1992, information on lost calls has only been available since we upgraded our telephone system in February 1994. The enclosed table shows the number of calls lost each month since then. These figures do not reflect the number of people attempting to contact us because enquirers often call back later if they cannot get through quickly at the first attempt.

The number of calls received by the Helpline rose significantly during 1995 for a number of reasons. We introduced a new computer system, reorganised the way we work and moved to a new building. All this is aimed at securing a better, more cost effective service but there have been some issues arising from the changes which have resulted in many pensioners contacting the Agency for a variety of reasons. There was also the special exercise in restoration of War Widow's Pensions to those widows who had remarried after the death of their first husband and subsequently became widowed again or divorced/legally separated.

Extra staff were drafted in to answer calls and our telephone system was upgraded further to divert automatically to an answerphone calls which have not been answered within 30 seconds. A message can then be left and the call is returned. These measures have led to a gradual reduction in lost calls since their peak in October 1995 and we are working to reduce lost calls to the pre-1995 level.

I hope you find my reply helpful.

Lost telephone calls to War Pensions Agency Helpline

Month	*Total lost*
1994	
February	116
March	484
April	748
May	1,266
June	1,530
July	1,077
August	1,890
September	2,548
October	2,390
November	1,804
Decembe	692
1995	
January	1,202
February	1,497
March	7,495
April	18,918
May	17,552
June	7,839
July	19,015
August	30,425
September	44,915
October	73,575
November	53,579
December	32,005
1996	
January	46,474
February	19,484

Public Bodies

Dr. Wright: To ask the Secretary of State for Social Security if he will list those of his Department's advisory non-departmental public bodies which *(a)* the Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish their response to advice supplied by them. [21864]

Mr. Burt: Except in circumstances prescribed in section 173 of, and schedule 7 to, the Social Security Administration Act 1992, my right hon. Friend the Secretary of State is required to refer proposed regulations to either the Social Security Advisory Committee or the Industrial Injuries Advisory Council for consideration and advice. If the committee reports on proposed regulations, he is required to lay before Parliament its report with his response to any recommendations when he lays the relevant statutory instrument.

Motability Scheme

Ms. Lynne: To ask the Secretary of State for Social Security (1) if, under the proposed Social Security (Disability Living Allowance) Amendment Regulations, hospital patients will be able to joint the waiting list for the hire or purchase of a vehicle through the Motability scheme while in hospital; [16623]

(2) what factors led to the decision to protect, under the proposed Social Security (Disability Living Allowance) Amendment Regulations, payments of the disability living allowance mobility component payable directly only to Motability when the agreement still has a period to run after a claimant has been admitted to hospital. [16709]

Mr. Andrew Mitchell: Under the proposed legislation, which would align payment arrangements of the mobility component of disability living allowance with those of the DLA care component for people in hospital, people entering hospital with Motability agreements would have those agreements protected. This decision recognises that access to the Motability scheme depends entirely on payment of the higher rate mobility components of DLA—sufficient to meet the terms of the agreement—by the Department direct to Motability Finance Ltd.

The proposed changes would not prevent someone in hospital who expects to be discharged, from applying for a vehicle or wheelchair through the Motability scheme. Although payment of the benefit ceases during periods of hospitalisation, entitlement to the benefit continues. It would be for Motability to decide whether to accept such applications.

DEFENCE

Boarding School Allowances

Mr. Jamieson: To ask the Secretary of State for Defence what is the estimated cost to his Department for children whose parents have claimed boarding school allowances in *(a)* autumn term 1995 and *(b)* in spring term 1996 at (i) Finborough, (ii) Rodney and (iii) Lime House schools. [22024]

Mr. Soames: I refer the hon. Member to the answer I gave him on 14 March, *Official Report*, column *680*, concerning Finborough, Rodney and Lime House schools. Information concerning how much my Department pays in boarding school allowance in respect of particular schools is not collected centrally and could be provided only at disproportionate cost.

Works of Art

Mrs. Clwyd: To ask the Secretary of State for Defence what disciplinary action has been taken or is planned against officials in his Department who moved works of art without official permission. [20836]

Mr. Arbuthnot: Moving works of art without official permission is not a specific disciplinary offence. Officials are warned that loans could be withdrawn if works of art are moved without official permission. Disciplinary action could arise if a work of art were damaged or lost as a result of being moved without permission.

Mrs. Clwyd: To ask the Secretary of State for Defence (1) if he will list those works of art which have been loaned or which are currently on loan to Ministers or former Ministers; and how such loans are authorised; [20833]

(2) if he will list those works of art which have been loaned to members of the Defence Council; and how such loans are authorised. [20832]

Mr. Arbuthnot: A list of works of art on loan to the offices of current ministers and other members of the Defence Council has been placed in the Library of the House. To list the works of art loaned to other Ministers, while in office, would incur disproportionate cost.

Ministers and other Members of the Defence Council are entitled to borrow works of art from the Government art collection, subject to their conditions of loan, and from my Department's own collection. Other collections and museums may lend works at their own discretion.

Royal Navy Vessel Procurement

Mr. Churchill: To ask the Secretary of State for Defence what steps he is taking to replace the Royal Navy's coastal survey vessels; which yards have been invited to tender for new vessels; when such tenders are due to be returned; what estimate he has made of the cost per ship; and when it is intended they will enter service. [21701]

Mr. Arbuthnot: In addition to the ocean survey vessel, HMS Scott, which was ordered in January 1995, my Department is currently considering plans to procure further survey vessels. I expect to be in a position to initiate discussions with industry later this year with a view to inviting tenders for a competitive procurement around the end of the year leading to an order later in 1997. I am not in a position to release estimates of cost as this information is commercially sensitive.

Foxhounds

Mr. Morley: To ask the Secretary of State for Defence what criteria his Department has set for the registering of packs of foxhounds which hunt on their land; and if such packs must also be recognised by the Masters of Foxhounds Association. [21756]

Mr. Soames: Foxhunting on the defence estate is regulated by the issue of licences to those hunts which are officially recognised and accepted by the committee of the Master of Foxhounds Association. The licence is issued to a hunt representative who must be a member of the Master of Foxhounds Association.

The registration of packs of foxhounds in the foxhound kennel stud book is a matter for the master of the hunt.

Upholder Class Submarines (Disposal)

Mr. Jamieson: To ask the Secretary of State for Defence what plans he has for the four Upholder class submarines currently at Barrow-in-Furness; and if he will make a statement on the steps he is taking to ensure that their disposal represents the best value for money to public funds. [22022]

Mr. Arbuthnot: The four Upholder class submarines are currently being marketed for sale or lease to a number of friendly countries. The cost of marketing is regularly assessed against the likely return to Her Majesty's Government to ensure that it is cost-effective.

Mr. Jamieson: To ask the Secretary of State for Defence if he will make a statement about negotiations with foreign countries with which his Department is involved with regard to disposal of the four Upholder class submarines. [22023]

Mr. Arbuthnot: My Department is currently engaged in negotiations with the Governments of several friendly nations interested in acquiring the Upholder class submarines.

United States Bases

Mr. Madden: To ask the Secretary of State for Defence if he will list the United States bases in the United Kingdom which are covered by *(a)* leases, *(b)* security of tenures and *(c)* other arrangements. [21842]

Mr. Soames: Bases are made available for use by United States forces in accordance with the NATO status of forces agreement of 1951 and confidential arrangements between the Governments of the United Kingdom and of the United States of America. It is not our practice to comment on the details of such arrangements.

Mr. Madden: To ask the Secretary of State for Defence what approaches he has received from *(a)* the US Government and *(b)* the US armed forces to renew the security of tenure arrangements at (i) Menwith Hill station and (ii) other US bases in the UK. [21850]

Mr. Soames: The administration arrangements governing the basing of United States forces at RAF Menwith Hill are confidential between the Governments of the United Kingdom and the United States of America. These include the security of tenure correspondence which applied solely to Menwith Hill.

RAF Brawdy

Mr. Madden: To ask the Secretary of State for Defence how many United States personnel work at RAF Brawdy; and how many of them are employed by the National Security Agency of America. [21844]

Mr. Soames: None.

Menwith Hill Station

Mr. Madden: To ask the Secretary of State for Defence what the planned numbers of United States military personnel at Menwith Hill station will be in *(a)* the coming year, *(b)* the next three years and *(c)* the next five years. [21846]

Mr. Soames: It is not our policy to give details of personnel assignment.

Mr. Madden: To ask the Secretary of State for Defence how many *(a)* United States, *(b)* British and *(c)* Government communications headquarters personnel currently work at Menwith Hill station. [21848]

Mr. Soames: There are currently approximately 1,200 United States and 600 UK personnel employed at RAF Menwith Hill. This includes a significant GCHQ presence. It is not Government policy, however, to give more detailed information on the deployment of GCHQ staff.

Mr. Madden: To ask the Secretary of State for Defence (1) which members of the Intelligence and Security Committee visited Menwith Hill station; if the Committee took *(a)* oral and *(b)* written evidence before its visit; who the Committee met during the visit; what report the Committee plans to make about work undertaken at the station; and if he will make a statement; [21839]

(2) when the Intelligence and Security Committee visited Menwith Hill station; what was the purpose of its visit; if the proposal that Menwith Hill station should become an RAF station was discussed; who invited the Committee to visit; how long the visit lasted; to what parts of the station the Committee was denied access; what was the outcome of the visit; and if he will make a statement. [21840]

Mr. Soames: It is not the Government's practice to disclose details of the Intelligence and Security Committee's business. The Committee itself does this through its annual report to the Prime Minister which he lays before Parliament; the publication of other reports is dependent on their content.

Mr. Madden: To ask the Secretary of State for Defence what research he has *(a)* commissioned and *(b)* evaluated into links between the operations of Menwith Hill station and local incidence of cancer. [21841]

Mr. Saomes: My Department has neither commissioned nor evaluated any such research. Health issues affecting the local population are a matter for my right hon. Friend the Secretary of State for Health.

Mr. Madden: To ask the Secretary of State for Defence what measures are taken to ensure that operations at Menwith Hill station (i) comply with the Interception of Communications Act 1985 and (ii) do not intercept the communications of British businesses. [21843]

Mr. Soames: All interception of communications on public telecommunications networks in the UK is subject to the provisions of the Interception of Communications Act 1985. It is not Government policy to comment on the detailed operations of the intelligence and security agencies.

Mr. Madden: To ask the Secretary of State for Defence what new building and construction work has been carried out or commissioned, at Menwith Hill station over the last six years; at what cost; to whom and what further work is planned over *(a)* the next year, *(b)* three years and *(c)* five years. [21845]

Mr. Soames: Over the past six years, there has been a variety of new building and construction work at RAF Menwith Hill including new radomes and operational structures as well as a range of social and domestic buildings including barrack accommodation and water towers. The total cost is a matter for the US authorities. Further planned development of the site will cover a new child development centre, an extension to the chapel, the erection of portable classrooms and extension of security fencing.

Mr. Madden: To ask the Secretary of State for Defence how many US military personnel have started work at Menwith Hill station since 8 August 1995. [21847]

Mr. Soames: Since 8 August 1995, the overall manpower structure has not changed significantly.

Mr. Madden: To ask the Secretary of State for Defence under what legal basis the US army occupies Menwith Hill station. [21849]

Mr. Soames: The basis on which the US army, along with other United States forces, is stationed in the UK is contained in the NATO status of forces agreement of 1951.

Redundancy Costs

Dr. David Clark: To ask the Secretary of State for Defence if he will list the costs incurred by his Department as a result of redundancies in each of the three services in each of the last five years. [21886]

Mr. Soames: The "Options for Change" redundancy programme began in financial year 1992–93. In that year, redundancy payments of £232 million were made. In 1993–94, 1994–95 and 1995–96 the payments totalled £509 million, £453 million and £187 million respectively.

These costs are split between the three services as follows:

£ million

	1992–93	1993–94	1994–95	1995–96
RN	12	95	75	28
ARMY	209	328	281	16
RAF	11	86	97	143
Total	232	509	453	187

These payments include special capital payments, and early payment of terminal grants, commuted pension payments and the first year's payment of immediate pensions.

Merchant Vessels

Dr. David Clark: To ask the Secretary of State for Defence on how many occasions merchant vessels chartered by his Department to transport troops and equipment to the UN implementation force operation in Bosnia have been inspected under port state control arrangements; and what vessel deficiencies have been identified by such inspections. [22001]

Mr. Soames: Neither of the two merchant vessels chartered for IFOR and used for deployment and sustainment was subject to a port state control inspection during the period of MOD charter.

USAF Lakenheath

Mr. Madden: To ask the Secretary of State for Defence what emergency plans are in place in the event of an accident involving the American nuclear weapons store at USAF Lakenheath. [21851]

Mr. Soames: It has been the long-standing policy of both the United Kingdom and the United States Governments neither to confirm nor deny the presence of nuclear weapons at any particular place or time. Bilateral arrangements for responding to an accident involving a US nuclear weapon provide for a joint response in which US and UK military and civilian personnel would work in conjunction with the civil emergency services.

Recruitment Costs

Dr. David Clark: To ask the Secretary of State for Defence if he will list the costs of recruitment in each of the three services in each of the last five years. [21887]

Mr. Soames: The costs of recruitment in each of the three services for each of the last five years is shown. Total recruitment figures for the Army are not available for the first year as they cannot be identified separately.

£ million

Year	Royal Navy	Army	RAF
1990–91	23.48	n/a	26.33
1991–92	26.83	42.20	27.98
1992–93	19.00	42.60	27.45
1993–94	21.10	48.61	27.60
1994–95	19.50	45.91	27.87

Reservists

Mr. Brazier: To ask the Secretary of State for Defence what plans he has to replace those members of the Territorial Army and Army Reserve who were called out last December and February to support the United Kingdom's contribution to the NATO implementation force in former Yugoslavia. [22650]

Mr. Soames: Work has commenced to trawl for suitably qualified volunteers from the Army Reserve and Territorial Army who are willing to be called out for service in former Yugoslavia, and also to identify those reservists currently called out who are prepared to extend their period of service.

Munitions Dumping

Mr. Foulkes: To ask the Secretary of State for Defence, pursuant to his answer of 11 March, *Official Report*, columns *510–11*, what was the use of Bedenham quay in Hampshire in munitions dumping exercises; how long it was in use for those purposes; and what was the volume and type of material which was dumped in each area. [21954]

Mr. Soames: I am not aware of any surviving records that document any past sea dumping of munitions from Bedenham jetty, now part of the Royal Navy armaments depot, Gosport.

Mr. Foulkes: To ask the Secretary of State for Defence, pursuant to his answer of 11 March, *Official Report, columns* 510–11, what radioactive waste emanating from military establishments has been dumped or loose dumped into the English channel. [21955]

Mr. Soames: Details of the UK's sea disposal programme for low and intermediate-level radioactive wastes, including very low-level contaminated sludges generated by MOD establishments and disposed of at Hurd deep, were contained in a report commissioned by the Department of the Environment titled "Report of the Independent Review of Disposal of Radioactive Waste in the Northeast Atlantic" published in November 1984.

Boi de Mai Residence

Dr. David Clark: To ask the Secretary of State for Defence what is his Department's asking price for the official service residence Boi de Mai; what was the original purchase price; in what year the property was purchased by his Department; and what was the total amount spent by his Department on improvements to the residence. [21964]

Mr. Soames: Boi de Mai was purchased in November 1992 and furnished for £2.4 million. The price of the house was £1.9 million. The economic recession in western Europe has affected the Belgian residential housing market. As a consequence, our agents advise an unfurnished asking price of £1.565 million. These prices are calculated at the Government accounting exchange rate prevailing at the time. A total of £683,000 was spent on improvements and maintenance to the property. This figure includes an initial refurbishment and "get you in" package of some £235,000—including the installation and subsequent repairs of a security system. Some £150,000 was also spent on other furnishings which will be removed.

Empty Quarters

Mr. David Nicholson: To ask the Secretary of State for Defence if he will list the number of empty Ministry of Defence quarters in southern England *(a)* by county and *(b)* by shire district or borough at the latest available date. [21381]

Mr. Soames: My Department has 4,976 empty family quarters in southern England. Of these, 558 are to be modernised, 1,454 have been identified for disposal, 316 are to be demolished and 630 are allocated for incoming service families.

A breakdown by county and local authority is given:

	Number
Avon	
Woodspring District Council	207
Berkshire	
Bracknell Forest Borough Council	12
Newbury District Council	24
Royal Borough of Windsor	9
Wokingham District Council	55
	100
Cornwall	
Kerrier District Council	89
Restormel District Council	71
Caradon District Council	11
	171
Devon	
East Devon District Council	36
Exeter City Council	10
North Devon District Council	48
Plymouth County Council	298
South Hams District Council	9
West Devon District Council	9
	410
Dorset	
East Dorset District Council	18
North Dorset District Council	188
Poole Borough Council	18
Purbeck District Council	81
Weymouth and Portland Borough Council	33
	338
East Sussex	
Wealden District Council	76
Hampshire	
East Hampshire District Council	53
Fareham District Council	21
Gosport Borough Council	238
Hart District Council	22
Havant District Council	20
Portsmouth County Council	142
Rushmoor City Council	120
Test Valley Borough Council	101
Winchester County Council	63
New Forest District Council	51
	831
Hertfordshire	
Watford District Council	22
Three Rivers District Council	23
Hertsmere District Council	40
	85
Kent	
Dover District Council	191
Gravesham District Council	17
Rochester upon Medway District Council	127
Shepway District Council	210
	545
London	
Barnet Outer London Borough	230
Bromley Outer London Borough	3
Camden Inner London Borough	7
Croydon Outer London Borough	3
Greenwich Outer London Borough	206
Harrow Outer London Borough	21
Hillingdon Outer London Borough	82
Hounslow Outer London Borough	122
Kensington and Chelsea Inner London Borough	24
Kingston Outer London Borough	60
Lambeth Inner London Borough	3
Lewisham Inner London Borough	11
Merton Outer London Borough	1
Richmond Outer London Borough	15
Sutton Outer London Borough	12
Wandsworth Inner London Borough	46
Westminster Inner London Borough	139
	985
Oxfordshire	
Vale of the White Horse District Council	67
Somerset	
South Somerset District Council	44
Surrey	
Elmbridge District Council	4
Guildford Borough Council	89
Horsham Borough Council	1
Spelthorne District Council	5
Surrey Heath Borough Council	42
Tandridge District Council	129
Working Borough Council	28
	298
West Sussex	
Chichester Borough Council	37
Wiltshire	
Kennet District Council	262
North Wiltshire District Council	17
Salisbury District Council	454
Thamesdown Borough Council	49
	782

HOME DEPARTMENT

Public Houses (Opening Hours)

Mr. Allason: To ask the Secretary of State for the Home Department what plans he has to introduce legislation to allow public houses to stay open later. [21296]

Mr. Kirkhope: We are currently considering the scope for relaxing evening licensing hours. Any proposals for extending existing hours would be subject to public consultation.

Buckley Hall Prison

Ms Lynne: To ask the Secretary of State for the Home Department what are the responsibilities of the Home Office representatives that are at present at Buckley Hall

prison in relation to the decision to grant a prisoner a period of release on temporary licence under *(a)* prison rules and *(b)* young offenders institution rules; and if the responsibilities of a governor of a privately run prison are identical to those of a governor of a prison directly run by the Prison Service in making a decision to grant a prisoner a period of release on temporary licence under *(a)* and *(b)*. [21882]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 21 March 1996:

The Home Secretary has asked me to reply to your recent Question about the respective responsibilities of the Home Office Controller and the Director of a privately-managed prison with regard to granting a prisoner release on temporary licence.

The decision to grant a prisoner a period of release on temporary licence under the Prison Rules or Young Offender Institution Rules is a matter for the Secretary of State. In practice, this will normally be taken on his behalf by the governor of the prison or, in the case of a contracted-out establishment, the Home Office Controller.

Any recommendation to grant a period of temporary release is passed to the Controller for authorisation. The Controller must be satisfied that the systems in place, to allow a risk assessment to be undertaken on all prisoners applying for temporary release, fulfil all contractual requirements.

Ms Lynne: To ask the Secretary of State for the Home Department what investigations the Prison Service has carried out into Buckley Hall prison; what information on these is in the public domain; what investigations are currently being carried out; and if details of these investigations will be made public. [21888]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 21 March 1996:

The Home Secretary has asked me to reply to your recent Question about investigations the Prison Service has carried out into Buckley Hall prison; the information which is in the public domain; the investigations which are currently being carried out; and whether details of these investigations will be made public.

The Prison Service Controller has carried out six investigations. These dealt with: (a) an allegation that a member of staff had threatened a prisoner; (b) a member of staff had allegedly assaulted a prisoner; (c) the escape of a prisoner from within the prison; (d) an attempted escape; (e) an escape from an escort; and (f) a hospital break-in by prisoners. All the reports were submitted to the area manager. None are in the public domain and there is no intention to make such reports available.

Group 4 are currently examining the number and type of temporary release failures as a normal response to such incidents. Any report produced will also be for internal use only.

Ms Lynne: To ask the Secretary of State for the Home Department if he will list the objects that were stolen from the hospital in Buckley Hall prison following the break-in by prisoners in August 1995; and if he will list the objects that were subsequently recovered. [21891]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 21 March 1996:

The Home Secretary has asked me to reply to your recent Question requesting a list of objects stolen from the hospital at Buckley Hall prison following a break-in by prisoners in August 1995, and a list of the objects subsequently recovered.

The items stolen by prisoners from the hospital at Buckley Hall were:

Valium 2mg x 1000 tablets

Valium 5mg x 300 tablets

Coproxamol x 300 tablets

Diamorphine 5ml x 2 ampules

Temgesic x 28 tablets

DF118 x 460 tablets

Amitriptyline 50ml.

Many of the tablets are believed to have been recovered as a result of later cell searches. it is not possible to identify whether all the tablets recovered were stolen from the hospital or, if some were tablets issued to prisoners which they had failed to take.

Ms Lynne: To ask the Secretary of State for the Home Department how many failed escape attempts have occurred at Buckley Hall prison since its opening; and what is the national average over the same period of time for male category C training prisons. [21889]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 21 March 1996:

The Home Secretary has asked me to reply to your recent Question asking how many failed escape attempts have occurred at Buckley Hall prison since its opening; and what is the national average over the same period of time for male category C training prisons.

Between its opening on 14 February 1992 and 29 February 1996, there have been three reported failed escape attempts from Buckley Hall prison by individual prisoners. In the same period, the reported average for the category C training estate is 1.68.

These figures refer to failed escape attempts from within the prison and exclude escorts.

Ms Lynne: To ask the Secretary of State for the Home Department what is the recorded number of assaults on prison officers at Buckley Hall prison since its opening; and what is the average number for male category C training prisons over the same period. [20919]

Miss Widdecombe *[holding answer 18 March 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 21 March 1996:

The Home Secretary has asked me to reply to your recent Question asking for the latest figures of assaults on prison officers for Buckley Hall and all male category C training prisons.

The attached table provides provisional information on the number of assaults on staff of all grades, including prison officers, during the period January 1995 to February 1996.

The details of assaults on prison officer grades alone would only be available at disproportionate cost.

Number and rates of assault on staff[1] per 100 population
January 1995–February 1996

	Assaults on staff[1,2]	
	Number	*Rate per 100 population*
1995		
Buckley Hall	16	7.1
Male cat. C training prisons	322	2.5
January–February 1996		
Buckley Hall	1	[3]1.8
Male cat. C training prisons	60	[3]2.7

[1] Includes assaults on staff of prison officer grade or another member of staff.
[2] Provisional.
[3] Based on population for end January 1996.

Fine Defaulters

Mrs. Anne Campbell: To ask the Secretary of State for the Home Department what is the average length of sentence of a fine defaulter. [21114]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Anne Campbell, dated 21 March 1996:

The Home Secretary has asked me to reply to your recent Question asking, what is the average length of sentence of a fine defaulter.

The average custody period imposed on prisoners received in 1995 for non-payment of a fine was about 17 days.

Mr. Steinberg: To ask the Secretary of State for the Home Department how many people are currently in prison for *(a)* non-payment of fines, *(b)* non-payment of the community charge and *(c)* non-payment of council tax. [21244]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Mr. Gerry Steinberg, dated 21 March 1996:

The Home Secretary has asked me to reply to your recent Question asking, how many people are currently in prison for *(a)* non-payment of fines, *(b)* non-payment of the community charge and *(c)* non-payment of council tax.

The latest available information is for 31 January 1996. On that date there were 358 persons in Prison Service establishments in England and Wales for non-payment of a fine and 42 for non-payment of community charge. No persons were recorded as being in custody for non-payment of council tax.

Fire Service

Mr. Spearing: To ask the Secretary of State for the Home Department if he will place in the Library copies of maps of the areas covered by each of the London, Birmingham, Manchester, Liverpool, Newcastle, Leeds and Bristol fire authorities showing the risk areas together with their minimum statutory response requirements. [21534]

Mr. Sackville: No. Categorisation of fire risk within a particular brigade area is a matter for the local fire authority concerned.

Replica Weapons

Mr. Corbyn: To ask the Secretary of State for the Home Department how many convictions have been achieved since the Criminal Justice and Public Order Act 1994 came into force for possession of replica weapons as part of a criminal activity; and if he will make a statement. [21711]

Mr. Maclean *[holding answer 19 March 1996]:* The Firearms (Amendment) Act 1994, which came into force on 21 September 1994, introduced a new offence under section 16A of the Firearms Act 1968 of possession of a firearm or imitation firearm with intent to cause fear of violence.

Information held centrally shows no record of any convictions under the aforesaid legislation in 1994. The 1995 data will not be available until the autumn 1996.

Firearms Certificates

Mr. Corbyn: To ask the Secretary of State for the Home Department what are the total number of valid firearms certificates in respect of each police district of London for the current year. [21710]

Mr. Maclean *[holding answer 19 March 1996]:* The information requested could be obtained only at disproportionate cost. The latest figures which are readily available relate to December 1994, when in the whole of the Metropolitan police area there were 9,345 valid firearm certificates on issue.

Mr. Corbyn: To ask the Secretary of State for the Home Department what training is given to police officers in the evaluation of applications for firearms licences; and if he will make a statement. [21712]

Mr. Maclean *[holding answer 19 March 1996]:* Nationally, all police officers are given training in the firearms administration process as part of their probation. Additional training is provided to those undertaking the evaluation of applications for firearms licences at the discretion of individual chief officers of police. In the majority of police forces, applications are evaluated either by dedicated trained police officers or civilian staff, or by nominated officers who are trained and experienced in firearms issues.

Mr. Corbyn: To ask the Secretary of State for the Home Department if he will list the total number of firearms certificates *(a)* issued for new applications, *(b)* which are renewals and *(c)* which are valid for more than one year in England and Wales for each year since 1985. [21709]

Mr. Maclean *[holding answer 19 March 1996]:* The latest available information is published in the annual Home Office Statistical Bulletin 'Firearm certificate statistics, England and Wales 1994', issue 11/95, table 1, copies of which can be found in the Library.

New firearms certificates granted prior to 1995 were initially made valid for three years and could be renewed after this time for further three-year periods. Since the Firearms (Period of Certificate) Order 1994 came into

effect on 1 January 1995, the order has extended to five years the life of all firearms certificates granted or renewed after that date.

Gun Clubs

Mr. Corbyn: To ask the Secretary of State for the Home Department if he will list the total number of gun clubs in each local authority district of England and Wales indicating the total number of weapons held in each and the total membership for each year since 1985. [21714]

Mr. Maclean *[holding answer 19 March 1996]:* There are currently 2,252 gun clubs in England and Wales approved by the Home Office under section 15 of the Firearms Act 1988 in which members may use firearms for target practice without holding a firearms certificate. More detailed information about these clubs could be obtained only at disproportionate cost. Information is not held centrally on gun clubs which do not fall within the section 15 scheme.

Firearms-related Crime

Mr. Loyden: To ask the Secretary of State for the Home Department what further steps he is taking to deal with the problem of firearms-related crime. [13872]

Mr. Howard *[pursuant to his reply, 15 February 1996, c. 707)* I and my right hon. Friend the Secretary of State for Scotland were in discussion with the police service before the Dumblane tragedy about the possibility of a firearms amnesty. It has now been agreed that such an amnesty will take place in England and Wales and in Scotland. The details are being worked out.

DUCHY OF LANCASTER

Public Bodies

Dr. Wright: To ask the Chancellor of the Duchy of Lancaster if he will list those of his Department's advisory non-departmental public bodies which *(a)* the Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish their response to advice supplied by them. [21853]

Mr. Willetts: This Department responds publicly to reports of some NDPBs, such as the Standing Committee on Standards in Public Life and the Government panel on sustainable development. We are not, however, required by statute so to do.

NATIONAL HERITAGE

National Lottery

Ms Eagle: To ask the Secretary of State for National Heritage if she will list the membership of the board of trustees of each national lottery distribution body, indicating for each *(a)* the salary of the chief executive, *(b)* the staff complement and *(c)* the overall annual budget; and if she will indicate the figures for *(a)* to *(c)* prior to introduction of the national lottery. [17224]

Mr. Sproat: The list shows the membership of the board of trustees of each national lottery distribution body. For the details of salary, staff complement, and overall annual budget, prior to the introduction of the national lottery, I would refer the hon. Member to the answers given on 29 February, *Official Report,* columns *697–700.*

The Arts Council of Northern Ireland
Donnell Deeny, QC (Chairman)
Jim Aitken Esq
Sir Charles Brett, CBE
Sam Burnside
Councillor Fred Cobain
Paddy Donnelly
Ms Rita Duffy
Dr. Tess Hurson
Ms Kate Ingram
Professor Edna Longley
Councillor William O'Connell
Richard Pierce Esq
Chrissie Poulter
Mrs. Irene Sandford
Professor Robert Welch

The Arts Council of England
Lord Gowrie (Chairman)
Sir Richard Rogers
Peter Gummer
Trevor Nunn
Usha Prashar
Prudence Skene
Thelma Holt
Professor Christopher Frayling
Gavin Henderson
Stephen Phillips
Richard Cork
Sir Ernest Hall
Stella Robinson
Maggie Gillebaud
Robert Southgate
David Reid

The Scottish Arts Council
Dr. William Brown (Chairman)
Fiona Walker
Dr. Rita McAllister
Geraint Stanley Jones Esq
Paul Dowds Esq
Councillor Keith Geddes
Councillor Janette Richardson
Lesley Thomas Esq
Dr. Sheila Brock
Sheriff Peter Hamilton
John Denholm Esq
Dr. Ian McGowan
Robert Love Esq
Professor Eric Spiller

The Arts Council of Wales
Sir Richard Rogers
Ms Jane E. Davidson
Meirion Edwards Esq

Frank Evans Esq
H. Keith Evans Esq
Ms Katrina Gass
J. Peter G. Griffiths Esq
R Gerallt H. Jones Esq
Geraint Stanley Jones Esq CBE
David Richards Esq
Alwyn Roberts Esq
Eurig Thomas Esq
Professor Gwyn Thomas
Ms Moira M. Vincentelli

The Sports Council for Wales
Ossie Wheatley MA (Chairman)
Tom Baxter-Wright (Vice Chairman)
Mrs. Wendy Williams
Mrs. Jill Edwards
Councillor Mrs. Dorothy James
Miss Anne Ellis OBE
Councillor W. J. Williams
Mr. Hugh Thomas
Mr. Robert Turner
Mr. Harvey Davies JP
Mr. Peter Gunn
Mr. Edgar Lewis
Mr. David Burcher

The Sports Council for Northern Ireland
Don Allen (Chairman)
Stephen Hilditch (Vice Chairman)
Peter Robinson
Tony Carlin
Mrs. Roseanne McCaughan
Mrs. June Davis
Mrs. Georgie Hear
Mrs. Jackie McWilliams
David Bowen
Clarence Hiles
Dr. Ian Corry
Miss Fionuala McGrady
Jim Mckeever
Dawson Stelfox
Ronnie Trouton

The GB Sports Council
Rodney Walker (Chairman)
Gerald Dennis Esq.
Trevor Booking MBE
Julie Bracewell
Tim Marshall MBE
Keith Oates
Graeme Simmers OBE CA
Dr. Sarah Springman
Geoff Thompson
Ossie Wheatley MA
Derek Casey (Chief Executive)

The Scottish Sports Council
Graeme Simmers, OBE, CA
Alan Grosset
G. Malcolm Murray, FFA
David Arnott
J. Neil Stevenson
Miss Lesley Grant, MBE
Alan Grosset, WS
Mrs. Evlyn Ruistrick
Mrs. Margaret Seymour
Major-General John MacDonald Esq. CB CBE
Fred Nelson

The National Heritage Memorial Fund
Lord Rothschild (Chairman)
Sir Richard Carew Pole
Lord Crathorne
W Lindsay Evans Esq
Sir Nicholas Goodison
Mrs Caryl Hubbard
Sir Martin Jacomb
John Keegan Esq
Lord Macfarlane of Bearsden
Professor Palmer Newbould
Mrs Diane Nutting
Mrs Catherine Porteous
Commander Michael Saunders Watson

The Millennium Commission
Rt Hon Virginia Bottomley MP (Chairman)
Professor Heather Couper BSc D Litt FRAS
The Earl of Dalkeith
The Hon T Robin V Dixon, CBE DL
Sir John Hall
The Rt Hon Michael Heseltine MP
Simon Jenkins Esq
Michael Montague, CBE
Patricia Scotland QC

National Lottery Charities Board
David Sieff Esq (Chairman)

English Committee
Ian Clarke Esq
Stella Clarke
Amanda Jordan
Andrew Phillips
Chirs Woodcock

Scotland Committee
Graham Bowie Esq
William Kirkpatrick Esq
Philomena de Lima
Garth Morrison

Wales Committee
Tom Jones Esq
June Churchman
Linda Quinn
Alan Higgins

Northern Ireland Committee
John Simpson Esq
Mrs Aideen McGinley
Ms Monica McWilliams
Noel Stewart

UK Committee
Andrew Phillips Esq
Amir Bhatia Esq
Graham Bowie Esq
Julia Kaufman
Sir Adam Ridley

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the Secretary of State for National Heritage how many persons in her Department worked in excess for 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21582]

Mr. Sproat: The number of staff recorded as being paid for overtime which took their hours worked to over 48 hours in a week is 65, which represents 18 per cent. of the Department's staff.

No records are held centrally, however, of the hours worked either by senior staff not eligible for paid overtime or other staff who choose not to claim overtime, or those on flexible working schemes.

Sports Grounds (Taylor Report)

Mr. Gordon Prentice: To ask the Secretary of State for National Heritage what estimate she has made of the total cost of implementing the Taylor committee's recommendations on safety in sports grounds over the period 1990 to 2000. [21223]

Mr. Sproat: From 1990 to the end of 1994–95, it is estimated that around £400 million was committed to implementing improvements at league football grounds related to the recommendations of the Taylor report into the Hillsborough disaster. In 1993, it was estimated that, between 1995–96 and 1999–2000, a further £295 million would be needed to complete this work. The latest estimate by the Football Trust is that likely costs will be £358 million. To date, the Football Trust has contributed some £135 million towards the league clubs' costs, funded from a special 2.5 per cent. reduction in pool betting duty that will continue until 2000. A further 0.5 per cent. reduction in pool betting duty was announced in the last Budget, effective from May 1996, which it is estimated will generate an extra £2.5 million to £3 million a year for the Football Trust to grant aid Taylor-related works.

Princess of Wales (Accommodation)

Mr. Alan Williams: To ask the Secretary of State for National Heritage, pursuant to his answer of 12 March, *Official Report*, column *557*, what the Princess of Wales's apartment consists of; what her staff's accommodation consists of; and what accommodation is available in other occupied royal palaces for the princess and her staff. [21360]

Mr. Sproat: Her Royal Highness's apartment at Kensington palace comprises five reception rooms, three principal bedrooms and bathrooms and three ancillary rooms, together with nine staff bedrooms, four bathrooms and shower rooms, five general staff rooms, three offices, and kitchen and utility areas.

Self-contained residential accommodation for Her Royal Highness's staff comprises one flat with a kitchen, bathroom living room and three bedrooms and one flat with a kitchen, bathroom, living room and one bedroom.

The Princess of Wales and her staff have no residential accommodation on the occupied royal palaces estate other than that referred to.

Prince of Wales (Accommodation)

Mr. Alan Williams: To ask the Secretary of State for National Heritage, pursuant to his answer of 12 March, *Official Report*, column *557*, what the Prince of Wales's apartment consists of; what non-self-contained residential accommodation is available for His Royal Highness's staff; and what accommodation is available in other occupied royal palaces for His Royal Highness and his staff. [21361]

Mr. Sproat: His Royal Highness's apartment in St. James's palace comprises three reception rooms, one principle bedroom and two staff bedrooms, together with ancillary accommodation.

Accommodation for His Royal Highness's staff comprises three flats and one house at Kensington palace. Two flats have one bedroom and one reception room and one has one bedroom and two reception rooms. The house has four bedrooms, three reception rooms and ancillary rooms.

The Prince of Wales and his staff have no residential accommodation on the occupied royal estate other than that referred to.

Government Art Collection

Dr. John Cunningham: To ask the Secretary of State for National Heritage how many works of art from the Government art collection are currently on loan to each Government Department or office. [20564]

Mrs. Virginia Bottomley: The figures given relate to the core holding only. All works on loan to the Government art collection from public and private collections, all works owned by other Government Departments which the GAC includes on its computerised database to facilitate their administration and care, all works currently on public display in exhibitions and all reproductions are excluded. So too are all works at GAC headquarters—these include works in temporary storage during Government rebuilding projects, works awaiting conservation, photography or framing, works reserved pending transport and installation, as well as those available for reselection. Excluding works in those categories, the current figures for loans to Government Departments and offices from the Government art collection are as follows:

	Number
Agriculture and Food Council	2
British Library	1
Cabinet Office	102
Central Statistical Office	7
Charity Commission	2
Civil Service Commission	1
Commonwealth Secretariat	32
Crown Estate Office	8
Customs and Excise	21
Department for Education and Employment	82
Department of the Environment	91
Department of Health	78
Department of National Heritage	154
Department of Social Security	67
Department of Trade and Industry	97
Department of Transport	47
Export Credits Guarantee Department	3
English Heritage	1
Foreign Office: 284 Locations Abroad	4,722
Foreign Office: UK Locations	463

	Number
Government Actuary's Department	1
Government Conference Centre: Lancaster House	29
Government Hospitality	9
Her Majesty's Treasury	189
Her Majesty's Treasury: Location Abroad	6
High Court of Justiciary	42
Historic Royal Palaces	66
Home Office	101
Inland Revenue	17
Land Registry	1
Legal Secretariat to the Law Officers	28
Lord Advocate's Department	17
Lord Chancellor's Department	592
Ministry of Agriculture, Fisheries and Food	41
Ministry of Defence	267
Ministry of Defence: Locations Abroad	118
Monopolies and Mergers Commission	24
Museums and Galleries Commission	10
National Audit Office	16
National Gallery	1
National Heritage Memorial Fund	7
National Investment and Loans Office	1
Northern Ireland Office	116
Office of Fair Trading	4
Office of the National Lottery	5
Office of Population Censuses and Surveys	5
Office of Public Service and Science	12
Office for Standards in Education	7
Office of Telecommunications	5
Office of Water Service	5
Overseas Development Administration	18
Palace of Westminster	6
Patent Office	1
Parliamentary Commissioners	7
Parliamentary Council	28
Prime Minister's Office	164
Privy Council Office	48
Property Holdings: Admiralty House	4
Public Record Office	10
Queen Elizabeth Conference Centre	16
Royal Armouries	4
Royal Fine Arts Commission	3
Register of Friendly Societies	8
Royal Hospital	14
Royal Mint	8
Scottish Courts Administration	4
Special Commissioners of Income Tax	2
Scottish Home and Health Department	5
Scottish Land Court and Lands Tribunal	8
Scottish Office	37
Council on Tribunals	5
Treasury Solicitors' Department	7
Government Whips' Office	28
Welsh Office	79
Total	8,237

Dr. Cunningham: To ask the Secretary of State for National Heritage (1) if she will list by Government Department or office how many works of art on loan from the Government art collection are considered to have been *(a)* missing and *(b)* stolen for (i) less than five years and (ii) more than five years; [20562]

(2) if she will list by Government Department or office the number of works of art on loan from the Government art collection that are considered to be *(a)* missing and *(b)* stolen. [20563]

Mrs. Bottomley: The Government art collection, under different aliases, has existed since 1898 but it was not until after the second world war that a retrospective, and necessarily inaccurate, manual record of accessions was created. The first project to computerise the accession records and the current locations of works began in 1981. Given the distribution of the collection in, at the peak, around 600 different buildings in 300 cities across the world, computerisation was not completed until 1993. Tracing the consecutive history of individual works throughout the century, using inconsistent and incomplete manual records, has not always been possible and the fate of some may never be established. Thus, numerical accounts of works which have been long lost can only be approximate in that they reflect records which cannot be reconciled rather than actual lost works.

It is also seldom possible to state exactly whether works have been misplaced or deliberately stolen. The table listing the number of pictures considered to be missing and stolen over the past 98 years from the named Government Departments and offices reflects the GAC's best effort to decide the individual circumstances which caused a particular work of art to leave a particular room in a particular building in a particular city somewhere in the world. "Missing" is not an absolute status; it means a work is not in the room where it was last installed and recorded by the GAC. Each year "missing" works are found again, often in legitimate Government locations where they had been moved without GAC authority and knowledge. Efforts to trace works continue until and unless it can be established that they no longer exist.

Six of the 27 works listed below as missing since 1991 were lost during the emergency evacuations of British embassies in Belgrade and Baghdad. The 27 works include no paintings, 20 prints, two photographs and five watercolours. Of the 10 works stolen since 1991, five are prints, four are watercolours and one is a painting.

Government department *Defunct organisations in square brackets*	*Missing 1991–96*	*Missing 1898–1991*	*Stolen 1991–96*	*Stolen 1898–1991*
[British Maritime Technology]	—	2	—	—
Cabinet Office	1	5	—	—
Civil Service Commission	—	1	—	—
Crown Prosecution Service	—	1	—	—
Customs and Excise	—	18	—	—
[Department of Education and Science]	—	6	—	—
[Department for Employment]	—	4	—	—
[Department of Energy]	—	4	—	1
Department of the Environment	1	48	—	4
[Department of Health and Social Security]	—	18	—	—
Department of Trade and Industry	—	22	—	—
Department of Transport	—	—	—	2
Export Credits Guarantee Department	—	1	—	—
Foreign Office Abroad: 356 buildings	10	196	1	1

Government department *Defunct organisations in square brackets*	*Missing 1991–96*	*Missing 1898–1991*	*Stolen 1991–96*	*Stolen 1898–1991*
Emergency evacuations of Embassies	6	—	—	—
In transit and at contractors abroad	—	—	—	20
Foreign Office UK	—	14	3	—
Her Majesty's Stationery Office	—	5	—	—
Her Majesty's Treasury	—	7	—	—
Home Office	3	9	—	—
Inland Revenue	—	2	—	—
Lord Chancellor's Department	2	9	—	9
Ministry of Agriculture, Fisheries and Food	—	4	1	—
Ministry of Defence UK	2	53	1	12
Ministry of Defence abroad	2	6	—	5
Northern Ireland Office	—	1	—	—
Overseas Development Administration	—	3	—	—
[Property Services Agency]	—	2	—	—
Queen Elizabeth II Conference Centre	—	—	4	—
Scottish Home and Health Department	—	1	—	—
Department Unknown	—	3	—	—

Millennium Exhibition

Mr. Spearing: To ask the Secretary of State for National Heritage, pursuant to the answer of the Prime Minister of 28 February 1996, *Official Report*, column *568*, for what purpose and to whom funds will be contributed by the private sector to offset the cost of mounting the millennium exhibition; and what advantages will such donors gain from their contributions. [19571]

Mr. Sproat *[holding answer Friday 8 March 1996]:* The Millennium Commission makes all decisions entirely independently of Government, and it is for the commission to determine the arrangements for a millennium exhibition. The commission has selected the ideas and concepts for an exhibition submitted by Imagination Group Ltd., and announced on 28 February its preference for the event to be located on the Greenwich peninsula site. The commission has made it very clear that it intends that an exhibition would be funded by a combination of private sector funds alongside a commission grant. The commission has stated that it will need to be fully satisfied as to the firm commitment of the private sector support and viability of the whole project before a final grant decision will be taken. This work is currently in progress, and it would be inappropriate for me to comment on the details of private sector involvement while negotiations are taking place.

The commission is inviting Sir Peter Levene to examine the work completed to date and the work which Imagination, in conjunction with British Gas—the owners of the site—and English Partnerships, to develop the final details of the project to the point where private sector funding is committed.

Public Bodies

Dr. Wright: To ask the Secretary of State for National Heritage if she will list those of her Department's advisory non-departmental public bodies which *(a)* the Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish their response to advice supplied by them. [21861]

Mr. Sproat: The answer is *(a)* None; and *(b)* None.

NORTHERN IRELAND

Mitchell Commission

15. **Mr. Gapes:** To ask the Secretary of State for Northern Ireland if he will make a statement on progress towards implementation of the Mitchell commission recommendations. [20423]

Sir John Wheeler: The Government have welcomed and accepted all the international body's recommendations, and has called on others to do the same. In particular, the Anglo—Irish communiqué of 28 February states that all parties

"would need to make clear at the beginning of discussions their total and absolute commitment to the principles of democracy and non-violence set out in the report of the International Body".

They would also need to address, at that stage, its proposals on decommissioning.

Children Order

16. **Rev. Martin Smyth:** To ask the Secretary of State for Northern Ireland what assessment he has made of the impact the proposed reduction in the health and social services budget on the implementation of the children order. [20424]

Mr. Moss: The proposed reduction in the health and personal social services budget will have no detrimental impact on the implementation of the Children (Northern Ireland) Order. Indeed, I am pleased to say that redeployment of the reductions will enable me, among other things, to make available £4.928 million in 1996–97 for this purpose.

Peace Process

17. **Dr. Spink:** To ask the Secretary of State for Northern Ireland what recent discussions he has had regarding the system for elections leading to all-party talks. [20425]

27. **Mr. Hain:** To ask the Secretary of State for Northern Ireland if he will make a statement on progress towards peace. [20436]

Mr. Alton: To ask the Secretary of State for Northern Ireland when he last met the political leaders in Northern Ireland to discuss the peace process. [20429]

Sir Patrick Mayhew: I refer my hon. Friend and the hon. Members to the answer that I gave earlier today to my hon. Friend the Member for Colne Valley (Mr. Riddick) and the hon. Members for Falkirk, West (Mr. Canavan) and for Lewisham, East (Mrs. Prentice).

International Fund for Ireland

18. **Mr. Trimble:** To ask the Secretary of State for Northern Ireland when he last communicated with the board of the International Fund for Ireland with regard to its operations in Northern Ireland. [20426]

Sir John Wheeler: My right hon. and learned Friend last met the board on 20 November 1995 and has had a number of informal meetings with the chairman of the fund since then, as have other ministerial colleagues. The Government are kept fully apprised of the work of the fund through its advisory committee of senior officials.

Rathlin Island

19. **Miss Hoey:** To ask the Secretary of State for Northern Ireland what plans there are to compensate those who will lose their jobs on Rathlin island when the new ferry service is introduced. [20427]

Mr. Moss: It is my understanding that the vessels presently operating the Rathlin ferry service are crewed by their owners and their families. Our legal advice is that there is no liability for compensation for loss of business as neither is viable without the subsidy which we have paid since 1991. When the new service commences, probably in November 1996, opportunities will be created for a number of jobs, both full and part-time, and those presently involved with the ferry service will be able to compete for them.

Illegally Held Weapons

20. **Mr. David Shaw:** To ask the Secretary of State for Northern Ireland what discussions he has held recently with the Government of the Republic of Ireland concerning the recovery of illegally held weapons.[20428]

Sir John Wheeler: The Government regularly discusses security matters, including the question of illegal arms, with the Irish Government and will continue to do so as part of both Government's determination to maintain close and effective security co-operation. It would not be appropriate to reveal details of such discussions.

Social Security Fraud

22. **Mr. Clifford Forsythe:** To ask the Secretary of State for Northern Ireland when he intends to introduce a strategy to combat fraud in the social security system. [20430]

Mr. Moss: The Social Security Agency is currently compiling a security strategy to tackle social security fraud, excluding housing benefit, the implementation of which will commence in April. The DHSS is also committed to the introduction of a housing benefit fraud strategy by the end of June.

Security Situation

24. **Sir Fergus Montgomery:** To ask the Secretary of State for Northern Ireland what is his assessment of the current security situation in Northern Ireland. [20432]

Sir John Wheeler: The announcement on 9 February by the Provisional IRA that it has ended its ceasefire, and the subsequent terrorist outrages, have rightly earned the condemnation of the world. Allied to this, the Combined Loyalist Military Council recently issued a statement declaring it will match PIRA violence "blow for blow".

Against this background, the security forces have introduced additional security measures and have responded in a proportionate manner.

The Government have consistently made it clear that they will not be deflected by terrorism from their determination to work towards a settlement which can win the allegiance of both communities.

Drug Dealing

25. **Mr. Rathbone:** To ask the Secretary of State for Northern Ireland what assessment he has made of the influence of drug dealing on violence in the Province; and if he will make a statement. [20434]

Sir John Wheeler: An accurate assessment of the influence of drug dealing on the extent of violent crime is not available. Because of the influence of terrorist groups, victims and witnesses may sometimes be unwilling to make complaints or otherwise assist any form of police investigation. Between April 1995 and January 1996, seven alleged drug dealers were murdered by a group calling itself "Direct Action Against Drugs", a covername for the Provisional IRA. The RUC continues to pursue those responsible and in this it has the full support of the Government.

Economic Prospects

26. **Mr. John Greenway:** To ask the Secretary of State for Northern Ireland what assessment he has made of the prospects for the Northern Ireland economy. [20435]

Mr. Ancram: Prospects for the Northern Ireland economy remain encouraging. Employment is at record levels, output and trade are increasing and we would wish this excellent progress to be maintained. Nonetheless, Northern Ireland's economic prospects would be significantly more assured through a permanent end to paramilitary violence.

Dairy Industry

Mr. Pickthall: To ask the Secretary of State for Northern Ireland if he will make a statement on the dairy industry in Northern Ireland. [20431]

Mr. Ancram: The dairy industry contributes some £275 million or 2 per cent. of Northern Ireland's gross domestic product. There are up to 9,900 people employed on 6,050 dairy farms and 2,800 people are employed in 39 dairy processing plants. Liquid milk accounts for only 16 per cent. of production with the remainder being processed into butter, cheese and milk powders which are marketed world wide. The milk marketing scheme was

revoked on 1 March 1995, thus effecting the deregulation of the industry. The average producer price for milk increased by 4p per litre in 1995.

Departmental Expenditure

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland what assessment he has made of the expenditure of his Department, agencies and non-departmental public bodies on all external consultants including management consultants for each of the years *(a)* 1979–80, *(b)* 1989–90, *(c)* 1991–92, *(d)* 1993–94, *(e)* 1994–95 and *(f)* 1995–96 (i) to date and (ii) as estimated for the whole year; what estimate he has made of such expenditure for 1996–97; and if he will estimate the savings accruing to his Department from the use of consultants in each of these years. [11399]

Sir John Wheeler *[holding answer 25 January 1996]:* The information in respect of the Northern Ireland Office, Northern Ireland Departments and agencies is listed.

1979–80: not available

1989–90: £12,996,000

1991–92: £25,239,000

1993–94: £30,382,000

1994–95: £26,388,000

1995–96: £11,190,000[1,2]

1995–96: £17,911,000[2,3]

1996–97: £16,058,000.[4]

[1]To date.

[2]Excludes DED who could only provide information for these years at disproportionate cost.

[3]Yearly estimate.

[4]Excludes DED, DHSS and DENI as estimates for such expenditure has not yet been made.

Information on non-departmental public bodies could be obtained only at disproportionate cost.

As consultants are, in many instances, engaged to contribute particular skills to an element of a much larger process it is not possible to quantify savings which such expenditure has resulted in, but in each instance consultants were engaged on the basis of best value for money.

Computers

Mr. Miller: To ask the Secretary of State for Northern Ireland if he will list all cases since 1987 in which his Department has bought computer capacity from *(a)* other Departments and *(b)* the private sector, giving the value of each contract and the name of the private sector contractors. [19451]

Sir John Wheeler: The Northern Ireland Departments and the Northern Ireland Office, Belfast have bought the following computer capacity from:

(a) Other Departments

The Department of Social Security Information Technology Services Agency provide systems relating to income support, unemployment benefit, pension strategy, family credit, disability working allowance, disability living allowance, social fund and child support services to the Social Security Agency and Child Support Agency.

(b) The private sector

In 1991 a contract was awarded to CFM by the Department of Finance and Personnel on behalf of the Northern Ireland Office and Northern Ireland Departments for the provision of a computer bureau and associated services. Other Northern Ireland Departments have also taken out separate contracts with CFM as follows:

Department of Health and Social Services

provision of contingency service—commenced 1991;

provision of mainframe bureau services—commenced 1993;

provision of a contingency support system for pensions system—commenced 1993.

Department of Agriculture

provision of Accounting System—1994–1997.

Department of Economic Development

provision of computing services for selected systems—commenced September 1992.

Department of the Environment

provision of computerised printing of all communications excluding start of year rate demands—1995–1997.

In addition computer capacity has been purchased from the following:

(1) MVM Consultants, Bristol 1993–1998

(2) Kendrick and Jefferson, Birmingham 1987–1994

(3) Aluset Ltd, Dublin 1995

(4) Kendrick and Jefferson, Birmingham 1996–1998

(5) Datashield, Hoddleston, Herts. 1987–1995.

Individual contract values cannot be disclosed on grounds of commercial confidentiality.

Information from the Northern Ireland Office, London is not available and could be obtained only at disproportionate cost.

Anti-social Neighbours

Mr. Harry Greenway: To ask the Secretary of State for Northern Ireland what estimate he has made of the current number of anti-social neighbours; and if he will make a statement. [20527]

Mr. Moss: It is not possible to provide an estimate of the number of anti-social neighbours in Northern Ireland.

Proposals for dealing with anti-social behaviour in the public sector are set out in the housing policy review document published on 19 December 1995, a copy of which is in the Library.

Law Commission Act 1965

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if he will amend the Law Commission Act 1965 to end the exclusion of Northern Ireland from its remit. [21682]

Sir John Wheeler: No. In my reply to the hon. and learned Gentlemen on 28 February 1996, *Official Report*, column *574*, I set out the arrangements for review of the law for Northern Ireland, which include regular contact with the Law Commission. I am satisfied that the arrangements function efficiently.

Housing Benefit

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland in respect of how many new housing benefit claims in Belfast and North Down in 1995 the Housing Executive has recorded the name of an estate agent acting for a private landlord but not the landlord's name. [21683]

Mr. Moss: I understand from the chief executive of the Housing Executive that the information requested could be provided only at disproportionate cost.

North Down and Ards Community Trust

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland how many staff in the North Down and Ards community trust were employed on six-month contracts; how many have been on such contracts for more than two years; and will he make a statement. [21684]

Mr. Moss: The policy of the trust is to set each temporary contract to reflect the needs of the post. Eighty-nine staff are currently on temporary contracts. Ten of them have been employed for over two years.

Orders in Council (Debate)

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 6 March, *Official Report*, column *224*, for the period since 1 January 1995, if he will list those Northern Ireland Orders in Council debated on the floor of the House. [21685]

Sir John Wheeler: The information is as follows:

	Date of debate
Children (NI) Order 1995	8 February 1995
Children (Northern Ireland Consequential Amendments) Order 1995	8 February 1995
Appropriation (NI) Order 1995	8 March 1995
Appropriation (No. 2) (NI) Order 1995	18 July 1995
Appropriation (NI) Order 1996	19 February 1996

Rathgael Centre

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 6 March, *Official Report*, column *225*, if he will specify the daily average number of residents at the Rathgael centre in Bangor in 1995 and the annual total, by type, and the percentage who absconded in that year, and the range of penalties that can be, and were imposed for going absent without leave; and if he will make a statement. [21686]

Sir John Wheeler: The information requested is as follows:

(1) The annual average number of residents on campus at Rathgael in the year from 1 January 1995 to 1 January 1996 was 82. Of this total an average of 53 were the subject of order for care, protection and control and 29 were the subject of orders for offending.

(2) In that period Rathgael had a throughput of 285 children of which 166 were there for care reasons and 119 for offending.

(3) During the same one-year period 144 children—76 care and 68 justice—were responsible for 481 incidents of absconding. This represents an average of 1.3 per day or 1.6 per cent. per day of the average population. These statistics include all those suspected of leaving the campus without permission, even for a very short time.

(4) There is a range of sanctions available to staff to enable them to respond meaningfully to absconding and other misdemeanours. At the lowest level a young person may be given extra chores, lose recreation time, be sent to bed earlier for a specified period, suffer a reduction in pocket money and have restrictions placed on, or even lose, home leave privileges. At the higher level, where there are concerns about physical or moral welfare or where there is evidence of anti-social behaviour or persistent absconding, a child may be sent to one of the on-site close supervision units. In extreme cases a young person may be removed to the secure unit at Lisnevin or to the Young Offenders Centre at Hydebank.

Farm-reared Deer (Hunting)

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what proposals he has to review the law on the hunting of farm-reared deer or stags; if he will set out the legal provisions on carting which are specific to Northern Ireland; and if he will make a statement. [21687]

Mr. Moss: I have no plans to review the law on the hunting of farm-reared deer or stags.

Under the Wildlife (Northern Ireland) Order 1985, it is illegal intentionally to kill, injure or take, without a licence, any species of deer during the close season or at night during the open season. It is also an offence, under that order, to take and remove any live deer at any time without a licence. These provisions do not apply to any person who keeps and breeds deer for the purposes of a trade or business certified by the Department of Agriculture or to veterinary practitioners in the course of their work.

In addition, the Welfare of Animals Act (Northern Ireland) 1972 provides for the general protection of all animals from cruelty. Under the Act, it is illegal to hunt any animal—other than a domestic animal—which is released for that purpose, if it is released in an injured, mutilated or exhausted condition or the animal is hunted in an enclosed space from which there is no reasonable chance of escape.

Public Bodies

Dr. Wright: To ask the Secretary of State for Northern Ireland if he will list those of his Department's advisory non-departmental public bodies which *(a)* the Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish their response to advice supplied by them. [21862]

Sir John Wheeler: The information requested is as follows:

(a) The Drainage Council for Northern Ireland

The Council for Nature Conservation and the Countryside

The Northern Ireland Buildings Regulations Advisory Committee

The Statistics Advisory Committee

The Health and Safety Agency

(b) None

AGRICULTURE, FISHERIES AND FOOD

Live Animal Exports

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food when he first issued the export certificate, numbered EC400, for use by local veterinary inspectors to certify calves under the age of 42 days destined for France. [20774]

Mrs. Browning: The earliest available official records confirm that export certificate EC400 was in use in 1977 and applied originally to the export of calves under 15 days of age. It is not possible, however, to establish when it was first used. Records also confirm that the certificate was first used for the export of calves under 42 days of age to France in October 1980.

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food how many consignments containing calves between the ages of 15 days and 42 days were exported on certificate EC400 to France in 1995. [20822]

Mrs. Browning: Precise information on the number of consignments containing calves between 15 and 42 days of age exported in 1955 to France on EC400 certification could be obtained only at disproportionate cost. We believe, however, that approximately 1,800 consignments were exported on certificate EC400 in 1995. An informal analysis of trade during 1995 indicated that the majority of consignments of calves exported to France included calves between 15 days and 42 days of age.

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food what percentage of livestock markets in England and Wales currently meet the approved EU standards for export purposes, such that they would qualify as departure points for calculation of overall journey times; and if he will make a statement. [21826]

Mrs. Browning: The percentage of livestock markets that meets the conditions for EC approval is not known since all livestock markets that want to be EC approved must apply for such status and be inspected by Ministry veterinary staff before approval may be granted.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food how many consignments of calves which started their export journey at Wix lairage in Essex are under investigation in respect of animal health certification and ear tag irregularities. [21757]

Mrs. Browning: This Department is not carrying out any investigations at Wix lairage in Essex. Enforcement of the legislation governing the health rules for consignments intended for export is the responsibility of the local authority.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the animal export certification procedures carried out by the local veterinary inspector at Wix lairage in Essex. [21758]

Mrs. Browning: Meetings have been held with the local veterinary inspector—LVI—for the Wix lairage in Essex to discuss the export certification procedures. In addition, export health certificates issued by the LVI are checked by local Ministry staff as part of the Department's audit procedures.

Fur Farms

Mr. Heppell: To ask the Minister of Agriculture, Fisheries and Food how many fox fur farms there are in each county of England and Wales. [21367]

Mrs. Browning: There is no requirement to register fox fur farms. However, I am not aware of any in England and Wales.

Mr. Heppell: To ask the Minister of Agriculture, Fisheries and Food how many licences were issued for mink farms in each county of England and Wales in each of the last five years. [21366]

Mrs. Browning: No licences have been issued in Wales in the last five years. The number of licences issued in England is set out in the table.

Number of licences issued in England during the last five years[1]

County	*Year ending 31 March 1992*	*Year ending 31 March 1993*	*Year ending 31 March 1994*	*Year ending 31 March 1995*	*Period ending 19 March 1996*
Cheshire	2	1	—	—	—
Cornwall	1	2	1	1	1
Dorset	1	1	1	1	1
Hampshire	—	—	—	1	1
Humberside	—	1	—	—	—
Isle of Wight	1	1	1	1	1
Lancashire	9	9	4	5	5
Norfolk	1	—	—	—	—
Northumberland	1	1	1	1	1
Staffordshire	—	—	1	1	1
Suffolk	3	2	2	1	—
West Yorkshire	—	2	1	1	1
Total	19	20	12	13	12

[1] The date of issue of a licence does not necessarily correspond with the date on which the licence comes into affect.

Sheep Cloning Experiments

Mr. Alton: To ask the Minister of Agriculture, Fisheries and Food what inquiries he has made of the Roslin institute, Edinburgh, concerning the deaths of sheep during experiments into cloning and the excess growth of another animal; if he will publish a full report into the extent of publication of the outcome of the cloning experiments; if he will ban such experiments; and if he will make a statement. [21647]

Mrs. Browning: The Ministry encourages the full publication of scientific results and notes that the original scientific paper in *Nature* disclosed the deaths of three sheep during a cloning experiment. It is aware that the research team plans the publication of further details on the weights of the lambs at birth. The Ministry is aware of the large birthweight offspring and has commissioned research into this problem.

MAFF is guided by the recommendations of the 1995 report of the committee to consider the ethical implications of emerging technologies in the breeding of farm animals—the Banner report—which endorsed cloning, subject to safeguards. Experiments on animals are regulated by the Animal (Scientific Procedures) Act 1986, which is administered by the Secretary of State for Home Affairs.

Selective Breeding

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the effect of the selective breeding of farm animals on the gene pool. [21480]

Mrs. Browning: The Ministry has commissioned work on the theory of genetics, which included specific studies on the effects of selective breeding of farm animals on the gene pool. The research concluded that any potential negative effects can be avoided by targeted breeding.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Minister of Agriculture, Fisheries and Food what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensure such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21453]

Mr. Boswell: The Department seeks to award contracts in accordance with chapter 31 of "Government Accounting" and the public procurement rules. In choosing its suppliers and contractors, the Department has regard to the eligibility, economic and financial standing, and the ability and technical capacity of its suppliers and contractors to deliver the contracted goods and services at the contracted charges. Terms and conditions of employment, including wages, are a matter between contractors or suppliers and their employees, subject of course to any relevant legal requirements. Compliance with health and safety regulations is a legal requirement for contractors or suppliers.

Ostriches

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food (1) what plans he has to protect the welfare at slaughter of ostriches in the United Kingdom; and on what scientific research those plans are based; [21759]

(2) by what methods and on what premises it is permitted to slaughter ostriches on a commercial basis in the United Kingdom; [21760]

(3) how many farmed ostriches have been slaughtered to date in the United Kingdom; by which method they have been slaughtered; and if he will make a statement. [21761]

Mrs. Browning: There is at present no commercial slaughter industry for ostriches in this country. Although small numbers of birds have been killed on farms in recent years, information on their number or on the methods used is not available. The state veterinary service continues to monitor developments.

The slaughter of ostriches for human consumption in the United Kingdom must be carried out in a slaughterhouse licensed under the relevant Great Britain or Northern Ireland hygiene legislation for the production of poultry meat or in exempt premises which comply with general food hygiene legislation.

The welfare at slaughter of ostriches bred or kept for the production of meat or other products is already protected in Great Britain by the Welfare of Animals (Slaughter or Killing) Regulations 1995, S.I. No. 1995/731. The regulations provide specific controls over the movement, lairaging, restraint, stunning, slaughter and killing of animals and make it an offence to cause any animal, which includes birds, any avoidable excitement, pain or suffering during these operations. The permitted methods of stunning are by means of a captive bolt, by concussion stunner or by electronarcosis—electrical stunning. After stunning, the birds must be bled without delay in accordance with the regulations. Similar regulations will be made in Northern Ireland.

Government-commissioned research into ostrich slaughter is due to provide a preliminary report and recommendations at the end of this month. In the light of the findings of this research, guidance on recommended slaughter practice will be made available to producers.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food how many ostrich farms operate in the United Kingdom; and what is the current size of the United Kingdom ostrich flock. [21762]

Mrs. Browning: The information is not available. The Ministry's agricultural and horticultural census does not separately identify ostrich farmers or the number of birds they keep. Ostrich farmers must hold a dangerous wild animals licence, issued by local authorities under the Dangerous Wild Animals Act 1976. I understand that the Department of the Environment, which is responsible for this Act, does not keep a central register of this information.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food how much ostrich meat was consumed in *(a)* 1994 and *(b)* 1995 in the United Kingdom; what were the countries of origin of that meat; and if he will make a statement. [21763]

Mrs. Browning: The information is not available. The consumption of ostrich meat is not identified separately in the national food survey. Only one establishment—in France—has been approved to export ostrich meat to the UK.

Pet Dogs and Cats (Illegal Imports)

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the number of pet dogs and cats illegally imported in each year since 1986; and how many cases of such imports have been discovered. [22070]

Mrs. Browning: No estimates are made of the number of people who smuggle animals into the country undetected. However, figures are available for the number of animals reported as illegally landed since 1988.

	Dogs	*Cats*
1988	93	16
1989	38	28
1990	59	40
1991	72	39
1992	60	33
1993	50	39
1994	70	39
1995	59	44

Live Animal Transport

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food (1) what action he is taking to implement the EU directive on the welfare of live animals in transit in a way that ensures the future viability of livestock markets, including those in Wales, and if he will make a statement on the impact of these measures on farmers dependent on livestock markets; [21824]

(2) when he expects to be able to set out the terms on which the EU directive on the welfare of live animals in transit is to be implemented with particular reference to *(a)* rest periods and *(b)* the conditions for allowing time at markets to be discounted from time in transit; and if he will make a statement. [21825]

Mrs. Browning: We are developing our plans to implement this directive in the light of responses to our consultation paper and in full discussion with all those with an interest. We attach particular importance to developing provisions on journey time and rest, for example, which meet the requirements of the directive in a way that recognises the reality of livestock marketing practice in Great Britain. We shall set our detailed plans out in a further consultation document before finally deciding what approach to adopt.

Quarantine

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 14 March, *Official Report*, column *727*, what were the main recorded causes of death of dogs and cats held in quarantine in the United Kingdom in each year since 1986. [22071]

Mrs. Browning: No information is available on the causes of death of dogs and cats held in quarantine prior to 1995, other than those which died from rabies. The information collected from 1995 onwards shows that the causes of death were varied and no different from those that could be expected in a population of similar animals. Tumours/cancer accounted for around 25 per cent. of deaths. About a further 10 per cent. of the deaths in quarantine were where animals were euthanased at the owners request.

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food how many imported *(a)* dogs and *(b)* cats have passed through United Kingdom quarantine in each year since 1986. [22069]

Mrs. Browning: It is possible to provide information only on the number of animals for which licences have been issued permitting their import. Information on the number of animals actually imported into the United Kingdom is not available for this period.

	Dogs	*Cats*
1986	4,738	2,329
1987	5,249	2,927
1988	5,132	3,095
1989	5,915	3,220
1990	5,999	3,687
1991	5,290	3,289
1992	5,175	3,190
1993	5,738	3,633
1994	5,554	3,863
1995	5,394	4,126

HEALTH

Factor 8

Mr. Barron: To ask the Secretary of State for Health what is the quantity of (i) recombinant factor 8 and (ii) plasma-derived factor 8, *(a)* produced and *(b)* used annually in the national health service. [19567]

Mr. Horam: This information is not collected by the Department of Health. Figures collected by the United Kingdom haemophilia centre directors, which may be incomplete, show that some 158 million units of factor 8 were used in the UK in 1994. Of the total, 4 per cent. were recombinant, 64 per cent. plasma-based products produced by the national health service and 32 per cent. plasma-based imported products.

Oral Contraceptives

Ms Harman: To ask the Secretary of State for Health how many people died from thrombo-embolic complications arising form the use of the contraceptive pill in each of the last five years. [21013]

Mr. Horam: Mortality statistics are based on the cause of death as stated by the doctor or coroner. It may not be possible for the certifier to link definitely the thrombo-embolic episode to oral contraceptives and consequently oral contraceptives may not be mentioned on the certificate.

The table shows the number of deaths in England and Wales from thrombo-embolic complications, ICD[1] E932.2, stated to be associated with the use of the contraceptive pill in each of the last five years.

Year	*Number of deaths*
1990	7
1991	7
1992	2
1993	6
1994	3

[1] International Classification of Diseases, 9th Revision.

Mr. Simon Hughes: To ask the Secretary of State for Health what external legal advice he sought on the implications of issuing the "Dear Doctor" letter of 18 October 1995 prior to the issuing of that letter. [20500]

Mr. Malone: None.

Mr. Hughes: To ask the Secretary of State for Health what plans he has to *(a)* withdraw or *(b)* amend the advice to prescribers issued in the "Dear Doctor" letter of 18 October 1995. [20501]

Mr. Malone: None.

Mr. Hughes: To ask the Secretary of State for Health if he will list those members of the Spritzer team of investigators for the trans-national study of oral contraceptives employed to advise *(a)* the Medicines Control Agency and *(b)* the Licensing Authority since 18 October 1995 on safety concerns relating to third generation oral contraceptives; on what date they were recruited; what are their emoluments and if they were required to sign the Official Secrets Act. [20502]

Mr. Malone: None were employed.

Mr. Hughes: To ask the Secretary of State for Health what assessment the Licensing Authority has made of the dangers of third generation oral contraceptives; and if the authority proposes to license these products. [20511]

Mr. Malone: I refer the hon. Member to the statement that my right hon. Friend the Secretary of State for Health made in the House on 23 October 1995, *Official Report*, columns 701–11. A number of third generation oral contraceptives are currently licensed; applications for subsequent licences will be considered under normal procedures.

Safety of Medicines

Mr. Simon Hughes: To ask the Secretary of State for Health how many yellow cards have been received by the Medicines Control Agency for each month since January 1994. [20499]

Mr. Malone: The information is shown in the table. A report of a suspected adverse drug reaction does not necessarily mean that the condition was caused by the medicine.

Month and year of receipt	*Number of yellow cards received*
1994	
January	1,171
February	1,262
March	1,464
April	1,133
May	1,277
June	1,619
July	1,309
August	1,412
September	1,543
October	1,352
November	2,072
December	1,950
1995	
January	1,741
February	1,484
March	1,720
April	1,210
May	1,517
June	1,472
July	1,579
August	1,347
September	1,437
October	1,381
November	1,559
December	1,289
1996	
January	1,487
February	1,660

Mr. Hughes: To ask the Secretary of State for Health on how many occasions and on what date or dates since the coming into effect of the Medicines Act 1968 the powers under section 3 (2) (c) of the Act have been used by Ministers to request the Medicines Commission to review the section 4 committees; and if he will not invoke those powers. [20503]

Mr. Malone: This information could be provided only at disproportionate cost.

Mr. Hughes: To ask the Secretary of State for Health who is the chairman of the Committee on Safety of Medicines for the period 1 January 1996 to 31 December 1998. [20504]

Mr. Malone: Professor Michael Rawlins.

Amphetamines

Mrs. Mahon: To ask the Secretary of State for Health when he expects to make an announcement on the use of amphetamines for sliming purposes. [21053]

Mr. Malone: An announcement is expected to be made shortly concerning the availability for sliming purposes of a range of medicinal products known as anorectic agents.

Osteoporosis

Mr. Sheerman: To ask the Secretary of State for Health what plans he has to take new measures to *(a)* increase public awareness of osteoporosis and *(b)* combat the disease. [21519]

Mr. Horam: We are continuing to implement the report of the advisory group on osteoporosis, which was published in January 1995. Work in clinical guidelines is

under way, led by the Royal College of Physicians. The Department of Health has increased its financial support for the National Osteoporosis Society, which undertakes a wide range of public and professional education activities and launched a £9 million national exercise campaign on 19 March.

Mr. Gordon Prentice: To ask the Secretary of State for Health what steps he is taking to increase the resources available in the north-west for the early diagnosis and treatment of osteoporosis. [21477]

Mr. Horam: Nationally, health authority general revenue allocations for the financial year 1996–97 will increase by 1.1 per cent. in real terms—£221 million—over 1995–96 allocations. Within these allocations, the provision of local services is a matter for local managers.

Clinical Waste

Mr. Redmond: To ask the Secretary of State for Health if he will make a statement on the illegal dumping of clinical waste in Hertfordshire in 1995. [21291]

Mr. Horam: I understand that a quantity of clinical waste was found dumped on two sites in Hertfordshire and was cleared and made safe by the local waste disposal regulatory authority. Investigations are being undertaken and co-ordinated by the Hertfordshire county council waste regulation unit in collaboration with other waste regulators and with regional offices of the NHS Executive. Legal action against the contractor concerned is being considered by the waste regulation unit.

Mr. Redmond: To ask the Secretary for Health (1) how many of the NHS trusts which contracted for the disposal of the clinical waste found at Hertford checked the incineration procedures to be used by the contractors; [21301]

(2) if he will name the NHS health trusts which contracted with Green Environmental Services to handle infected clinical waste subsequently found dumped at various sites in Hertfordshire. [21292]

Mr. Horam: This information is not available centrally. Investigations by the Hertfordshire county council waste regulation unit continue.

Mr. Redmond: To ask the Secretary of State for Health (1) what action he has taken to warn the public of the dangers arising from the dumping of infected hospital clinical waste; [21293]

(2) what representations he has made to the chief constables of Essex, Hertfordshire, Bedfordshire and Cambridgeshire about the need to alert their officers to the risk of infected clinical waste in unattended lorry trailers. [21294]

Mr. Horam: These are matters for waste regulation and environmental health authorities. The Hertfordshire county council waste regulation unit continues to co-ordinate the investigation of possible breaches of waste regulations in collaboration with other authorities in Hertfordshire and elsewhere.

Mr. Redmond: To ask the Secretary of State for Health what are the responsibilities of the NHS for the safe disposal of infected clinical waste. [21271]

Mr. Horam: As a waste producer, the national health service is bound by the "duty of care" requirements of the Environmental Protection Act 1990 to ensure that clinical waste is properly disposed of, even when this work is contracted out. In particular, each waste producer must ensure that waste is transferred only to an authorised transporter. It must describe the waste accurately, ensure its safe disposal and keep records of waste consignments. It must also ensure that proper documentation is passed to the transporter.

NHS Magazine

Mrs. Clwyd: To ask the Secretary of State for Health what are the costs to his Department of *(a)* publishing, *(b)* printing and *(c)* distributing each issue of the NHS magazine. [21384]

Mr. Horam: I refer the hon. Member to the reply that I gave to hon. Member for Leeds, Central (Mr. Fatchett) on 15 January at columns *344-55* for information about production costs/gross revenues for issues Nos. 1 to 3 of the magazine.

Issue No. 4 was published on 13 March. Details of production costs are as follows:

	£
Production (editorial/photography/design/reproduction/print)	49,486
Advertising revenue	25,417
Distribution	12,700

NHS Trusts (External Financing Limits)

Mr. Spellar: To ask the Secretary of State for Health what are the external financing limits for each NHS trust in the current year; and on how much of this they have drawn. [21177]

Mr. Horam: Trusts do not draw on external financing limits. They meet them through a combination of borrowing and repaying debt, and drawing down or building up cash balances. Their responsibility is to ensure that, at the year end, their total expenditure is within their authorised external financing limit and they report their performance against this objective in their annual accounts which are audited and published.

The current external financing limit for each national health service trust will be placed in the Library.

Social Work Records

Mr. Kirkwood: To ask the Secretary of State for Health what action he has taken to implement the proposals on access to social work records set out in his Department's consultation paper of February 1992, following the European Court of Human Rights decision in the case of Graham Gaskin. [21674]

Mr. Bowis: The open government White Paper, Cm 2290, proposed a statutory access right to personal records, which will be introduced as soon as the parliamentary timetable allows. The Government are reviewing the scope for including in this measure provisions to implement the European Court of Human Rights decision in the case of Graham Gaskin.

Surplus and Underused Properties

Mr. Milburn: To ask the Secretary of State for Health what is the number and value of surplus and underused NHS properties. [21645]

Mr. Horam: Most operational national health service property is owned by NHS trusts. No information is available centrally about the number of value of properties identified as surplus by NHS trusts.

The non-NHS trust estate includes 876 properties identified as surplus, or potentially surplus, which will be sold over the next 10 years. They have an estimated open market value of £1.2 billion.

No information is available centrally on the number or value of underused NHS properties.

Asthma

Mr. Nigel Evans: To ask the Secretary of State for Health how many people suffered from asthma in east Lancashire for *(a)* 1989 and *(b)* 1994; and what were the national figures for these two dates. [21644]

Mr. Horam: Information on the number of people in East Lancashire suffering from asthma is not available centrally. My hon. Friend may wish to contact the relevant family health services authorities, which hold some information on the number of people resident in east Lancashire who suffer from asthma.

There are no comprehensive national data on the number of people with a diagnosis of asthma. However, it has been estimated that the prevalence of asthma sufficiently severe to require regular medical supervision is from 4 to 6 per cent. in children and about 4 per cent. in adults. More information is given in "Asthma: An Epidemiological Overview", produced by the central health monitoring unit of the Department of Health and published on 22 March 1995, copies of which are available in the Library.

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the Secretary of State for Health how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21508]

Dr. Horam: Records of the number of hours worked by each employee are not kept centrally and could be provided only at disproportionate cost.

Nursing and Residential Homes

Mr. Milburn: To ask the Secretary of State for Health what data his Department collate on the size of *(a)* nursing and *(b)* residential homes. [21646]

Mr. Bowis: The Department collects information on the number of registered beds in nursing homes registered under section 23 of the Registered Homes Act 1984, the number of registered places and residents in residential homes registered under the Registered Homes Act 1984 and the Registered Homes (Amendment) Act 1991 respectively and the number of places in staffed and unstaffed local authority residential homes.

More detailed information on these collections is contained—under the entries for returns KO36, RAC5, RAC5(S) and RAU1—in the personal social services statistical information directory, copies of which are available in the Library.

NHS Executive (Redundancy Costs)

Mr. Redmond: To ask the Secretary of State for Health what were the redundancy costs of reducing management and manpower at the NHS executive, Quarry house in each of the last three years. [21723]

Mr. Horam: The costs for the Department of Health's voluntary early severance/retirement scheme for national health service executive staff at Quarry house for each of the last three financial years is shown in the table. There have been no compulsory redundancies in the NHS executive during this period.

	1993–94 £	*1994–95* £	*1995–96* £
Total cost	0	388,406	3,812,635
Centrally funded	0	310,724	3,050,108
Net cost to DH	0	77,681	762,527

Fraud

Mr. Redmond: To ask the Secretary of State for Health if he will take steps to ensure that fraud appears as a separate item in the losses statements of health authorities and trusts from 1 April. [21729]

Mr. Horam: With effect from December 1995 health authorities and trusts were already required to report the value of all frauds to the national health service executive separately.

Physical Activity Task Force

Mr. Riddick: To ask the Secretary of State for Health if the work of the physical activity task force has been completed; and if he will make a statement. [22730]

Mr. Horam: The work of the physical activity task force has now been concluded. The Government fully appreciate the valuable work of the task force, from which the Department of Health has developed a physical activity statement. Copies of this statement are available in the Library.

Darlington Memorial Hospital

Mr. Milburn: To ask the Secretary of State for Health if he will make a statement about the future of accident and emergency services at Darlington memorial hospital. [22074]

Mr. Horam: This is a matter for South Durham health authority. The hon. Member may wish to contact the chairman of the authority, Dr. John Marshall, for details.

Public Bodies

Dr. Wright: To ask the Secretary of State for Health which of the national health service bodies sponsored by his Department have a statutory base; and if he will list those bodies which *(a)* admit members of the public to all

board or committee meetings and *(b)* hold open meetings for the public (i) under a statutory requirement and (ii) voluntarily. [21828]

Mr. Malone: All national health service bodies, as defined by the Cabinet Office, have a statutory basis. Health authorities and special health authorities are statutorily required to admit members of the public to their meetings. NHS trusts are statutorily required to hold an annual public meeting and many voluntarily admit the public to board meetings. There is no requirement on the Dental Practice Board to hold any meetings to which the public are admitted.

Dr. Wright: To ask the Secretary of State for Health if he will list the national health service bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open Government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [21833]

Mr. Malone: National health service bodies, as defined by the Cabinet Office, are subject to investigation by the Health Service Commissioner (Ombudsman), and scrutiny by both the Audit Commission and the National Audit Office.

The principles of open government are incorporated in the code of practice on openness in the national health service, with which all national health service bodies must comply. The principles of the citizens charter apply to national health service bodies and have been incorporated into the patients charter.

The NHS executive monitors the performance of all national health service bodies.

Dr. Wright: To ask the Secretary of State for Health which of the national health service bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* minutes of meetings, *(d)* agendas of meetings and *(e)* a register of members' interests (i) under the statutory requirement and (ii) voluntarily. [21838]

Mr. Malone: There is a statutory obligation on national health service trusts to publish an annual report, all other NHS bodies are required to do so by the codes of conduct and accountability. There is a statutory obligation on all NHS bodies to publish annual accounts but no obligation on them to publish minutes of their meetings, although many do. Health authorities and special health authorities are statutorily required to publish the agendas of their meetings. All NHS bodies are required by the codes of conduct and accountability to maintain a register of members' interests.

NHS Trusts

Mr. Mudie: To ask the Secretary of State for Health (1) if he will break down by *(a)* element and *(b)* amount the emolument figure paid to NHS trust board members in 1993–94 in the NHS accounts; [22000]

(2) if he will break down the £985,000 compensation for loss of office by board members of NHS trusts in 1993–94 by *(a)* the number of individuals involved, *(b)* the amounts, and *(c)* the trusts concerned. [21994]

Mr. Malone: Information will be placed in the Library on the fees paid to non-executive directors, other emoluments of executive directors, compensation for loss of office and early retirement pensions paid to the directors of NHS trusts for 1993–94. Information on the number of individuals involved is not available centrally.

We do not recognise the amount of £985,000 quoted by the hon. Member.

Mr. Mudie: To ask the Secretary of State for Health if he will break down by (i) trust, (ii) element and (iii) amount the losses and special payments totalling £24,902,000 as set out in the NHS summarised accounts 1994–95. [21995]

Mr. Horam: The information could be provided only at disproportionate cost.

Mr. Gordon Prentice: To ask the Secretary of State for Health which NHS trusts no longer recruit senior managers on fixed-term contracts. [20901]

Mr. Malone: The information is not available centrally.

Play Schemes

Mr. Milburn: To ask the Secretary of State for Health what plans he has either to suspend or abandon his proposed deregulation of supervised activities and holiday play schemes used by children under eight years of age. [22075]

Mr. Bowis: I refer the hon. Member to the reply that I gave him on 18 March at column *82*.

WALES

Executive Action

Mr. Gordon Prentice: To ask the Secretary of State for Wales if he will list those areas of executive action where he has discretion to act in respect of an individual without giving reasons for his decision. [20530]

Mr. Hague: Comprehensive records are not kept in the form requested. I exercise discretion to act in respect of an individual without a legal obligation to give reasons in the following subject areas, which provide examples of such powers. However, as a matter of practice and in accordance with the Government's code of practice on access to government information, reasons are usually given when there is an exercise of any discretionary power.

The subject areas, with examples are:

1. Agriculture, fisheries and food:

eg section 18 Agriculture Act 1986

section 33(5) Plant Varieties and Seeds Act 1964

2. Industry

eg section 5 Thermal Insulation (Industrial Buildings) Act 1957

3. Employment and training:

eg section 84(1) Factories Act 1961

section 27 Children and Young Persons Act 1933

4. Education:

eg section 99 Education Act 1944

section 5 Education Reform Act 1988

5. Transport

eg section 51 Public Passenger Vehicles Act 1981

section 17(2) Transport Act 1982

6. Housing:

eg section 164 Housing Act 1985

7. Environment:

eg section 15 Environmental Protection Act 1990

section 44 Water Resources Act 1991

8. Health and social services

eg section 123 Mental Health Act 1983

section 86 National Health Service Act 1977.

Ministerial Visits (Nursery Schools)

Mr. Barry Jones: To ask the Secretary of State for Wales which nursery departments and nursery schools he has visited. [21132]

Mr. Richards: Since our appointments, in addition to a number of my constituency visits, my right hon. Friend or I have visited the following infant and primary schools, many of which have nursery provision:

Palmerston County Primary School, Barry, South Glamorgan

Ysgol Caergeiliog (Grant Maintained), Anglesey, Gwynedd

St. Giles Infant School, Wrexham, Clwyd

Rhostyllen Primary School Rhostyllen, Clwyd

Pen Barras County Primary School, Ruthin, Clwyd

Ysgol Pen-y-Bryn (Grant Maintained), Colwyn Bay, Clwyd

Ysgol Bro Carmel, Holywell, Clwyd

Llanellen Primary School, Abergavenny, Gwent

Llanfihangel Rhydithon Primary School, Llandrindod Wells, Powys

Bryn Coch County Primary School, Mold, Clwyd

Ysgol Dewi Sant, Llanelli, Dyfed.

Ysgol Llys, Prestatyn, Clwyd.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Wales what was the average cost of answering an *(a)* oral and *(b)* written parliamentary question from (i) Opposition and (ii) Conservative hon. Members in each Session since 1989–90. [21787]

Mr. Hague: This Department does not collect the information in the form requested.

Welsh Office Staff

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 18 March, *Official Report*, columns *92–93*, how many people were employed at the time of transfer in each of the services transferred out of his Department into other agencies. [22136]

Mr. Hague: The numbers of Welsh Office staff working for next steps agencies, for which the Welsh Office has some responsibility, were, at the time the agencies were set up as follows:

Cadw: 216

Planning Inspectorate: 20

ADAS: 45.

Additionally, 41.5 staff transferred to the Benefits Agency.

National Health Service

Dr. Wright: To ask the Secretary of State for Wales which of the national health service bodies sponsored by his Department have a statutory base; and if he will list those bodies which *(a)* admit members of the public to all board or committee meetings and *(b)* hold open meetings for the public (i) under a statutory requirement and (ii) voluntarily. [21827]

Mr. Richards: All national health service bodies, as defined by the Cabinet Office, have a statutory basis. Health authorities and special health authorities are statutorily required to admit members of the public to their meetings. NHS trusts are statutorily required to hold an annual public meeting and many voluntarily admit the public to board meetings.

Dr. Wright: To ask the Secretary of State for Wales which of the national health service bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* minutes of meetings, *(d)* agendas of meetings and *(e)* a register of members' interests (i) under a statutory requirement and (ii) voluntarily. [21836]

Mr. Richards: There is a statutory obligation on national health service trusts to publish an annual report, all other NHS bodies are required to do so by the code of conduct and accountability. There is a statutory obligation on all NHS bodies to publish annual accounts but no obligation on them to publish minutes of their meetings, although many do. Health authorities and special health authorities are statutorily required to publish the agendas of their meetings. All NHS bodies are required by the code of conduct and accountability to maintain a register of members' interests.

Pembrokeshire Islands Conservation Area

Mr. Ainger: To ask the Secretary of State for Wales (1) when the consultation period ended on the proposed special area of conservation for the Pembrokeshire islands; and which individuals and organisations registered objections; [22018]

(2) if he will place in the Library a copy of the objections to the proposed Pembrokeshire islands special area of conservation including any maps of the area concerned. [22016]

Mr. Gwilym Jones: The consultation period on the proposed Pembrokeshire islands special area of conservation ended on 22 June 1995.

It is not proposed to place copies of responses in the Library of the House. Copies of objections received following the national consultation exercise are kept in the Welsh Office library, and can be viewed on request. Responses to the local consultation were treated as in confidence by the Countryside Council for Wales.

Mr. Ainger: To ask the Secretary of State for Wales if he will place in the Library a map of the proposed special area of conservation known as the Pembrokeshire islands as recommended by the Countryside Council for Wales. [22020]

Mr. Jones: As I said in my letter of 29 March 1995 to the hon. Member, maps of all potential special areas of conservation on which we consulted last year have been placed in the Library of the House.

Mr. Ainger: To ask the Secretary of State for Wales (1) what is the procedure for approving special areas of conservation under the EU habitats directive; and what are the deadlines relating to the Pembrokeshire islands special area of conservation; [22019]

(2) when he plans to forward to the European Commission his final recommendation on the special area of conservation for the Pembrokeshire islands; [22021]

(3) what is the current position of the Pembrokeshire islands proposed special areas of conservation under the EU habitats directive; and if he will make a statement. [22017]

Mr. Gwilym Jones: I refer the hon. Member to the answer given by my right hon. Friend, the Secretary of State for the Environment to my hon. Friend the Member for Hexham (Mr. Atkinson) on 9 January, *Official Report*, columns *6–8*, in which he stated that further sites would be forwarded to the Commission when the remaining points raised during consultation have been fully considered. Discussions are continuing regarding Pembrokeshire islands; it is hoped that a further meeting of interested parties to be held shortly will enable an announcement to be made shortly.

Powys Healthcare NHS Trust

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with the chairman of the Powys Healthcare NHS trust concerning the cash management and year-end flexibility arrangements required by trusts reaching the financial year end without settling the 1995–96 wage claim; and if he will make a statement. [22072]

Mr. Hague: None.

Mr. Morgan: To ask the Secretary of State for Wales what assessment he has made of the consequences on the administration of health care in Powys of the industrial dispute between Powys Healthcare NHS trust and its trade unions and professional associations. [22112]

Mr. Hague: There have been lengthy negotiations over pay but no industrial action has taken place. The performance of all NHS trusts is monitored against a range of measures, including patient charter standards, and the results for 1995–96 will be published in the summer.

Mr. Morgan: To ask the Secretary of State for Wales when he expects to appoint the new chairman of the Powys Healthcare NHS trust. [22118]

Mr. Hague: I expect to make an announcement shortly.

Mr. Morgan: To ask the Secretary of State for wales what consultations he has had and what representations he has received in relation to the Powys Healthcare NHS trust, corporate public relations contract with Golley Slater; and what is the latest estimate outturn for the value of that contract for the year 1995–96. [22076]

Mr. Hague: None. This is a matter for the NHS trust to manage.

Mr. Morgan: To ask the Secretary of State for Wales what instructions he will give the incoming chairman of the Powys Healthcare NHS trust concerning *(a)* the payment of across the board annual wage increases and *(b)* the retention of Whitley Council arrangements; and if he will make a statement. [22119]

Mr. Hague: None. This is a matter for the NHS trust which has the power to use local pay bargaining to achieve greater flexibility and efficiency in delivering health services.

General Practitioners

Mr. Morgan: To ask the Secretary of State for Wales if he will give the numbers of trainee general practitioners on the first year of the general practice vocational training scheme. [22110]

Mr. Hague: The number of trainee GPs on their first year of general practice vocational training schemes as at 31 January 1996 was 64.

Mr. Morgan: To ask the Secretary of State for Wales on what date the Merthyr and Neath general practitioner trainee schemes terminated. [22109]

Mr. Hague: The Merthyr Tydfil vocational training scheme was terminated on 30 September 1993. The Neath vocational training scheme terminated on 30 September 1994.

Performing Arts

Mr. Morgan: To ask the Secretary of State for Wales what assessment he has made of the locus of *(a)* the Cardiff Bay development corporation, *(b)* the Welsh Arts Council, *(c)* the Institute of Welsh Affairs and *(d)* local authorities in taking the lead in providing a new home for the Welsh National Opera company (i) within and (ii) without a new lyric theatre for Wales; and if he will make a statement. [22114]

Mr. Hague: I am aware that a meeting was held on 8 March among a number of public and private bodies to discuss the possibility of a centre for the performing arts in Cardiff. I have made no assessment of their locus in this matter; the funding of any such centre would be an issue for the funding bodies.

Mr. Morgan: To ask the Secretary of State for Wales what representations he has had from the chairman of the Cardiff Bay development corporation concerning its 1996–97 budget; and what resource will be allocated within it for the funding of a trust or other body to develop the proposed new lyric theatre or centre for the performing arts in Cardiff bay. [22111]

Mr. Hague: None. Financial support to a trust or other body for the development of a new theatre or centre for performing arts in Cardiff bay is, within delegated limits, an operational matter for the Cardiff Bay development corporation. I have asked the chief executive to reply and will place a copy of his response in the Library of the House.

Cardiff Bay Barrage

Mr. Morgan: To ask the Secretary of State for Wales what recent consultations he has had with the chairman of the Wales region of the National Rivers Authority concerning the safety of water sports in the impounded lake behind the Cardiff bay barrage. [22120]

Mr. Hague: None.

Mr. Morgan: To ask the Secretary of State for Wales what assessment he has made of the current forecast gross out-turn cost of constructing the Cardiff bay barrage to its original specification relative to the gross cost cap he gave to the Cardiff Bay development corporation. [22116]

Mr. Hague: The estimated final cost of the barrage project announced to Parliament in April 1995 was £191 million. I have asked the Cardiff Bay development corporation to contain expenditure within that figure. The expenditure forecasts are monitored by the Welsh Office on a monthly basis.

The detailed assessments of the final cost of the barrage project, including the barrage construction contract, and changes to the original specifications are operational matters for the corporation. I have asked the chief executive to reply to the hon. Member on those aspects and will place a copy of his response in the Library of the House.

Mr. Morgan: To ask the Secretary of State for Wales what assessment he has made of the capital cost savings in *(a)* 1996–97 and *(b)* 1997–98 in the budgets of the Cardiff Bay development corporation of the omission or postponement of the (i) third boat lock, (ii) sea-angling pier, (iii) environmental island and (iv) dredging to provide 2.5 m lake water depth; and if he will make a statement. [22115]

Mr. Hague: These are operational matters for the Cardiff Bay development corporation. I have asked the chief executive to reply and will place a copy of his response in the Library of the House.

Mr. Morgan: To ask the Secretary of State for Wales what representations he has received from the Royal Yachting Association concerning the siltation of the current mooring areas of the Cardiff Yacht Club and its relationship to the construction of the Cardiff bay barrage. [22113]

Mr. Hague: None.

South-East Wales Ambulance Trust

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 18 March, what proposals he has received from the Powys sub-section of the South and East Wales Ambulance NHS trust to break away from the trust. [22134]

Mr. Hague: None. I would expect any proposals for trust reconfigurations to come from the boards themselves with the full support of their commissioning authorities.

IMAX Theatre Project

Mr. Morgan: To ask the Secretary of State for Wales what recent consultations he has had with the President of the court of governors of the national museum of Wales concerning the location and funding of the expansion of the Welsh industrial and maritime museum with particular reference to its IMAX theatre project. [22108]

Mr. Hague: The National Museums and Galleries of Wale's ideas for museum development in Cardiff bay were raised with my hon. Friend the Under-Secretary of State, at a meeting with the museum's council to discuss its corporate plan on 28 July 1995; it may be further discussed at a meeting between my hon. Friend and the President on the museum's operational plan for 1996–97, to be held on 27 March. No specific proposals have been submitted to the Welsh Office.

Departmental Running Costs

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 18 March 1996, *Official Report*, columns *92-93*, what part of the £22 million additional running cost figure for his Department's 1995–96 budget relative to 1979–80 are attributable to *(a)* superannuation charges, *(b)* TEC management fees and *(c)* accommodation and other miscellaneous overheads. [22137]

Mr. Hague: My Department's running cost budget for 1995–96 includes £5 million for superannuation costs; £9 million for TEC management fees; and £8 million for accommodation costs. These items were not included in the Welsh Office running cost figures for 1979–80.

East Glamorgan NHS Trust

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 18 March 1996, *Official Report*, columns *93–94*, how the issue of public dividend capital to East Glamorgan NHS trust counts against the public sector borrowing requirement. [22133]

Mr. Hague: Public dividend capital advances, which are issued by the Government as a form of long-term finance on which the trust pays dividends, score within the public sector borrowing requirement.

NHS Trusts

Mr. Morgan: To ask the Secretary of State for Wales (1) if he will list the dates on which the NHS trusts in Wales agreed annual wage increases for 1995–96; [22073]

(2) what date each NHS trust in Wales agreed the annual wage increase for 1995–96 with *(a)* nursing staff, *(b)* auxiliaries and *(c)* professionals allied to medicine. [22117]

Mr. Hague: This information is not held centrally.

Public Bodies

Dr. Wright: To ask the Secretary of State for Wales if he will list those of his Department's advisory non-departmental public bodies which *(a)* the

Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish their response to advice supplied by them. [21868]

Mr. Hague: There are no such bodies.

Emergency Medical Admissions

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answers of 18 March, 1996, *Official Report*, columns *91–92*, if the NH3 emergency admissions action plan recommendation that he discuss levels of community care with unitary authorities has been *(a)* rejected and *(b)* communicated as such to trusts and health authorities. [22135]

Mr. Hague: In the normal course of business, the Welsh Office will continue to discuss both the resourcing and implementation of community care with local authorities. Decision on the use of their resources are, however, the matter for individual local authorities.

It is for individual health authorities to agree with local authorities on how to manage their shared responsibilities for continuing care in the light of local needs and circumstances and Welsh Office guidance. This policy is well known to the NHS and local government, and will be confirmed when the Welsh Office responds formally to the final report of the NHS working group on emergency admissions.

Written Answers to Questions

Friday 22 March 1996

DEFENCE

Personnel

Sir David Steel: To ask the Secretary of State for Defence what plans he has to issue rules regulating the secondment and recruitment of personnel from industry to his Department, and their responsibilities, salary and employment allowances. [21297]

Mr. Arbuthnot: The rules regulating the secondment of personnel from industry to this department are contained in the civil service management code and the booklet, "Guidance for Departmental and Agency Personnel Officers when arranging secondments". The latter was issued in September 1993 by the Cabinet Office, Office of Public Service and Science, and I have arranged for a copy to be placed in the Library of the House.

The responsibilities of such personnel while on secondment and their actual secondment terms are a matter for negotiation between MOD, the parent company and the individual. However, salaries have to be kept within the maximum for the grade or management tier to which the secondee has been appointed. Guidance on salaries paid to secondees has been issued in the civil service management code.

Departmental rules concerning the appointment and payment of secondees will be published later this year.

Recruitment to the civil service is governed by the Civil Service Order in Council 1995. Selection must be based on fair and open competition. Recruitment may be to a grade or to a specific post, but the responsibilities and required skills will be clearly stated as part of the advertising and selection process. MOD's recruitment manual is being revised and will be reissued this year.

The rules regulating the salary—and allowances, if any—paid to a new recruit are set out in the civil service management code and my Department's pay manual.

US Bases

Mr. Madden: To ask the Secretary of State for Defence what proposals he has to improve the accountability to Parliament of United States *(a)* military and *(b)* National Security Agency bases in the United Kingdom. [22416]

Mr. Soames: There are no proposals to change the existing arrangements which are perfectly satisfactory.

Defence Orders

Dr. David Clark: To ask the Secretary of State for Defence what were the total order values announced for defence equipment placed by his Department with *(a)* American and *(b)* British-based firms in (i) 1994–95 and (ii) 1995–96. [21885]

Mr. Arbuthnot *[holding answer 21 March 1996]:* The total value of contracts placed with *(a)* American and *(b)* British-based firms in 1994–95 and 1995–96 is as follows:

	£ million
Financial year 1994–95	
American	1,261
British	6,163
Financial year 1995–96, to date	
American	387
British	5,847

The values are the total of the prices agreed for the contracts placed. The value and location of sub-contract work has not been taken into account. However, as the Statement of Defence Estimates 1995, chapter 5, figure 13 indicates, some 91 per cent. of our equipment expenditure goes to UK industry.

Bosnia (Telephone Communications)

Mr. Home Robertson: To ask the Secretary of State for Defence if he will make a statement on the availability of telephone communications to the United Kingdom and Germany for British service personnel in Bosnia giving *(a)* a list of the locations where telephones are available, *(b)* the number of calls that can be made by each service man and *(c)* the price charged for such calls. [22245]

Mr. Soames: Telephones are available for calls to the UK and Germany at the following locations:

(a) Tomislavgrad
(b) Bugojno
(c) Lipa
(d) Gornji Vakuf
(e) Vitez
(f) Sipovo
(g) Mrkonjic Grad
(h) Kupres
(i) Jajce
(j) Jezero
(k) Sanski Most
(l) Glamoc
(m) Banja Luka
(n) Sarajevo
(o) Kiseljak
(p) Split

Service personnel are not limited in the number of calls that they may make.

Where personnel are charged for telephone calls, the per minute prices vary from 75p to £1.20, depending on the system. A monthly welfare telephone allowance is payable towards the costs.

Joint Rapid Deployment Force

Sir Michael Grylls: To ask the Secretary of State for Defence if he will make a statement on the purpose of the joint rapid deployment force. [22427]

Mr. Soames: The aim of JRDF is to strengthen the United Kingdom capability to project effective military forces quickly worldwide in support of our interests. It will be a joint force of up to reinforced brigade size, with supporting air and maritime components, capable of

fulfilling a wide range of combat or non-combat missions, whether mounted nationally or as part of the UK's contribution to operations mounted by NATO, the Western European Union or the United Nations.

Common New Generation Frigate

Mr. David Martin: To ask the Secretary of State for Defence if he will make a statement on progress towards signature of the common new generation frigate Horizon/principal anti-air missile system memoranda of understanding. [22987]

Mr. Arbuthnot: In July 1994, with his French and Italian colleagues, my right hon. Friend the Secretary of State for Defence signed the project Horizon memorandum of understanding concerning a programme for the joint definition, design, development, production and in-service support of a common new generation frigate, which will replace the type 42 destroyers early in the next century. This programme is made up of two projects—the principal anti-air missile system and project Horizon, which embraces the ship itself and all other weapon, command and communications systems. Each of these will be managed under the terms of separate programme MOUs and a series of supplements giving phased authority and release of funding for each phase of the project.

I am pleased to announce that my right hon. Friend the Secretary of State for Defence and his French and Italian colleagues have signed memoranda of understanding for the PAAMs programme and for the arrangements for PAAMS full-scale engineering development and initial production phase, together with the supplement to the Horizon programme MOU for the design definition phase for the ship and its other systems. The signature of these three MOUs is a major step forward and reaffirms the Government's commitment to this important co-operative project.

NORTHERN IRELAND

Non-EEC Seafarers

Mr. Clifford Forsythe: To ask the Secretary of State for Northern Ireland what immigration rules concerning work permits apply to non-EEC seafarers sailing between two United Kingdom ports. [21749]

Mr. Kirkhope: I have been asked to reply.

Paragraph 128 of the Statement of Changes in Immigration Rules (HC 395) applies in the circumstances described.

Public Bodies

Dr. Wright: To ask the Secretary of State for Northern Ireland which of the national health service bodies sponsored by his Department have a statutory base; and if he will list those bodies which *(a)* admit members of the public to all board or committee meetings and *(b)* hold open meetings for the public (i) under a statutory requirement and (ii) voluntarily. [21830]

Mr. Moss *[holding answer 21 March 1996]:* The information is as follows:

	Statutory base	*Admit public to board/committee meetings*	*Open meetings for the public*
Health and social services boards	Yes	No	[1]Yes
Health and social services councils	Yes	No	No
Health and social services trusts	Yes	No	[2]Yes
Northern Ireland Blood Transfusion Agency	Yes	No	No
Northern Ireland Central Services Agency	Yes	No	No
Northern Ireland Promotion Agency	Yes	[2]Yes	No
Northern Ireland Regional Medical Physics Agency	Yes	No	No

[1] On a voluntary basis.
[2] A statutory requirement.

Dr. Wright: To ask the Secretary of State for Northern Ireland if he will list the national health service bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [21832]

Mr. Moss *[holding answer 21 March 1996]:* The information is as follows:

	Investigation by Parliamentary Commissioner	*Scrutiny by the Audit Commission*	*Scrutiny by the National Audit Office*	*Statutory provisions for open government*	*Performance indicators*	*Provisions under the citizens charter*
Health and social services boards	Yes	[1]—	[1]No	Yes	Yes	Yes
Health and Social services councils	Yes	[1]—	[1][2]No	Yes	Yes	Yes
Health and social services trusts	Yes	[1]—	[1]No	Yes	Yes	Yes
Northern Ireland Blood Transfusion Agency	Yes	[1]—	[1]No	Yes	Yes	No
Northern Ireland Central Services Agency	Yes	[1]—	[1]No	Yes	Yes	No
Northern Ireland Health Promotion Agency	Yes	[1]—	[1]No	Yes	Yes	Yes
Northern Ireland Regional Medical Physics Agency	Yes	[1]—	[1]No	Yes	Yes	No

[1] These bodies are scrutinised by the Northern Ireland Audit Office.
[2] Health and social services councils expenditure is identified in health and social services boards accounts.
[3] Not relevant in Northern Ireland.

Dr. Wright: To ask the Secretary of State for Northern Ireland which of the national health service bodies sponsored by his Department publish *(a)* annual reports, *(b)* annual accounts, *(c)* minutes of meetings, *(d)* agendas of meetings and *(e)* a register of members' interests (i) under a statutory requirement and (ii) voluntarily. [21837]

Mr. Moss *[holding answer 21 March 1996]:* The information is as follows:

	Publish annual reports	*Publish annual accounts*	*Publish the minutes of meetings*	*Publish the agendas of meetings*	*Publish register of members' interests*
Health and social services boards	No	[1]Yes	[1]Yes	[1]Yes	[2]Yes
Health and social services councils	[1]Yes	[2]Yes	[1]Yes	[1]Yes	No
Health and social services trusts	[1]Yes	[1]Yes	No	No	[2]Yes
Northern Ireland Blood Transfusion Agency	[1]Yes	[1]Yes	No	No	[2]Yes
Northern Ireland Health Promotion Agency	[1]Yes	[1]Yes	[1]Yes	[1]Yes	No
Northern Ireland Regional Medical Physics Agency	[1]Yes	[1]Yes	No	No	[2]Yes
Northern Ireland Central Services Agency	[1]Yes	[1]Yes	No	No	[2]Yes

[1] A statutory requirement.
[2] On a voluntary basis.

ENVIRONMENT

Domestic Waste Recycling

Mr. Sheerman: To ask the Secretary of State for the Environment what discussions he has had with local authorities and private waste contractors on the expansion of the blue bag scheme for the increased use of recycling domestic waste. [21739]

Mr. Clappison: Provision of local recycling facilities, including the choice between the many different practical approaches which are available, is a matter for local authorities and the private and voluntary sectors, in the light of local circumstances. My Department has regular contact with the local authority associations, individual local authorities and the waste management industry on matters related to recycling household waste, including practical approaches.

Filton Commercial Airport

Mr. Stern: To ask the Secretary of State for the Environment if he is able to announce the result of the planning industry into the application for Filton commercial airport. [22950]

Mr. Gummer: My right hon. Friend the Secretary of State for Transport and I have considered the report of the planning inspector, Mrs. Jean Brushfield, and have accepted her recommendation to dismiss the appeal.

Nitrate Vulnerable Zones

Mr. Congdon: To ask the Secretary of State for the Environment what progress has been made on finalising the nitrate-vulnerable zone designations in England and Wales following the recommendations in the report by the independent review panel published in October last year. [22982]

Mr. Clappison: Environment and Agriculture Ministers have considered the report of the independent review panel. In the light of the panel's recommendations and following consultation with the National Rivers Authority, we have finalised the boundaries of the nitrate-vulnerable zones in England and Wales. Today we have placed in the Library of the House a set of maps showing the 68 zones we have identified, and we have laid before the House the regulations which transpose the formal requirements of the EC nitrates directive into domestic law and designate the zones.

We have also issued the decision document setting out the Government's final decisions on the zone designations following the panel's report. It presents our considered response to the panel's specific recommendations for boundary changes or for the further review of a small number of zones, and to their findings on issues of principle. In most cases we have accepted or acted on the panel's recommendations. The decision document is being sent to each farmer in the designated zones, and to other consultees who made submissions to the panel. I am placing a copy of the document in the House Library.

The measure that farmers will be required to take in the designated zones have been the subject of a recent consultation. Regulations will be drafted taking account of the responses received, and following further consultation these regulations will be laid before the House, and implemented in the zones by the end of 1999.

My right hon. Friend the Minister of Agriculture will shortly be making an announcement on the re-introduction, in the designated zones, of grants for waste handling facilities.

The maps of the 68 designated zones will be available for inspection at MAFF regional services centres and Welsh Office agriculture departmental divisional offices.

Social Housing (Rural Areas)

Mr. Jim Cunningham: To ask the Secretary of State for the Environment how many socially rented houses have been built in rural areas in each year since 1989. [20979]

Mr. Clappison: Between 1989–90 and the end of December 1995, more than 11,000 new social homes for rent and shared ownership were approved in rural

settlements with a population of 3,000 or less through the Housing Corporation's rural programme. Figures for the number of completions arising from these scheme approvals are as follows:

Year	Rent	Shared ownership	Total
1990–91	137	14	151
1991–92	518	4	522
1992–93	1,601	109	1,710
Housing market package	201		201
1993–94	2,129	227	2,356
1994–95	1,503	391	1,894
1995–96, to the end of December 1995	1,270	240	1,510

The completions figures for 1993–94 and earlier years are higher than those previously quoted following improvements in data collection procedures.

In addition, local authorities also provide finance for new social housing in rural and non-rural areas.

HOME DEPARTMENT

Alan and Michael Guy

Mr. Mullin: To ask the Secretary of State for the Home Department, pursuant to his written answer of 15 January, *Official Report*, column *374*, regarding Alan and Michael Guy, when the hon. Member may expect to receive a substantive reply to his letter of 7 August 1995 and subsequent letter of 24 November. [22131]

Mr. Kirkhope: We have nearly completed our consideration of these alleged wrongful convictions, but one point is still being checked with the police. I will send the hon. Member a substantive reply as soon as possible.

CS Gas

Mr. Tony Banks: To ask the Secretary of State for the Home Department (1) what information he has evaluated in respect of the rejection in other countries of the CS spray type currently under trial in the United Kingdom; [21991]

(2) which police forces declined to be included in the current trial period for CS sprays; [21993]

(3) What type of CS spray is currently under test by police forces in Britain; what is its country of origin; and what is the projected length of the trial period. [21992]

Mr. Maclean *[holding answers 21 March 1996]:* So far as my right hon. and learned Friend is aware, no other country has, in considering police use of incapacitant sprays, rejected the CS equipment currently being trialled by police forces in England and Wales. The forces participating in the trials volunteered to do so as a result of a general invitation by the Association of Chief Police Officers. The type of spray being trialled is a five per cent. CS solution dispensed in a stream from a small hand-held aerosol. It is manufactured in France. The trials will last for six months.

Firearms Control

Ms Armstrong: To ask the Secretary of State for the Home Department what are the criteria for membership of the Firearms consultative committee; and how many members of the Firearms consultative committee are *(a)* holders of firearms certificates, *(b)* members of a gun club and *(c)* holders of shotgun licences. [21881]

Mr. Maclean *[holding answer 21 March 1996]:* The criteria for membership of the Firearms Consultative Committee is set out in section 22(1) of the Firearms (Amendment) Act 1988. Seven members of the Firearms Consultative Committee are firearms certificate holders, seven are members of a gun club and eight are holders of shotgun certificates.

Mr. Tony Banks: To ask the Secretary of State for the Home Department what plans he has to strengthen current gun legislation. [21990]

Mr. Maclean *[holding answer 21 March 1996]:* A Government review of the existing firearms controls has begun. This will provide evidence to the inquiry to be conducted by Lord Cullen into the tragic events in Dunblane and will enable early decisions to be taken on any recommendations for changes in the controls which might be made by the inquiry.

South Wales Police Authority

Mr. John Morris: To ask the Secretary of State for the Home Department what increase is proposed in the establishment of the South Wales police authority following the announcement made by him in autumn 1995. [21700]

Mr. Maclean: It is for the chief constable and police authority to determine the number of police officers in the force. The South Wales police authority's spending power for 1996–97 effectively increases by £7.7 million or 5.3 per cent. This includes £450,000 as its share of the additional funding to allow 5,000 extra officers to be recruited in the next three years. This would be sufficient to recruit 24 constables in 1996–97. Over the three years, South Wales' share of the 5,000 could total 118 constables.

Arrests (Durham)

Mr. Steinberg: To ask the Secretary of State for the Home Department how many arrests were made by Durham constabulary in the latest year for which figures are available; and *(a)* how many of these arrests resulted in criminal prosecutions, *(b)* how many of those arrested received police cautions and *(c)* how many resulted in no further action being taken. [21236]

Mr. Maclean: The information requested is published in the annual report of the Durham constabulary for 1994–95, a copy of which is available in the Library.

Criminal Injuries Compensation

Ms Jowell: To ask the Secretary of State for the Home Department what was the total number of criminal injury compensation claims made by people who have suffered injury from violence in the home in each year since 1990; how many were successful; and what was the average award. [22404]

Mr. Maclean: The Criminal Injuries Compensation Board advises that these data are not recorded separately and could be provided only at disproportionate cost.

EU Data Protection Directive

Mr. Ian Bruce: To ask the Secretary of State for the Home Department when his consultation paper on the implementation of the European Union data protection directive will be published. [22926]

Mr. Sackville: The consultation paper is published today. It describes the content of the directive and invites views on the way in which the directive should be implemented in the United Kingdom. There is a four-month period for responses. I am placing a copy of the paper in the Library.

NATIONAL HERITAGE

Competitive Tendering (Contracts)

Mr. Donohoe: To ask the Secretary of State for National Heritage how many contracts for goods or services have been awarded in each of the last three financial years by her Department and its executive agencies after competitive tendering; and what was the total combined value of these contracts. [21039]

Mr. Sproat: The total number and value of competitive contacts awarded by my Department and its executive agencies for the years in question is shown in the table:

	1993–94	*1994–95*	*1995–96, to date*
Total number of contracts subject to competitive tender	164	323	400
Total value of contracts subject to competitive tender (£000s)	12,952	24,903	29,953

Research Establishments

Mrs. Anne Campbell: To ask the Secretary of State for National Heritage which former public sector research establishments in her Department have been privatised since 1979; and which public sector research establishments in her Department are currently undergoing reviews with a view to placing them in the private sector. [21944]

Mr. Sproat: None.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Secretary of State for National Heritage what measures her Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if she will make a statement. [21466]

Mr. Sproat: My Department and its agencies have no formal policy regarding the wage rates of our contractors and suppliers.

We are concerned about health and safety regulations. All contracts which involve contractors' staff working on our premises have a clause requiring the contractor to comply with health and safety legislation and contractors' performance in this area is regularly monitored.

Outstanding Payments

Mr. Betts: To ask the Secretary of State for National Heritage what values of payments were outstanding within her Department on 5 March, which were beyond the date on the invoice and, where no date was specified, older than 28 days. [20482]

Mr. Sproat *[holding answer 12 March 1996]:* While the information requested is not available and could be provided only at disproportionate cost, my Department is committed to the payment of invoices within agreed contractual provisions or within 30 days of the presentation of a valid invoice or delivery, if later. On the basis of a sample of invoices received by the Department of National Heritage during the current financial year, 91.2 per cent. were paid on time.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for National Heritage what was the average cost of answering an *(a)* oral and *(b)* written parliamentary question from (i) Opposition and (ii) Conservative hon. Members in each session since 1992–93. [22140]

Mr. Sproat: This Department does not collect the information in the form requested.

National Lottery

Mr. John Greenway: To ask the Secretary of State for National Heritage what is the total amount of grants from national lottery distributing bodies which has been provided to organisations within North Yorkshire; and what percentage this is of the total grants distributed nationally. [21973]

Mr. Sproat: To date, awards totalling over £15 million have been made to 83 projects in North Yorkshire. These awards account for 1.14 per cent. of all proceeds distributed to date.

Listed Buildings (Sprinkler Systems)

Mr. Gordon Prentice: To ask the Secretary of State for National Heritage how many grade 1 listed buildings in public ownership and open to the public do not have sprinkler systems installed. [21478]

Mr. Sproat: None of the grade I listed buildings directly managed by my Department and open to the public have sprinkler systems installed. I am not aware of any other grade I listed buildings normally open to the public under the management of other Government Departments that have such systems. Sir Alan Bailey's report, "Fire, Protection Measures for the Royal Palaces", recommended that the extra risk reduction that would be achieved by such systems would not justify the additional damage to the heritage fabric resulting from installation.

SCOTLAND

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Scotland how many questions were tabled to his Department in each Session since 1987–88; how many were not answered on the ground of disproportionate cost; what percentage of the total number of questions this represented; how many were not answered on the ground that the information was not centrally available; and what percentage of the total number of questions this represented. [21140]

Lord James Douglas-Hamilton: The number of questions tabled is as follows:

	Written	*Oral*
1987–88	4,305	495
1988–89	2,958	437
1989–90	2,713	349
1990–91	2,422	331
1991–92	857	155
1992–93	3,251	507
1993–94	2,834	347
1994–95	2,746	365
1995–96	[1]973	[1]186

[1] Figures for 1995-96 Session as at 20 March 1996.

The number of questions not answered on grounds of disproportionate cost or the information not being held centrally could itself be obtained only at disproportionate cost.

Housing Finance

Mr. McAvoy: To ask the Secretary of State for Scotland what are the rules governing the calculation of council house capital debt when a council house stock is being disaggregated between two new unitary authorities. [21219]

Mr. Raymond S. Robertson: Housing debt in disaggregating areas is treated under the general rules governing debt transfer on local government reorganisation. We would expect housing debt generally to transfer under the Local Government (Transitional Financial Provisions) (Scotland) Order 1996.

That order gives authorities the freedom to reach local agreement wherever possible about the most appropriate treatment of the debts of disaggregating authorities and established lead authority arrangements where no alternative agreement is reached. In addition, I understand that the Convention of Scottish Local Authorities has produced guidelines for authorities on how housing-related debt should be allocated between successors.

Local Government Reorganisation

Mr. McAvoy: To ask the Secretary of State for Scotland how many disputes have been referred to the Property Commission during recent local government reorganisation. [21220]

Mr. Kynoch: None. Councils have until 31 March to register any disputes.

Cairngorm Funicular Railway

Mr. Galbraith: To ask the Secretary of State for Scotland, pursuant to his answer of 14 March 1996, *Official Report*, column *730*, what financial assistance for Highlands and Islands Enterprise in respect of the establishment of a new visitor uplift facility will be paid to *(a)* Cairngorm Chairlift Company and *(b)* Cairngorm Railway Company; and if any moneys given to the chairlift company can subsequently be transferred to the railway company. [21656]

Mr. Kynoch: The availability of financial assistance from Highlands and Islands Enterprise for the establishment of a new visitor uplift facility at Cairngorm has yet to be determined. I understand that the application for such financial assistance has ben made by the Cairngorm Chairlift Company Ltd; and it would be customary for any assistance awarded to be payable to the applicant. Any such assistance would be required to be used for the purposes specified in the application.

Incapable Adults Report

Mr. Worthington: To ask the Secretary of State for Scotland when and how he expects to respond to the Scottish Law Commission report on incapable adults with special reference to recommendation 60 about electro-convulsive therapy. [20592]

Lord James Douglas-Hamilton: The Scottish Law Commission report on incapable adults is currently receiving careful consideration and no conclusions have yet been reached on individual recommendations. I cannot yet say when we will be in a position to respond.

Further Education

Mr. Worthington: To ask the Secretary of State for Scotland since incorporation, what reports he has published on the general financing of the further education sector. [20593]

Mr. Raymond S. Robertson: My right hon. Friend has published two annual reports for 1993 and 1994 on his duty to secure adequate and efficient provision of further education in Scotland. A report for 1995 will be published shortly.

Mr. Worthington: To ask the Secretary of State for Scotland what were the salaries of further education principals at incorporation; and what they are now in constant price terms. [20594]

Mr. Robertson: Information on further education college principals' salaries at incorporation is not held centrally. The latest information on salaries is set out in my reply to the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) of 30 October 1995, *Official Report*, column *116*.

Scientists and Engineers

Mr. Ingram: To ask the Secretary of State for Scotland how many professional scientists and engineers of each category were employed at each grade in the headquarters

division of the Scottish Office in each year from 1991 to the current year. [19795]

Mr. Michael Forsyth *[holding answer 11 March 1996]:* The numbers of professional scientists and engineers in post in the Scottish Office including its executive agencies other than the Scottish Prison Service are shown in the tables.

Professional engineering staff in the Scottish Office and its Executive Agencies other than SPS

Substantive grade	*1–4–91*	*1–4–92*	*1–4–93*	*1–4–94*	*1–4–95*	*1–3–96*
Chief engineer/deputy chief engineer	2	2	2	2	2	1
Chief road engineer/deputy chief road engineer	3	3	3	2	2	2
Assistant chief civil engineer	3	3	3	3	3	3
Assistant chief road engineer	3	3	4	4	4	5
Director of telecommunications	1	1	1	1	1	1
Mechanical and electrical engineer	4	4	3	3	3	3
Civil engineer	11	11	12	12	9	8
Road engineer	11	12	12	13	13	13
Principal engineer of telecommunications	1	1	1	2	2	2
Senior professional and technology officer	67	66	64	55	51	48
Higher professional and technology officer	22	22	22	18	18	18
Professional and technology officer	50	51	50	48	46	40
Telecommunications technical engineer	6	6	4	4	3	3
Telecommunications engineering technician	13	13	8	8	8	8
Engineering superintendent	1	1	1	1	1	1
Chief engineer (marine)	4	4	2	8	8	8
Second engineer (marine)	6	4	4	8	8	8
Third engineer (marine)	24	17	13	6	5	5
Total	232	224	209	198	187	177

Professional scientific staff in the Scottish Office and its Executive Agencies other than SPS

Substantive grade	*1 April 1991*	*1 April 1992*	*1 April 1993*	*1 April 1994*	*1 April 1995*	*1 March 1996*
Chief scientist	1					
Chief scientific officer B	1	1	1	1	1	1
Deputy chief scientific officer	3	3	3	3	2	2
Senior principal scientific officer	11	11	12	13	13	12
Principal scientific officer	42	42	42	44	39	41
Senior scientific officer	58	53	51	48	41	37
Higher Scientific officer	60	64	71	69	68	65
Scientific officer	58	53	57	55	57	57
Assistant scientific officer	41	51	59	58	53	52
Total	275	278	296	291	274	267

SOCIAL SECURITY

Family Credit

Mr. Ian McCartney: To ask the Secretary of State for Social Security if he will list, by region, for each of the past five years the total amount paid out in family credit, the number of family credit recipients, the average number of child dependants of each recipient, and the average weekly amount paid out to each recipient. [16622]

Mr. Roger Evans: The information is set out in the tables.

1990–91

	Number of cases	*Total number of children*	*Average number of children per family*	*Average weekly Family Credit award (£)*	*Estimated annual expenditure (£ million)*
Midlands	60,000	131,000	2	29.88	90
North Eastern	59,000	128,000	2	30.33	90
London North	37,000	86,000	2	30.96	55
Wales and South Western	47,000	96,000	2	29.66	72
North Western	56,000	118,000	2	31.61	88
Scotland	39,000	75,000	2	29.16	58

1990–91

	Number of cases	*Total number of children*	*Average number of children per family*	*Average weekly Family Credit award (£)*	*Estimated annual expenditure (£ million)*
London South	29,000	63,000	2	28.15	42
Great Britain	328,000	697,000	2	30.11	495

Notes:
1. Figures for the number of cases and the number of children have been rounded to the nearest thousand.
2. Totals for Great Britain may not sum due to roundings.
3. Annual expenditure figures have been estimated by using the average monthly caseload and average weekly payments of family credit and, therefore, they are at variance with the outturn figures published in the departmental report. All other figures relate to March each year.
4. Regions used are DSS administrative regions.

Source:
Family credit 5 per cent. sample of awards.

1991–92

	Number of cases	*Total number of children*	*Average number of children per family*	*Average weekly Family Credit award (£)*	*Estimated annual expenditure (£ million)*
Midlands	67,000	146,000	2	34.29	114
North Eastern	65,000	135,000	2	35.16	112
London North	39,000	88,000	2	35.42	69
Wales and South Western	51,000	105,000	2	34.07	87
North Western	59,000	124,000	2	36.17	107
Scotland	42,000	81,000	2	34.19	72
London South	33,000	71,000	2	32.59	52
Great Britain	356,000	750,000	2	34.68	612

Notes:
1. Figures for the number of cases and the number of children have been rounded to the nearest thousand.
2. Totals for Great Britain may not sum due to roundings.
3. Annual expenditure figures have been estimated by using the average monthly caseload and average weekly payments of family credit and, therefore, they are at variance with the outturn figures published in the departmental report. All other figures relate to March each year.
4. Regions used are DSS administrative regions.

Source:
Family credit 5 per cent. sample of awards.

1992–93

	Number of cases	*Total number of children*	*Average number of children per family*	*Average weekly Family Credit award (£)*	*Estimated annual expenditure (£ million)*
Midlands	90,000	187,000	2	41.54	169
North Eastern	87,000	178,000	2	43.43	172
London North	55,000	117,000	2	42.13	106
Wales and South Western	69,000	137,000	2	41.34	133
North Western	78,000	161,000	2	44.53	159
Scotland	57,000	107,000	2	41.89	109
London South	48,000	100,000	2	40.56	89
Great Britain	485,000	987,000	2	42.35	938

Notes:
1. Figures for the number of case and the number of children have been rounded to the nearest thousand.
2. Totals for Great Britain may not sum due to roundings.
3. Annual expenditure figures have been estimated by using the average monthly caseload and average weekly payments of family credit and, therefore, they are at variance with the outturn figures published in the departmental report. All other figures relate to March each year.
4. Regions used are DSS administrative regions.

Source:
Family credit 5 per cent. sample of awards.

1993–94

	Number of cases	*Total number of children*	*Average number of children per family*	*Average weekly Family Credit award (£)*	*Estimated annual expenditure (£ million)*
Midlands	100,000	211,000	2	45.74	221
North Eastern	97,000	193,000	2	46.66	221
London North	63,000	132,000	2	45.55	141

1993–94

	Number of cases	*Total number of children*	*Average number of children per family*	*Average weekly Family Credit award (£)*	*Estimated annual expenditure (£ million)*
Wales and South Western	73,000	147,000	2	45.35	163
North Western	87,000	178,000	2	48.57	205
Scotland	60,000	113,000	2	45.52	137
London South	55,000	114,000	2	43.24	114
Great Britain	536,000	1,088,000	2	46.01	1,202

Notes:
1. Figures for the number of cases and the number of children have been rounded to the nearest thousand.
2. Totals for Great Britain may not sum due to roundings.
3. Annual expenditure figures have been estimated by using the average monthly caseload and average weekly payments of family credit and, therefore, they are at variance with the outturn figures published in the departmental report. All other figures relate to March each year.
4. Regions used are DSS administrative regions.

Source:
Family credit 5 per cent. sample of awards.

1994–95

	Number of cases	*Total number of children*	*Average number of children per family*	*Average weekly Family Credit award (£)*	*Estimated annual expenditure (£ million)*
Midlands	112,000	231,000	2	49.23	267
North Eastern	110,000	221,000	2	50.67	270
London North	72,000	152,000	2	48.93	172
Wales and South Western	81,000	164,000	2	49.67	198
North Western	97,000	195,000	2	51.38	243
Scotland	67,000	125,000	2	48.55	161
London South	63,000	131,000	2	48.15	147
Great Britain	602,000	1,218,000	2	49.67	1,458

Notes:
1. Figures for the number of cases and the number of children have been rounded to the nearest thousand.
2. Totals for Great Britain may not sum due to roundings.
3. Annual expenditure figures have been estimated by using the average monthly caseload and average weekly payments of family credit and, therefore, they are at variance with the outturn figures published in the departmental report. All other figures relate to March each year.
4. Regions used are DSS administrative regions.

Source:
Family credit 5 per cent. sample of awards.

Mr. Mudie: To ask the Secretary of State for Social Security if he will list the number of recipients of family credit by labour sector. [22428]

Mr. Roger Evans: The information is set out in the table.

Family Credit Expenditure by Occupation of Recipient

Occupation	*Number of family credit recipients*
All occupations	626,300
General management	11,520
Professional and related supporting management and administration	18,400
Professional and related in education, welfare and health	22,420
Literary, artistic and sports occupations	3,260
Professional and related in science, engineering, technology and similar fields	11,980
Managerial (excluding general management)	6,920
Clerical and related	53,820
Selling	24,940
Security and protective service	3,320
Catering, cleaning, hairdressing and other personal service	310,440
Farming, fishing and related	9,940
Materials processing (excluding metal)	14,480
Making and repairing (excluding metal and electrical)	16,020
Processing, making, repairing and related (metal and electrical)	17,420
Painting, repetitive assembling, product inspecting, packaging and related	20,320
Construction, mining and related (not elsewhere classified)	8,480
Transport operating, materials moving and storing and related	34,900
Miscellaneous	37,100
Unclassified	620

Source:
Family Credit Quarterly Statistical Enquiry July 1995.

Pensioners

Mr. Steinberg: To ask the Secretary of State for Social Security what would be the current cost to public funds of increasing the 25p addition for pensioners over 80 years old by whichever was the highest of either

earnings or prices since its introduction; and what would be its cost if its current value were increased by *(a)* 50p, *(b)* £1 and *(c)* £1.50. [22482]

Mr. Heald: The cost to public funds of increasing the age addition by the higher of earnings or prices is estimated to be £310 million.

The other costs are as follows:

(a) £40 million.

(b) £90 million.

(c) £130 million.

Note:

All costs are in 1996–7 prices, rounded to nearest £10 million.

Source:

Government Actuary's Department.

Mr. Steinberg: To ask the Secretary of State for Social Security if he will estimate the cost of paying from public funds the full cost of all standing charges for telephones, domestic electricity and gas bills, and water charges, for (i) all pensioners, (ii) pensioners on income support, (iii) pensioners over 75 years and (iv) pensioners over 80 years. [22483]

Mr. Heald: The estimated cost to the public funds of subsidising the full cost of all standing charges for telephones, domestic electricity and gas bills per annum is:

(i) £990 million

(ii) £260 million

(iii) £440 million and

(iv) £230 million.

Information is not available on water charges.

Notes:

1. Information for (i), (iii) and (iv) is based on pensioner units. A pensioner unit is defined as a single person over state pension age or a couple where the husband, or head is over SPA. The number of pensioner units in the various age groups and the proportion of pensioner units with utilities is taken from the Family Expenditure Survey 1993.

2. The number of pensioners on income support (ii) is based on the May 1995 Quarterly Statistical Enquiry and, therefore, a pensioner on income support is defined as those over the age of 60.

3. Estimates are rounded to the nearest £10 million and are in 1995–96 prices.

Mr. Steinberg: To ask the Secretary of State for Social Security what would be the value of the Christmas bonus for *(a)* single pensioners and *(b)* pensioner couples if it has been uprated in line with the higher of either earnings or prices, since its introduction; and what would be the cost to public funds if its current value was increased by (i) £5, (ii) £10 and (iii) £15 for (1) single pensioners and (2) pensioner couples. [22480]

Mr. Heald: The £10 Christmas bonus, introduced in 1972, is paid to individuals entitled to a qualifying benefit. If it had been uprated by the higher of earnings or prices since its introduction, it would be £120.20 at December 1996. The estimated cost to public funds of increasing the bonus by *(a)* £5, *(b)* £10 and *(c)* £15 would be (i) £50 million, (ii) £100 million, and (iii) £150 million respectively.

Notes

1. Estimated cost to public funds based on increasing the bonus for recipients of retirement pensions only.

2. Figures rounded to nearest £10 million.

Source:

Government Actuary's Department.

Contributions Agency Review

Mrs. Ray Michie: To ask the Secretary of State for Social Security if he will list the locations of the feasibility study and trial periods as part of the 1995 review of the Contributions Agency; and if he will make a statement. [21572]

Mr. Heald: The administration of the Contributions Agency is a matter for Mrs. Faith Boardman, the chief executive. She will write to the hon. Member.

Letter from Faith Boardman to Mrs. Ray Mitchie, dated 21 March 1996:

As Chief Executive of the Contributions Agency, I have responsibility for answering questions about operational matters relating to the Agency.

I have been asked to reply to your question regarding the locations used for the feasibility study and trial periods as part of the 1995 review of the Contributions Agency.

The Business Unit Implementation Feasibility Study examined existing statistical data from all Field Operations locations and conducted research into specific work and organisation by statistically sampling locations across the entire Field network. Representatives from all five Sectors participated in the development of the proposed reorganisation.

The recommendations from the feasibility study were piloted in Kent and Severn Estuary Divisions from 19 June 1995, with the inclusion of Manchester Division from 24 July 1995. The locations chosen represented a mixture of rural and inner city offices. Initial evaluation of the pilots was conducted on 31 October 1995, with ongoing evaluation thereafter until 31 March 1996.

The locations involved in the pilots were:

Kent

Dartford

Chatham

Maidstone

Gravesend

Dover

Ashford

Sittingbourne

Tunbridge Wells

Ramsgate

Canterbury

Orpington

Severn Estuary

Cardiff

Bristol

Bridgend

Weston Super Mare

Manchester

Farnworth

Manchester

Rochdale

Bury

I hope you will find the information provided helpful.

TREASURY

Customs Waivers

Sir David Steel: To ask the Chancellor of the Exchequer what plans he has to discontinue the use of waivers by customs officers in accordance with the recommendations of the Scott report. [21300]

Mr. Heathcoat-Amory: All administrative waivers operated by Customs which were still in use have already been replaced by open general export licences with two exceptions. These remaining two waivers—for goods exported to the continental shelf and for goods in transit mail—are in the process of being replaced by an open general export licence and by an amendment to the open general transhipment licence, both of which will be issued by the Department of Trade and Industry.

Paymaster Agency

Mr. Hanson: To ask the Chancellor of the Exchequer when he plans to announce the results of his review into the work of the Paymaster agency. [21442]

Mr. Heathcoat-Amory: I refer the hon. Gentleman to the answer that I gave to the hon. Member for Don Valley (Mr. Redmond) 18 March 1996, *Official Report*, columns *53–55*.

Landfill Tax

Mr. Nicholas Winterton: To ask the Chancellor of the Exchequer (1) what response he has received from the Manufacturing and Construction Industries Alliance and the Housebuilders Federation in connection with his recent consultation about possible exemption from the landfill tax for contaminated land; if that response was supportive of his proposals; and if he will make a statement; [22291]

(2) if he will make a statement on Her Majesty's Government policy on the clearing and developing of contaminated sites; and what part the proposed landfill tax will play in implementation of this policy. [22292]

Mr. Heathcoat-Amory: The Government wish to encourage the development of brownfield rather than greenfield sites and has concluded that the imposition of the landfill tax on certain wastes arising from contaminated land would be contrary to this objective. I therefore announced in the debate on the Finance Bill in Standing Committee E on 8 February 1996, *Official Report*, column 209, that we would consider whether we could identify and ring-fence an exemption from landfill tax for historically contaminated land. I said that if it proved possible to develop a suitable exemption, this would be introduced at Report stage on the current Finance Bill.

Customs have consulted widely on a draft clause linking the exemption to planning approval, in order to provide an objective criterion for eligibility to the exemption. This consultation included those involved in clearing up contaminated land and other interested trade concerns, including the Manufacturing and Construction Industries Alliance and the House Builders Federation. Although the House Builders Federation welcomed the intentions behind the drafting of the clause, it and other bodies concluded that the clause would not achieve its intended aims. This is because in most cases involving the removal of contaminated land for development, no planning permission is required. The view was also expressed in other replies to the consultation and it is now clear that the proposal would not meet all those cases where exemption is appropriate.

We now propose to provide an exemption for the waste from the clearance of contaminated land where clearance of all or part of the contamination is necessary to allow the land to be used for the intended purpose when the development or work on the land is complete. The exemption will apply to waste arising from the reclamation of the land but current polluters will not be able to benefit from it. To help landfill site operators to know whether or not waste qualifies for the exemption, we envisage that there will be a system of certification by Customs.

WALES

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Secretary of State for Wales what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21458]

Mr. Hague: Terms and conditions of employment, including wages, are a matter between the contractor or supplier and his employees, subject of course to any relevant legal requirements. Compliance with health and safety regulations is a legal requirement for that contractor or supplier, and this is one of the Department's contractual requirements.

Arts Funding

Mr. Morgan: To ask the Secretary of State for Wales in what month of what year responsibility for funding the arts and the Arts Council for Wales was transferred to his Department. [22487]

Mr. Hague: Responsibility for funding the Arts Council for Wales transferred to the Welsh Office from the Department of National Heritage on 1 April 1994.

Regional Assistance

Mr. Wigley: To ask the Secretary of State for Wales (1) how many projects for the establishment of new manufacturing industry were offered financial assistance under the regional selective financial scheme *(a)* in Wales, *(b)* in Gwynedd and *(c)* in Dyfed in each of the years 1991–92, 1992–93 and 1993–94; [21451]

(2) pursuant to his answer of 5 March 1996, *Official Report*, column *207*, how many new jobs were provided or existing jobs safeguarded in 1994–95 in *(a)* Wales, *(b)* Gwynedd and *(c)* Dyfed from the new manufacturing projects offered financial assistance by his Department under the regional selective assistance scheme. [21454]

Mr. Hague: The information regarding offers of regional selective assistance for new manufacturing industry in the years 1991–92 to 1995–96 is given in the following table:

	Wales	*Gwynedd*		*Dyfed*	
	Number	*Jobs*	*Number*	*Jobs*	*Number*	*Jobs*
1991–92	57	4,422	3	27	7	278
1992–93	47	3,008	1	210	3	98
1993–94	32	3,046	—	—	1	16
1994–95	56	3,884	2	67	5	139
1995–96	46	2,631	3	44	1	11

1. 1995–96 data to March 1996.
2. Data concern only those RSA projects described as new manufacturing activities falling within classes 15 to 37 of the Standard Industrial Classification, 1992.
3. Job figures are forecasts provided by applicants at the time of the offer. Projects are generally expected to take from three to five years to reach forecast levels of employment.

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the Secretary of State for Wales how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21583]

Mr. Hague: No Welsh Office staff have conditioned hours which exceed 48 a week. Information on overtime working is not readily available and could be provided only at disproportionate cost.

Teachers

Mr. Wigley: To ask the Secretary of State for Wales how many teachers in Wales, having been afforded early retirement from posts as permanent teachers, have been employed during the past 12 months as supply teachers; and what guidance he gives to local authorities and to schools in Wales on this matter. [21587]

Mr. Hague: The information requested is not held centrally.

My right hon. Friend the Secretary of State for Education and Employment issues guidance to local authorities and schools in England and Wales on the statutory pay and conditions of service for school teachers in maintained schools including that which relates to the salary of new appointments and appointments following a break in service. She has also issued guidance on the amount of premature retirement compensation and pension to be received by a retired teacher during a period of new employment.

Cardiff Bay (Theatre)

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 19 March 1996, *Official Report*, column *171*, if the costs of winding up the Cardiff Bay Opera House trust will appear in the annual accounts of the Cardiff Bay development corporation for *(a)* 1995–96 and *(b)* 1996–97. [22419]

Mr. Hague: The costs of winding up the Cardiff Bay Opera House trust which are funded by Cardiff Bay development corporation, will be included in the corporation's relevant annual accounts in accordance with its accounting policies.

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 19 March 1996, *Official Report*, column 171, what consultations he has had with the chairman of the Cardiff Bay development corporation concerning the involvement of Sir Andrew Lloyd Webber and Cameron Mackintosh and their companies in the provision of a large-scale lyric theatre for Wales at Cardiff bay; and if he will make a statement. [22424]

Mr. Hague: The meetings at which the proposed Cardiff Bay opera house was raised with me were as follows: chairman, Cardiff Bay Opera House trust, 19 July 1995; chairman, Cardiff Bay development corporation 20 August 1995; deputy chairman; Cardiff Bay Opera House trust—the hon. Member for Cardiff South and Penarth (Mr. Michael), 20 January 1996.

I also met the chairman of the Cardiff Bay development corporation on 14 March 1996 where the possible development of a Cardiff Bay theatre was raised with me; there was no discussion about the involvement on any particular commercial organisations in the possible project.

Eurofreight Terminal

Mr. Morgan: To ask the Secretary of State for Wales when he expects to receive the final report from the Welsh Development Agency on the Eurofreight terminal proposal. [22486]

Mr. Hague: Shortly.

Council of Ministers

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 14 March 1996, *Official Report*, column *749*, what was the duration of *(a)* the closed session and *(b)* public session of the 4 March meeting of the Council of Ministers; and for what duration he was present at each of the two types of session. [22490]

Mr. Hague: The duration of the closed session was four and a half hours and that of the open session one hour. I was present for almost all of the open session, and part of the closed session.

Gwent Health Authority

Mr. Morgan: To ask the Secretary of State for Wales what representations he has received on the recent appointment of a senior manager to an internally advertised post with the new Gwent health authority; what investigations he is carrying out into the circumstances of this appointment; what rules apply in respect of the eligibility of those made redundant with severance pay from one senior national health service management post to apply after redundancy for posts internally advertised in the national health service; and if he will make a statement. [22422]

Mr. Hague: One representation has been received. My Department has asked for a report on the procedures adopted. In general terms a person who is no longer employed in the national health service would not be eligible for a job restricted to existing employees.

Urban Investment Grant

Mr. Morgan: To ask the Secretary of State for Wales on what date the urban investment grant panel will cease to function; and if he will make a statement. [22485]

Mr. Hague: Responsibility for the urban investment grant scheme is to be transferred from the Welsh Office to the Welsh Development Agency from 1 April 1996. The administrative arrangements for the scheme after that date, including the position of the UIG panel, are currently under discussion with the agency.

Departmental Functions

Mr. Morgan: To ask the Secretary of State for Wales if he will give the numbers employed and the budget of each of the sections transferred into his Department's responsibility since 1979. [22489]

Mr. Hague: Staff were transferred into the Welsh Office since 1979 as follows:

Regional development grant (1984): 82

Training, enterprise and education (1992): 67.

Staff costs in respect of training enterprise and education functions were £1.2 million; those in respect of the regional development grant function are not separately identifiable.

Estatecare (Privatisation)

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 19 March 1996, *Official Report*, column *172*, if he will place in the Library a copy of the decision letter on privatising the Estatecare branch of the Welsh Health Common Services Authority. [22420]

Mr. Hague: I will write to the hon. Member as soon as possible and place a copy of my reply in the Library of the House.

Korean Investment

Mr. Morgan: To ask the Secretary of State for Wales what proposals he has to assist and induce Korean investment in the assisted areas in Wales; and how many visits have been made by *(a)* Korean industrial delegations, *(b)* individual Korean companies and *(c)* agents on their behalf in the past 12 months. [22488]

Mr. Hague: The measures that were successful in encouraging Halla to invest in Pentrebach will continue to be promoted. These include a flexible and loyal work force; a strong economy; a sophisticated industrial infrastructure; a positive approach by all of those with an interest in economic development.

During the past 12 months there has been one visit to Wales by a Korean industrial delegation. There were five visits by individual Korean companies, but reliable information on visits by agents is not available.

Departmental Budget

Mr. Morgan: To ask the Secretary of State for Wales what is his latest estimate of the extent of *(a)* overspend and *(b)* underspend in his Department's budget for 1995–96; and if he proposes to return unspent allocations to the Treasury. [22423]

Mr. Hague: Planned expenditure within my responsibility for 1995–96 was shown in last year's Welsh Office departmental report, Cm 2815, as £6,778 million. The final out-turn for 1995–96 will not be known for some time but table 6.2 of the Public Expenditure Statistical Analyses 1996–97, Cm 3201, which was published last week by the Treasury, reports an estimated out-turn of £6,743 million.

Most of the £35 million estimated underspend has arisen on cash limited programmes where the underspends can be carried forward into 1996–97 under the Treasury's end-year flexibility arrangements.

Within this amount, it is estimated that my Department's demand-led programmes will underspend by around £3.5 million. This estimated underspend has arisen mainly in respect of pharmaceutical services, £2.5 million, where the underspend represents less than 1 per cent. of the total provision of £426.7 million. After all claims for payment have been met in full, any provision left will remain unspent.

Departmental Annual Report

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 19 March 1996, *Official Report*, column *171*, what were the principal factors underlying the move in 1994 to a March date for publication of the annual departmental report and the move to an end of March date in 1996. [22421]

Mr. Hague: Departmental reports for all Departments are published in the fortnight before presentation of the Supply estimates. In 1994, the Supply estimates were presented on 23 March. This year, the Supply estimates are to be presented on 26 March. The specific date within the fortnight chosen for publication of my departmental report is dependent upon preparation and printing schedules.

EDUCATION AND EMPLOYMENT

School Funding (Legislation)

Mr. Spearing: To ask the Secretary of State for Education and Employment if she will list those Acts since 1966 which have changed the funding of *(a)* maintained schools and *(b)* pupils attending proprietorial educational establishments which did so without use of statutory instruments or other regulations laid before Parliament. [11545]

Mr. Robin Squire *[holding answer 23 January 1996]:* The following Education Acts include provisions relating to the funding of maintained schools and of pupils attending proprietorial educational establishments which do not involve the use of statutory instruments or other regulations laid before Parliament. The list covers education Acts since 1966 which are currently in force.

Education Reform Act 1988: part 1, chapter III and sections 105 and 212

Further and Higher Education Act 1992: section 4

Education Act 1993: sections 113, and 281 to 283

Education Act 1994: section 5.

In addition, schools may receive funding under section 11 of the Local Government Act, 1966, which also does not involve the use of statutory instruments or other regulations laid before Parliament.

Teachers Pensions Agency

Mr. Redmond: To ask the Secretary of State for Education and Employment when customer organisation of the Teachers Pensions Agency were given notice in respect of proposals for its privatisation; and if she will make a statement. [21447]

Mr. Squire: We commissioned KPMG to consider the feasibility of letting a contract for the administration of teachers' pensions to the private sector. We published their findings in January 1995, and sought the views of a wide audience, including representatives of members of the scheme and their employers. We extended the consultation deadline from March to April 1995 at the request of the consultees to allow adequate time for views to be expressed. We announced in May 1995 our intention to seek expressions of interest from the private sector. We further announced in November 1995 our intention to invite six companies to tender for the administration of the scheme.

Mr. Redmond: To ask the Secretary of State for Education and Employment what assessment she has made of the *(a)* advantages and *(b)* disadvantages of privatising the Teachers Pensions Agency. [21449]

Mr. Squire: We asked KPMG to consider whether letting a contract for the administration of teachers' pensions to the private sector would offer better value for money than retaining the service in the public sector. They concluded that it was likely to do so. We have tested this conclusion at each key stage of the contractorisation process before proceeding to the next stage. We shall not let a contract unless we can prove that there will be substantial savings to the taxpayer. At the same time we shall be looking to improve the service beyond that currently provided by the agency. We have considered whether there are disadvantages to letting a contract and concluded that there are not.

Mr. Redmond: To ask the Secretary of State for Education and Employment which of the functions of the Teachers Pensions Agency have been considered for privatisation; and if she will make a statement. [21448]

Mr. Squire: We are looking at the feasibility of letting a contract for the whole of he administration of the teachers' superannuation scheme. We have made clear that responsibility for the operation of the scheme will remain with my right hon. Friend the Secretary of State, who will be answerable to Parliament. The Teachers Pensions Agency currently provides policy advice to Ministers on teachers' pensions. If we let a contract, officials within the DEE will be responsible for providing such policy advice.

Mr. Redmond: To ask the Secretary of State for Education and Employment if she will ensure that teachers' pension entitlements will not be reduced and that the new arrangements will be more efficient than the current ones in the event of the privatisation of the Teachers Pensions Agency; and if she will make a statement. [21528]

Mr. Robin Squire: We have stated on a number of occasions that the operation of the teachers' superannuation scheme is unaffected by our deliberations on the future of the Teachers Pensions Agency. Responsibility for the scheme will remain with the Secretary of State, and any changes in entitlement or benefit will be subject to parliamentary scrutiny. We will let a contract for the administration of the scheme only if it offers the prospect of efficiencies greater than could be achieved by retaining the service in the public sector.

Mr. Redmond: To ask the Secretary of State for Education and Employment what public consultation process has been arranged in respect of proposals to privatise the Teachers Pensions Agency; and if she will make a statement. [21450]

Mr. Squire: Organisations representing teachers, their employers, Teachers Pensions Agency staff and others were consulted in January 1995 about the feasibility of letting a contract for the future administration of the teachers' superannuation scheme. We have made our decisions public at each key stage of the contractorisation process. Members of the scheme, their representatives and employers, and members of the public have been given a number of opportunities to offer views on the future administration of the scheme. Many have done so, and we have given their comments due consideration.

Mr. Redmond: To ask the Secretary of State for Education and Employment if the staff of the Teachers Pensions Agency were consulted in advance of the announcement of proposals for its privatisation; and if she will make a statement. [21446]

Mr. Squire: Yes. Teachers Pensions Agency staff were consulted at an early stage on our intentions to look at the feasibility of letting a contract for the future administration of the teachers superannuation scheme. The staff of the TPA have been actively involved in the preparation of tender documentation, including the drawing up of a specification of service requirements and performance standards. They have also had the opportunity to meet the prospective tendering companies. The staff and their trade union representatives have been kept informed of developments throughout the process.

Mr. Redmond: To ask the Secretary of State for Education and Employment what factors underlay the timetable for bids in respect of privatising the Teachers Pensions Agency; and if she will make a statement. [21530]

Mr. Squire: There are no specific factors underlying the timetable for tendering for administration of teachers' pensions. We have undertaken a careful assessment of the feasibility of letting a contract at each key state of the tendering process before proceedings further. We would like to reach an early decision in order to remove any uncertainties for staff of the Teachers' Pensions Agency. This will not, however, be at the expense of a thorough evaluation of the bids submitted. We hope to make an announcement shortly about the future of the agency.

School Computers (Greater Manchester)

Mr. Callaghan: To ask the Secretary of State for Education and Employment what is the average number of computers *(a)* per school and *(b)* per pupil in the Greater Manchester area; and if she will make a statement. [21521]

Mr. Robin Squire: The information requested is not available centrally.

Science Education

Mr. Callaghan: To ask the Secretary of State for Education and Employment if she will make a statement on the promotion of science education in England and Wales. [21523]

Mr. Robin Squire: In England, the national curriculum ensures that all pupils, from the age of five to 16, study science as a core subject. Most pupils in their final year of compulsory schooling also take GCSEs in science and a greater proportion of students than ever before are getting science A-levels. In addition, general national vocational qualifications in science became widely available last September and there are already signs that they will encourage more young people to continue with science post-16. We have also taken steps to promote and encourage recruitment to science, mathematics and technology courses in higher education: the maximum level of publicly-funded tuition fees for practical courses is more than double the level of classroom-based courses. The basis for action on the promotion of science education in Wales is to be found in the two documents, "Science in the National Curriculum" and "A Bright Future: Getting the Best for every Pupil at School in Wales", copies of which are available in the Library of the House.

School Children (Central Register)

Mr. Thurnham: To ask the Secretary of State for Education and Employment if she will list those local authorities which maintain a central register of all children at schools within the local authority's area; how often these registers are updated; and what assessment she has made of the accuracy of the data. [21503]

Mr. Robin Squire: This information is not collected centrally.

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the Secretary of State for Education and Employment (1) how many persons in her Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents; [21511]

(2) how many persons in her Department were required to work in excess of 48 hours per week in any of the last 52 weeks despite lodging a formal objection. [21479]

Mr. Robin Squire: These questions can be answered only at disproportionate cost.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Secretary of State for Education and Employment what measures her Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if she will make a statement. [21473]

Mr. Robin Squire: Terms and conditions of employment, including wages, are a matter between the contractor or supplier and his employees, subject of course to any relevant legal requirements.

Compliance with health and safety regulations is a legal requirement for the contractor or supplier.

Open University

Mr. Rowlands: To ask the Secretary of State for Education and Employment what estimate her Department has made of the number of part-time students financed by the open university in 1995–96; and what the estimated change in part-time student numbers is expected to be. [21816]

Mr. Forth: The Department does not plan the student numbers of individual institutions. The Open University registered some 121,000 part-time students in 1995–96. The Department's student number estimates for the sector as a whole for England provide for an increase of around 4,000 full-time equivalent students in 1996–97 over the estimated student numbers for 1995–96. This includes an allowance for growth in part-time and mature students.

Research Establishments

Mrs. Anne Campbell: To ask the Secretary of State for Education and Employment which former public sector research establishments in her Department have been privatised since 1979; and which public sector research establishments in her Department are currently undergoing reviews with a view to placing them in the private sector. [21938]

Mr. Robin Squire: Since 1979, no research establishments in those parts of the former Department for Education and the former Employment Department which now form the Department for Education and Employment have been privatised. There are currently no research establishments in the Department for Education and Employment.

Pupil Exclusions

Mr. Thurnham: To ask the Secretary of State for Education and Employment what estimate he has made of the number of pupils permanently excluded from schools in each of the last five years in *(a)* total, *(b)* primary and *(c)* secondary schools; and what provision is made for the education of such children. [21985]

Mr. Robin Squire: Figures collected under the national exclusions reporting system for the period April 1991 to April 1992 showed a total of 3,833 permanent exclusions; of these, 537 or 14 per cent. were in the primary sector.

The Department published the results last July of a survey it had commissioned of permanent exclusions in the school year 1993–94. This showed that there had been 10,624 such exclusions in the 101 local education

authorities which responded. Of these 1,230 were of primary pupils and of 8,960 secondary pupils; the remaining 434 were exclusions from special schools.

Under section 298 of the Education Act 1993, which came into force in September 1994, local education authorities have a duty to make arrangements for the provision of suitable education for permanently excluded pupils. They decide what is appropriate in each individual case. Many pupils are admitted to another school quite quickly; others receive education—for example, in a pupil referral unit or through home tuition—while they are out of school.

Mr. Thurnham: To ask the Secretary of State for Education and Employment if she will list local authorities in rank order in respect of the number of pupils excluded from their schools, in each of the last three years for which figures are available. [22376]

Mr. Squire: Information on exclusions in each local authority area is not available centrally.

Executive Job Clubs (Southport and Wirral)

Mr. Frank Field: To ask the Secretary of State for Education and Employment (1) what is the value of the grant paid to the executive job clubs in *(a)* Southport and *(b)* Wirral; how many people use each service; what is the success rate of service users in finding jobs after leaving each club; what is the current budget for the current financial year for each club; and what is the projected budget for the next two financial years for each club; [21784]

(2) how many service users have successfully found jobs after leaving the executive job clubs in Southport and Wirral in each month of their operation. [21778]

Mr. Forth: Responsibility for the subject of the questions has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Frank Field, dated 22 March 1996:

The Secretary of State for Education and Employment has asked me to reply to your questions about payments made to the organisations running the Wirral and Southport Executive Jobclubs, the projected budgets for the next two financial years and the number of people finding jobs after leaving the Jobclubs. I am answering both questions in this reply.

The Employment Service (ES) has, for a number of years, awarded commercial contracts, after tendering, to external organisations and companies to run its programmes to assist unemployed people. The programmes and contractual agreements are regularly reviewed and monitored locally by ES staff.

Jobclubs have proved very successful since they were introduced over ten years ago, and the Wirral Executive Jobclub opened in October 1994, with both morning and afternoon sessions. Southport Executive Jobclub opened in January 1994 with an afternoon session.

During the period April 1995 to February 1996, 277 people in total have used both sessions of the Wirral Executive Jobclub, resulting in 156 positive outcomes of which 122 were job placings. In the same period, 138 people used Southport Executive Jobclub, resulting in 99 positive outcomes, 80 of which were job placings. The ES does not track clients after they have left Jobclubs, so it is not possible to say how many enter employment after leaving.

As financial renumeration is a commercial matter between the ES and its programme providers, I am unable to provide details for the Southport and Wirral executive Jobclubs. However, the total Jobclub budget allocation for the Wirral ES District for the 1995–96 financial year is £383,102, and for the Southport ES District £207,633. Projected budgets for ES programmes for the 1996–97 and 1997–98 financial years are not available.

I hope this is helpful.

Employment (Hull)

Mr. McNamara: To ask the Secretary of State for Education and Employment what estimate she has made of the number of people sent for jobs by her Department in Hull where the wage offered is less than the benefits that would be obtained as a result of unemployment. [21501]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Kevin McNamara, dated 22 March 1996:

The Secretary of State has asked me to reply to your question about an estimate of the number of people sent for jobs in Hull where the wage offered is less than unemployment-related benefits.

I am sorry but we do not collect the information you have requested. It may be helpful if I explain that the Employment Service does not have a general monitoring role on pay since such matters are normally for agreement between employers and candidates applying for vacancies. Indeed whilst Jobcentres ask employers for details of wages for the vacancies being notified to them, the information may not always be available as the wage may be subject to negotiation. Furthermore, when employers are offering low wages, people in Jobcentres will advise the employers about the local prevailing rates of pay for the job and whether the wages on offer make the vacancy difficult to fill.

There is a range of benefits available to help people who are in lower paid jobs. These supplement their income thus helping them to be better off in work. My local offices therefore try to make people who are concerned about taking a low paid job aware of the in-work benefits that may be available to them.

It may be helpful if I briefly outline the main benefits currently available. Family Credit is payable to people who are working over 16 hours a week and have responsibility for at least one child. Disability Working Allowance is available to those who have a disability and are working over 16 hours a week. Housing Benefit is payable to help people who live in rented accommodation and Council Tax Benefit is available to those liable to pay Council Tax. These latter two benefits are also payable to unemployed people.

I hope this is helpful.

Higher Education Funding Council

Mr. Dunn: To ask the Secretary of State for Education and Employment what plans she has for the future chairmanship of the Higher Education Funding Council for England. [22930]

Mr. Forth: My right hon. Friend has appointed the current chairman, Mr. Brandon Gough, to serve for a further two years until 19 April 1998. We are grateful to Mr. Gough for his contribution to the work of the council over the last three years and for his willingness to continue to serve as chairman.

Teachers' Pay

Mr. Legg: To ask the Secretary of State for Education and Employment if she will make a statement on the outcome of her consultation in respect of the school teachers review body's recommendation on schoolteachers' pay. [22931]

Mrs. Gillian Shephard: I am today confirming that I am accepting the schoolteachers' pay review body's recommendation to increase teachers' pay by 3.75 per cent. with higher increases at the lower end of the classroom teachers' spine. This award will be staged so that most teachers will receive 2.75 per cent. on 1 April 1996 and the remainder of the award on 1 December 1996. I will lay an order before Parliament which will give the values of the new spine points and allowances with effect from 1 April 1996 and 1 December 1996.

I am writing to the teacher associations, the National Employers Organisation for School Teachers and the head teachers and chairmen of governors of all schools in England and Wales notifying them of my decision. Officials will be writing to other interested parties.

I have received a number of representations about the level of the award and the staging of it and considered them carefully. The Government have decided to stage the pay awards for all the review body groups this year. The recommendations represented a marked step up in the level of public sector pay settlements, compared with last year, with a substantial cost to public expenditure programmes. Phasing the increase will also make it more manageable for local education authorities and schools.

I have also received a number of representations about my other proposals for teachers' pay and conditions in 1996–97 including my proposals to introduce half points on the classroom teachers' spine with effect from 1 September 1996 and to allow teachers moving schools or returning to teaching after a break voluntarily to surrender discretionary experience points for non-teaching service. A number of complex issues have been raised which I wish to consider in detail. I will make a further announcement in due course on my decisions with regard to these and my other proposals for teachers' pay and conditions in 1996–97.

I am announcing my confirmation of the pay award immediately because I want teachers to receive the first stage of their pay increase as soon as possible after 1 April 1996.

Training and Enterprise Councils

Mr. Matthew Banks: To ask the Secretary of State for Education and Employment what progress CambsTEC and Oldham chamber of commerce, training and enterprise are making on meeting the criteria for the award of a three-year licence. [22932]

Mr. Paice: I am pleased to announce the award of a three-year licence to CambsTEC and Oldham chamber of commerce, training and enterprise, which have now completed the process of meeting the rigorous standards we set.

TRADE AND INDUSTRY

Export Licences (Nigeria)

Mrs. Jane Kennedy: To ask the President of the Board of Trade how many licence applications for the export of defence equipment to Nigeria have been received since 11 November 1995. [18959]

Mr. Oppenheim: It has been the policy of successive Administrations not to disclose details of applications for export licences or export licences unless the requirements of confidentiality are outweighed by the public interest. However, statistical analyses of export licences granted for military, para-military and security equipment during 1993, 1994 and 1995 have been placed in the Library of the House. The analyses include all countries of destination for which such licences were issued, including Nigeria. It is proposed that similar analyses will in future be placed in the Library of the House at six-monthly intervals.

Arms Industry Subsidy

Ms Walley: To ask the President of the Board of Trade what subsidy is given to the arms industry in Britain. [21051]

Mr. Oppenheim: Companies in the defence sector are treated no differently to other UK companies in that they are eligible for many of the schemes through which the Government provide assistance to industry.

Parliamentary Questions

Mr. Donohoe: To ask the President of the Board of Trade how many questions were tabled to his Department in each session since 1987–88; how many were not answered on the ground of disproportionate cost; what percentage of the total number of questions this represented; how many were not answered on the ground that the information was not centrally available; and what percentage of the total number of questions this represented. [21137]

Mr. John M. Taylor: The number of questions tabled to my Department since 1987–88 is as follows:

Year	*Written*	*Orals (inc. supplementaries)*	*Total*
1987–88	2,804	498	3,302
1988–89	2,140	432	2,572
1989–90	3,133	412	3,545
1990–91	1,526	375	1,901
1991–92	801	187	988
1992–93	4,355	571	4,926
1993–94	2,826	428	3,254
1994–95	2,729	427	3,156
1995–96 to (20 March 1996)	973	149	1,152

The other information requested can be provided only at disproportionate cost.

Competitive Tendering (Contracts)

Mr. Donohoe: To ask the President of the Board of Trade how many contracts for goods or services have been awarded in each of the last three financial years by

his Department and its executive agencies after competitive tendering; and what was the total combined value of these contracts. [21042]

Mr. John M. Taylor: Information relating to contracts is not held centrally and can be provided only at disproportionate cost.

The chief executives of the Department's existing executive agencies have been asked to respond separately.

Data in respect of the former National Physical Laboratory, National Engineering Laboratory and Warren Spring Laboratory executive agencies are no longer readily available.

Letter from Seton Bennett to Mr. Brian Donohoe, dated 22 March 1996:

The President of the Board of Trade has asked me to reply on behalf of the National Weights and Measures Laboratory to your question about contracts awarded in the last three financial years after competitive tendering.

Nearly all our major purchases of laboratory equipment are the subject of competitive tendering, but information on their number and value is not readily available and could only be provided at disproportionate cost. This Agency has awarded two contracts for services after competitive tendering since 1993; one in 1994/95 and one in 1995/96. The combined annual value of these contracts is £20,655

Letter from Adrian Wilson to Mr. Brian Donohoe, dated 22 March 1996

I have been asked to reply on behalf of the Chief Executive to Mr. Donohoe's parliamentary question to The President of the Board of Trade with regard to how many contracts for goods and services have been awarded in each of the last three financial years after competitive tendering and what was the total combined value of these contracts.

LGC purchasing policy is to obtain formal tenders for all purchases in excess of £20k. To respond to the PQ, the information could only be provided at disproportionate cost.

Letter from David Durham to Mr. Brian Donohoe, dated 22 March 1996:

The President of the Board of Trade, the Rt Hon Ian Lang has asked me to reply to your question about contracts awarded for goods and services following competitive tendering by Companies House Executive Agency during the last 3 financial years.

The information you sought is as follows:

Companies House adheres to the guidelines stated in the DTI Procurement Manual and observes EC Directives and UK Regulations governing public sector procurement. In practice this means that in most cases, purchases below £250 are obtained via a single quotation, a minimum of 3 quotations are obtained for purchases between £250 and £10k, and above this level full competitive tendering is undertaken.

The table below give the information requested in respect of contracts above £10k awarded during financial year 1994/95 and 1995/96 to date. Information for earlier years and below £10k can only be provided at disproportionate cost.

	Financial year 1994–95	*Financial year 1995–96*
Number of contracts awarded	19	30
Total value (£ million)	7.2	1.8

A number of contracts awarded are for a 3 year period, and in such cases the estimated value over 3 years is included in the year of award.

I should also explain that the figure for 1994/95 is dominated by a single exceptionally large item, namely repairs to concrete cancer in the Companies House multi-storey car park. Our 1994/95 accounts disclosed a figure of £3.9 million for this work.

Letter from P. R. S. Hartnack to Mr. Brian Donohoe, dated 22 March 1996:

I am replying in relation to the Patent Office to your question to the President of the Board of Trade about the number of contracts awarded over the last three years.

The number of contracts for goods and services awarded after competitive tendering totalled 51 in 1993/94, 58 in 1994/5 and 70 in 1995/6 to date. The combined value of these contracts is nearly £15 million. These figures relate only to competitive contracts placed by the Patent Office and exclude purchases under established framework agreements available to us through for example the Buying Agency.

Letter from Peter Joyce to Mr. Brian Donohoe, dated 22 March 1996:

The President of the Board of Trade has asked me to reply to your question concerning the number of contracts for the supply of goods and services awarded by The Insolvency Service in the last three financial years as a result of a competitive tendering exercise, and the total combined value of these contracts.

Because of the number of contracts awarded by The Insolvency Service at each of its 33 sites, this information could only be provided at disproportionate cost.

Letter from Jim Norton to Mr. Brian Donohoe, dated 22 March 1996:

The President of the Board of Trade has asked me to reply to your Parliamentary Question about the value of competitively tendering contracts. I regret that the information you request can only be provided at disproportionate cost.

Post Buses (Scotland)

Mrs. Ray Michie: To ask the President of the Board of Trade what plans he has to expand the number of routes operated by post buses in Scotland; and how often post bus routes are reviewed. [21570]

Mr. Oppenheim: The provision of post bus services is an operational matter for the Post Office. I understand that 141 post bus services are currently operated in Scotland and that the Royal Mail regularly meets with regional councils and other bodies to review current services and the possibility of introducing new ones. One such review has recently led to the introduction of services with specially adapted vehicles for the carriage of wheel chair-bound passengers in the Linlithgow area.

Post Offices (Scotland)

Mrs. Ray Michie: To ask the President of the Board of Trade how many post offices there are in Scotland *(a)* in total and *(b)* in rural areas; and what the figures were in 1990–91. [21569]

Mr. Oppenheim: I understand from the Post Office that the numbers of post offices in rural areas of Scotland and in total for Scotland were as follows:

	March 1991	*February 1996*
Total	2,155	2,100
Rural	1,318	1,218

I also understand that within these totals a limited number of rural offices were reclassified as urban offices between these dates.

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the President of the Board of Trade how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21581]

Mr. John M. Taylor: The number of staff in DTI paid for work in excess of 48 hours in any week between 1 February 1995 and 29 February 1996—13 months—is 2,051. This is 24 per cent. of the staff eligible for overtime payments. Senior staff do not qualify for overtime, and staff working flexitime do not necessarily attract overtime in any particular week.

Iraq (Exports)

Mrs. Clwyd: To ask the President of the Board of Trade what are the outstanding debts incurred from export credit guarantees granted to Iraq. [21422]

Mr. Nelson: As at the end of February 1996, outstanding debts incurred from export credit guarantees to Iraq amounted, as measured by the level of Export Credit Guarantees Department claims outstanding for recovery, to £610 million.

Proprietary and Mutual Companies

Mr. French: To ask the President of the Board of Trade how many mutual companies have proprietary subsidiaries; and how many proprietary companies have mutual subsidiaries. [21252]

Mr. Nelson: Information from which the answer to this question can be compiled is not available centrally.

Mr. Frank Field: To ask the President of the Board of Trade if he will publish the relevant background information he has compiled on moves to a conversion of mutual insurance companies along the lines of building society conversions. [21445]

Mr. Nelson: Conversions by mutual insurance companies to proprietary status are dealt with on a case by case basis. Past conversions have been effected under the terms of schedule 2C of the Insurance Companies Act 1982 which provides for the insurance business of one insurance company to be transferred to another company, and it is likely that future conversions will take place in this way.

Patent Office

Mr. Harvey: To ask the President of the Board of Trade what access trade unions have to private consultants employed in the Patent Office; and what guidelines his Department has issued on this matter. [21660]

Mr. Ian Taylor: Trade unions have no formal right of access to consultants employed by the Patent Office. Much will depend on the nature and purpose of the consultancy.

Mr. Harvey: To ask the President of the Board of Trade if he will list the criteria used to select sections in the Patent Office being considered for process re-engineering, the sections in the Patent Office being considered for process re-engineering, and the number of posts that would be affected by process re-engineering. [21664]

Mr. Taylor: The criterion for re-engineering as for other organisational changes at the Patent Office will be the more effective delivery of services. One major project in the patents directorate, which directly or indirectly affects about 40 posts will be implemented on 1 April. This may lead to the abolition of nine posts but a final decision on the number will be taken in the light of experience. No compulsory redundancies are foreseen. Another project across directorates, launched in response to customer requirements, is in its early stages and detailed staffing implications have yet to be worked out.

Mr. Harvey: To ask the President of the Board of Trade if he will make a statement on his Department's guidelines to Patent Office management on trade union access to staff meetings in the central inquiry unit of the Patent Office in which contracting out is discussed. [21662]

Mr. Taylor: Management at the Patent Office follows the Department's 1989 procedures for consultation with the trade union side on proposals for contracting out. The chief executive has also re-emphasised recently his readiness to discuss with the trade unions matters of concern to them. However, management must have the right of direct communication with the relevant staff on contractorisation as on other matters.

Mr. Harvey: To ask the President of the Board of Trade if he will list *(a)* the total costs of employing private consultants, *(b)* the number and names of private consultants currently employed, *(c)* the sections in which private consultants are currently employed and *(d)* the number of staff currently employed in the Patent Office; and if he will make a statement. [21657]

Mr. Taylor: The total cost of employing private consultants in the current year is £138,400. Marketing Improvements and Coopers and Lybrand have been examining the office's marketing and information technology services respectively and Logica is to advise on possible use of the Internet.

The number of established civil servants employed by the Patent Office is 830. It also uses a number of external IT experts for specialist work and Employment Agency staff for general support services as particular needs arise.

Mr. Harvey: To ask the President of the Board of Trade what is his Department's policy regarding meetings with trade union officials at the Patent Office; and if he will make a statement. [21718]

Mr. Taylor: The chief executive is ready to call a formal meeting of the Whitley council on any appropriate occasion. In addition he and other members of the Patent Office's management regularly have less formal meetings with trade union representatives to discuss matters of mutual interest or concern. I shall be visiting the Patent Office shortly for meetings with management and staff about a wide range of matters.

Mr. Harvey: To ask the President of the Board of Trade if he will list the criteria used to select the successful candidate to run the facilities management contract in the Patent Office from 1 April; and if he will make a statement. [21717]

Mr. Taylor: The criteria used to evaluate the bids to run the Patent Office's facilities management contract were as follows:

quality of tenderers' proposal, commitment, monitoring and assurance procedures;

tenderers' previous relevant experience;

financial, commercial and technical capability;

Transfer of Undertakings (Protection of Employment) implications including proposals for the future of former civil service staff;

recruitment, vetting and training procedures (e.g. equal opportunities, health and safety);

conformance to Patent Office terms and conditions;

overall price and pricing profile.

Landfill Tax

Mr. Sheerman: To ask the President of the Board of Trade what representations he has had from the manufacturers of titanium dioxide on the potential effects on their business of the introduction of the landfill tax. [21737]

Mr. Page: My officials and I have had several representations from one manufacturer of titanium dioxide on the potential effects on its business of the introduction of the landfill tax. My officials have also discussed the issue with the Chemical Industries Association, the main trade association for the chemical industry, who represent a number of other manufacturers of titanium dioxide within the UK.

Small Firms Loan Guarantee Scheme

Dr. Twinn: To ask the President of the Board of Trade if he will make a statement about the outcome of the recent review of the small firms loan guarantee scheme and proposed changes to the rules. [22984]

Mr. Page: Following the announcement of a review of the scheme made by the Chancellor of the Exchequer in his November 1994 Budget Statement a consultation document was issued in March 1995. A wide range of organisations was consulted, including scheme lenders, small firms organisations and other Government Departments. After considering all the representations made about the scheme I am today announcing a number of changes aimed at simplifying the rules.

These changes follow a very significant increase in use of the scheme over recent years. Following changes made to the scheme in 1993 the Government are now guaranteeing over three times the number of loans, at around five times the value, compared to the period immediately before those changes. The changes that I am announcing today will help to ensure that this increased support remains focused on those areas where it can be of maximum benefit.

Firstly, I am reducing from six to two the number of size definitions used to determine eligibility for the scheme. Manufacturers will retain their current limit of £3 million a year turnover whilst all other eligible sectors will have a new limit of £1.5 million. As well as simplifying the present system this will give a considerable boost to the service sector which is currently restricted to a turnover level of £0.5 million a year.

In order to allow more businesses which have the involvement of an outside equity investor—particularly "business angels"—to benefit from the scheme, I am doubling the shareholding of such investors which can be disregarded for eligibility purposes from the current "under 10 per cent." to "under 20 per cent".

In order to help the smallest businesses, I am introducing the possibility of capital repayment holidays for loans up to £30,000 guaranteed under the streamlined arrangements available for loans of this size.

Some small businesses, particularly those in high technology areas, often face additional problems in obtaining finance. To help address this issue I will be seeking to add a limited number of specialist lenders to the current list of 20 and will be particularly looking for lenders with expertise in lending to high technology small businesses.

Since the increase in the maximum loan to £250,000 in 1993 the present maximum term of seven years is no longer always the most appropriate. Therefore, I will be raising the maximum term of scheme loans to 10 years.

A number of further changes will be made to focus more closely the available support. These are:

(i) following the changes made in 1993, a further range of businesses where support is often at the expense of displacement of business from other firms in the locality will be excluded from the scheme. The sectors affected are catering (except businesses offering accommodation), business to business retailing, and car valeting and associated activities.

(ii) the discontinuation of the present enhanced terms for businesses in city challenge and inner city task force areas;

(iii) adjustments and additional exclusions to take account of revised European state aid rules. The sectors affected are agriculture and fisheries, coal, shipbuilding, steel and transport;

(iv) a reduction from two years to six months, after the granting of a guarantee, in the limit for drawing down the loan or the initial stage of a loan if it is to be released in stages.

Except for exclusions due to state aid rules which will be put into effect forthwith, the changes will be implemented on 1 September 1996, following negotiation with the lenders of the necessary legal and administrative changes.

Social Chapter and Minimum Wage

Mrs. Beckett: To ask the President of the Board of Trade what is his Department's estimate of the effect on the number of people in employment if the social chapter and minimum wage were introduced; and if he will place in the Library the information upon which his estimates are based. [22080]

Mr. Lang: The social chapter would damage the United Kingdom's competitiveness and destroy jobs, but without knowing how many directives and their terms will be adopted under the social chapter it is not possible to estimate how many jobs will be affected.

A national minimum wage would also destroy jobs. My officials estimate that its introduction at £4 per hour would destroy 1 million jobs, assuming a half restoration of differentials. A note placed in the Library of the House on 2 February 1990, entitled "Estimating the Effect of a National Minimum Wage", provides a detailed explanation of the methods used and the steps in the calculations.

Mr. Michael Jordan

Mr. Jamieson: To ask the President of the Board of Trade if he will list those (i) employees and (ii) board members in his Department's South West regional office who took part in the assessment of the regional selective assistance grant of £280,000 made to Pendennis Shipyard Ltd., Falmouth in 1993 and who *(a)* were directors of that company at that date and *(b)* subsequently became directors of that company; and if he will make a statement. [21186]

Mr. Oppenheim *[holding answer 18 March 1996]:* Mr. Michael Jordan attended, as a member, three discussions by the South West industrial development board of the application by Pendennis Shipyard Ltd. between February and May 1993. He subsequently became a director of the company in August 1993.

Mr. Jamieson: To ask the President of the Board of Trade between what dates Mr. Michael Jordan was a board member of DTI South West regional office; what was the nature of his work; and what other positions he held in connection with the Department. [21183]

Mr. Oppenheim *[holding answer 18 March 1996]:* Mr. Michael Jordan has been a member of the South West industrial development board since January 1993. The board advises my right hon. Friend the President of the Board of Trade on applications for selective financial assistance and on industrial opportunities in the south west. Mr. Jordan has not been appointed to any other positions by the Department.

County Ceramics

Mr. Jamieson: To ask the President of the Board of Trade what financial assistance has been given since 1990 by his Department to County Ceramics; and on what date. [21155]

Mr. Oppenheim *[holding answer 18 March 1996]:* No assistance has been given under the Department's principal regional, enterprise or technology schemes.

Indonesia (Arms Exports)

Mrs. Clwyd: To ask the President of the Board of Trade what applications he has received for export licences for anti-ambush grenades to Indonesia. [21543]

Mr. Oppenheim *[holding answer 18 March 1996]:* Since the beginning of 1991—the point at which full records are readily available—there is no record of any applications for export licences for these goods for Indonesia.

Copex Exhibition

Mrs. Clywd: To ask the President of the Board of Trade if representatives from (i) Indonesia and (ii) Iran were present at the Copex exhibition at Sandown racecourse in November. [21536]

Mr. Oppenheim *[holding answer 18 March 1996]:* The Department of Trade and Industry was not involved with this event. From information we have about the event, no invitations were issued to representatives from Indonesia or Iran.

Insolvency Service

Mr. Harvey: To ask the President of the Board of Trade what access trade unions have been granted to private consultants employed in the Insolvency Service. [21659]

Mr. Oppenheim: The agency trade union side has been given the opportunity to meet and have discussions with consultants engaged by the Insolvency Service. In connection with the recent contracting-out exercise, the ATUS met both Stoy Hayward and Shreeveport.

Fur Trade

Mr. Heppell: To ask the President of the Board of Trade what was the value of fur and fur product (i) imports and (ii) exports from the United Kingdom in each year since 1988. [21373]

Mr. Oppenheim: The information is given in the following table:

UK imports and exports of fur and fur products

(£ million, current prices)

Year	*Imports*	*Exports*
1988	56	105
1989	42	89
1990	25	55
1991	18	39
1992	22	39
1993	18	43
1994	24	50
1995	27	63

Note:

The products are defined by Group 456 of the Standard Industrial Classification (revised 1980) until 1992 and Group 18.3 of the SIC (revised 1992) for 1993 onwards.

Source:

Business Monitor MQ10, Overseas trade analysed in terms of industries, CSO.

EU Structural Funds

Mr. MacShane: To ask the President of the Board of Trade what is the Government's policy on the European Parliament budget committee's motion in respect of additional funding for the Rechar 2 and Retex 2 structural funds in 1997 to 1999; and if he will make a statement. [21527]

Mr. Oppenheim *[holding answer 20 March 1996]:* I refer to the hon. Member to the answer given by my hon. Friend the Member for Esher (Mr. Taylor) on 22 January 1996, *Official Report*, column 5.

The amounts for these and certain other similar programmes are not due to be settled until after the next meeting of the management committee, which is expected to be on 24 April 1996.

Mr. MacShane: To ask the President of the Board of Trade (1) what assessment he has made of the impact on steel producing regions since 1994 of EU structural funds under the Resider II programme; and if he will make a statement; [21489]

(2) what official visits he has made since 1994 to steel producing regions to investigate the implementation of reconversion programmes funded by the Resider II programme; and what plans he has for future such visits. [21490]

Mr. Oppenheim *[holding answer 20 March 1996]:* Visits by DTI Ministers to steel areas have not been specifically for this purpose.

No Resider II programmes commenced in 1994. In the UK, the western Scotland and Wales programmes were adopted by the European Commission in July and August 1995. The English programme is not yet adopted. It is too soon to assess the impact of these programmes.

Mr. MacShane: To ask the President of the Board of Trade (1) with which British *(a)* public and *(b)* private organisations he has held discussions since 1 January 1995 regarding extension of the Resider 2 programme and proposed funding levels; [21430]

(2) what discussions he has had with the European Commission and other relevant bodies regarding 1997 to 1999 funding for the Resider 2 programme since the management committee meeting of December 1995; and if he will make a statement. [21431]

Mr. Oppenheim *[holding answers 20 March 1996]:* I have not held any such discussions, but my Department has, at the management committee for community initiatives in December 1995, and more recently in discussions with the European Commission, asked for a larger allocation for Resider, Retex, Rechar and Konver together for 1998 and 1999. I plan to make a statement after the allocations for these and certain other programmes have been settled: not before May.

AST Group, Aylesbury

Mr. Morgan: To ask the President of the Board of Trade what representations he has received concerning the fitness of the directors and others of the AST group to be directors of companies; and if he will make a statement. [21497]

Mr. Oppenheim *[holding answer 20 March 1996]:* No such representations have been received. The joint voluntary liquidators have a responsibility under the Company Directors Disqualification Act 1986 to report to the Secretary of State on the conduct of the directors of the AST training group of companies. Their reports are likely to be submitted in the near future.

Apprenticeships

Dr. Godman: To ask the President of the Board of Trade, pursuant to his oral answer of 13 March 1996, *Official Report*, columns 969-70, what is the number of people serving apprenticeships; and to which trades they are apprenticed. [21676]

Mr. Paice: I have been asked to reply.

The information requested is shown in the tables:

Table 1: Occupation in main job: persons in UK serving an apprenticeship: autumn 1995

Occupation	
Base	185,000
Managers and administrators	'
Professional occupations	12,000
Associate professional and technical occupations	12,000
Clerical and secretarial occupations	'
Craft and related occupations:	110,000
Construction trades	12,000
Metal machining, fitting etc. trades	20,000
Electrical and electronic trades	23,000
Metal forming, welding etc. trades	11,000
Vehicle trades	23,000
Textiles, garments etc. trades	'
Printing and related trades	'
Woodworking trades	10,000
Food preparation trades	'
Other craft and related trades	'
Personal and protective occupations:	17,000
Hairdressers and beauticians	12,000
Other personal and protective occupations	'
Sales occupations	'
Plant and machine operatives	'
Other occupations	'
No occupation details available	11,000

Note:
' Fewer than 10,000 in cell.
Source:
Labour Force Survey.

Table 2: Industry in main job: broad categories Persons in UK serving apprenticeship, autumn 1995

Occupation	*Number*
Base	185,000
Primary and production industries	50,000
Construction	43,000
Services	82,000
No industry details available	11,000

Note:
Sum of categories exceeds base because of independent rounding.
Source:
Labour Force Survey.

HEALTH

General Managers (Salaries and Wages)

Ms Harman: To ask the Secretary of State for Health if he will list the salaries and wages costs for each district health authority's general manager for 1990–91. [20596]

Mr. Malone: The information requested has been placed in the Library. The figures relate to the total salaries and wages expenditure on district health authority general managers in relation to the offices described rather than to any individual. Thus payments listed for a particular health authority could refer to more than one individual.

Community Care (Greater Manchester)

Mr. Callaghan: To ask the Secretary of State for Health what was the per capita spending on community care services in each local government authority in the Greater Manchester area in the last year for which figures are available. [21420]

Mr. Bowis: The readily available per capita expenditure data for 1993–94 (the latest year for which information is available) were published in table E4 of "Key Indicators of local authority social services 1995", copies of which are available in the Library.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Secretary of State for Health what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21470]

Mr. Horam: The Department considers prospective suppliers' personnel policies and practice as part of evaluating competing bids. But terms and conditions of employment, including wages, are a matter between the contractor or supplier and his employees, subject of course to any relevant legal requirements. Compliance with health and safety regulations is a legal requirement for the contractor or supplier.

Emergency Admissions (Statistics)

Ms Harman: To ask the Secretary of State for Health what plans he has to collect and publish emergency admissions to intensive therapy units *(a)* nationally, *(b)* regionally and *(c)* by health authority. [21671]

Mr. Horam: The working group set up to formulate guidelines on admissions to and discharges from intensive care has recommended that the collection of this data should be introduced across the national health service as soon as possible.

This recommendation has been referred to the Review of Central Requirements Committee and the Committee for Regulating Information Requirements.

Supplementary Pharmacies

Mr. Gordon Prentice: To ask the Secretary of State for Health what assessment he has made of the impact on community pharmacies of supermarkets with in-house pharmacies which dispense prescription drugs. [21475]

Mr. Malone: None.

Health Service Chairman and Directors

Mr. Redmond: To ask the Secretary of State for Health (1) what is the percentage of males appointed as *(a)* chairmen and *(b)* non-executive directors for NHS authorities in England as at 1 April; [21720]

(2) what is *(a)* the number of health authorities and *(b)* the number of chairmen whose professional training was in (i) medicine and (ii) nursing as at 1 April; [21721]

(3) what is the number of non-executive directors with a professional background of *(a)* medicine and *(b)* nursing in respect of health authorities in England on 1 April. [21727]

Mr. Gordon Prentice: To ask the Secretary of State for Health how many chair persons of NHS trusts in England *(a)* have a medical or dental qualification, *(b)* previously were employed in medicine or a profession allied to medicine and *(c)* came from (i) a business or commercial background and (ii) an academic background. [22498]

Mr. Malone: A list of those appointed to national health service authorities and trusts as at 1 April 1996 will be published in the summer of 1996. This will include information on the gender and occupational background of chairmen and non-executives.

Health Service (Financial Management)

Mr. Redmond: To ask the Secretary of State for Health what plans he has to improve the standard of health service financial management. [21726]

Mr. Horam: A number of initiatives have been undertaken to make further improvements in this area. They include:

(a) *Corporate governance*:

Codes of conduct and accountability have been adopted by the boards of NHS authorities and trusts. In addition NHS organisations have established Audit, and remuneration and terms of service committees, and chief executives in the NHS have been formally designated as accountable officers.

(b) *Internal audit*:

The internal audit development group, established to steer the development of the internal audit function is currently sponsoring a national controls assurance project. The project aims to develop a comprehensive risk and control framework for NHS organisations.

(c) *Financial training*:

A financial management programme was launched in 1992 aimed at improving the overall standard of financial management in the NHS. The programme is continually updated to take account of changes to the NHS and two further publications are due shortly.

(d) *Financial monitoring*:

The NHS executive continues to develop comprehensive financial monitoring systems to enable the financial management of the NHS to be closely monitored.

Kirby-Harris Libel Case

Mr. Redmond: To ask the Secretary of State for Health who authorised the publication of the statement which resulted in the Kirby-Harris libel case. [21728]

Mr. Malone: We have no knowledge of who was responsible for authorising the publication of the statement.

Blister Packs

Mr. MacShane: To ask the Secretary of State for Health in what ways British standards covering the strength of blister packs for pharmaceutical products differ from those applying in *(a)* other European Union countries, *(b)* the United States of America and *(c)* Japan. [21783]

Mr. Malone: This information is not available centrally.

Mr. MacShane: To ask the Secretary of State for Health what consultations have taken place with *(a)* consumers' and *(b)* child safety organisations about child safety in respect of blister packs of pharmaceutical products. [21782]

Mr. Malone: None. Blister packs are only one of several ways in which pharmaceutical products may be packaged. Marketing authorisation holders will take child safety into account along with other relevant factors in deciding on the most suitable packaging for their product.

Mr. MacShane: To ask the Secretary of State for Health (1) what regulations cover standards for blister packs of pharmaceutical products destined for the United States of America; how these regulations differ from those in the United Kingdom; and what representations he has received from exporters; [21781]

(2) if he will list the internationally agreed technical specifications covering blister packs used for pharmaceutical products. [21780]

Mr. Malone: This information is not available. I have received no representations from exporters on this matter.

Doctors (Exchange Visits)

Ms Harman: To ask the Secretary of State for Health from which countries outside the EU doctors are permitted to engage in exchange educational visits with general practices in the United Kingdom. [22386]

Mr. Malone: There is no restriction based on country of origin on doctors who wish to undertake either educational visits or exchange arrangements with general practices in the United Kingdom.

Ms Harman: To ask the Secretary of State for Health if he will make a statement on the joint committee on post-graduate training for general practice's proposals for the Department of Health to amend the 1994 regulations regarding exchange doctors to permit educational visits to general practices in the United Kingdom by general practitioners from outside the European Union member states. [22385]

Mr. Malone: Since January 1995, all doctors—whether from outside the European Economic Area or not—who enter general practice in the United Kingdom for the first time must meet a single standard for entry. This is the case whether the doctor is an educational visitor or part of an exchange agreement. Nothing in the regulations as they now stand prevents doctors who reach this standard taking part in exchanges or educational visits. The proposals put forward by the joint committee on postgraduate training for general practice to amend the relevant regulations would allow doctors who could not reach this standard to practise in the UK. Such a step would not be in the interests of national health service patients.

Eating Disorders

Ms Harman: To ask the Secretary of State for Health what is the annual budget for research and treatment in respect of eating disorders. [22384]

Mr. Bowis: There is no specific budget for eating disorders within the overall research and development programme. The Medical Research Council, which receives grant in aid from the office of my right hon. Friend the President of the Board of Trade supports research into eating disorders. Health authorities purchase services for the treatment of eating disorders as part of a range of mental health services.

Ms Harman: To ask the Secretary of State for Health how many NHS centres there are for the treatment of eating disorders. [22393]

Mr. Bowis: This information is not collected centrally. A Royal College of Psychiatrists survey in 1992 identified 21 national health service specialist centres for treating eating disorders in Great Britain.

NHS Trusts

Mr. Mudie: To ask the Secretary of State for Health (1) which 10 trusts had deficits in 1994–95 in excess of £1 million; [22159]

(2) which trust in 1994–95 recorded the financial deficit of £8,378,000 as outlined in the NHS summarised accounts 1994–95. [22160]

Mr. Horam: Information on the financial performance of all trusts in 1994–95 is contained in "1994–95 NHS Trust Financial Performance", copies of which have been placed in the Library.

Mr. Mudie: To ask the Secretary of State for Health (1) if he will list the 16 trusts which in the 1994–95 NHS summarised accounts recorded a financial deficit on grounds of *(a)* failure to achieve planned income, *(b)* excess expenditure, *(c)* activity levels greater than those contracted and *(d)* other reasons; [22161]

(2) if he will list the three trusts whose failure in 1994–95 to break even was attributed by the NHS executive in the NHS summarised accounts 1994–95 to excess expenditure. [22162]

Mr. Horam: The information for those trusts which recorded financial deficit on the ground of failure to achieve planned income were:

Louth and District Healthcare NHS Trust
Sheffield Children's Hospital NHS Trust
Greenwich Healthcare NHS Trust
Royal United Hospital, Bath NHS Trust.

Those which failed on the ground of excess expenditure were:

Humberside Ambulance Service NHS Trust
United Leeds Teaching Hospitals NHS Trust
The Poole Hospital NHS Trust.

The trust which failed on the ground of activity levels greater than those contacted was:

Lincoln Hospitals NHS Trust.

Those which failed for other reasons were:

East Anglian Ambulance NHS Trust
Mid Anglia Community Health NHS Trust
Royal National Orthopaedic Hospital NHS Trust
Royal National Throat, Nose and Ear Hospital NHS Trust
Crawley Horsham NHS Trust

Swindon and Marlborough Hospitals NHS Trust
Worcester Royal Infirmary NHS Trust
Wolverley NHS Trust.

Mr. Mudie: To ask the Secretary of State for Health if he will list the seven trusts whose failure in 1994–95 to meet the financial targets was attributed by the NHS executive in the NHS summarised accounts 1994–95 to miscellaneous other instances of poor financial management. [22163]

Mr. Horam: The information is as follows:
Cumbria Ambulance Service NHS Trust
Gateshead Hospitals NHS Trust
East Anglian Ambulance NHS Trust
Crawley Horsham NHS Trust
Royal National Throat, Nose and Ear Hospital NHS Trust
Swindon and Marlborough Hospitals NHS Trust
Worcester Royal Infirmary NHS Trust.

Mr. Mudie: To ask the Secretary of State for Health if he will list the 46 trusts whose failure to meet the target rate of return in 1994–95 was found unacceptable by the NHS executive in the NHS summarised accounts 1994–5. [22164]

Mr. Horam: The information is as follows:
Scarborough and North East Yorkshire Health Care NHS Trust
United Leeds Teaching Hospitals NHS Trust
Cumbria Ambulance Service NHS Trust
Gateshead Hospitals NHS Trust
Humberside Ambulance Service NHS Trust
Derby City General Hospital NHS Trust
Derbyshire Ambulance Service NHS Trust
Lincoln Hospitals NHS Trust
Louth and District Healthcare NHS Trust
Mulberry NHS Trust
Sheffield Children's Hospital NHS Trust
South Yorkshire Metropolitan Ambulance and Paramedic Service NHS Trust
East Anglia Ambulance Trust
King's Lynn and Wisbech Hospitals NHS Trust
North West Anglia Health Care NHS Trust
Royal Berkshire and Battle Hospitals NHS Trust
West Berkshire Priority Care Service NHS Trust
Ipswich Hospital NHS Trust
Nuffield Orthopaedic Centre NHS Trust
Mid Anglia Community Health NHS Trust
The Horton General Hospital NHS Trust
Oxfordshire Learning Disabilities NHS Trust
Oxfordshire Mental Healthcare NHS Trust
North Hertfordshire NHS Trust
Royal National Throat, Nose and Ear Hospital NHS Trust
The Whittington Hospital NHS Trust
Crawley Horsham NHS Trust
Greenwich Healthcare NHS Trust
The Royal Surrey County and St. Luke's Hospital NHS Trust
St. George's Healthcare NHS Trust
Queen Mary's Sidcup NHS Trust
Royal United Hospital, Bath NHS Trust
Swindon and Marlborough Hospitals NHS Trust
The Poole Hospital NHS Trust
Avalon, Somerset NHS Trust
Dorset Health Care NHS trust
East Somerset NHS Trust
St. Mary's Hospital, Isle of Wight, NHS Trust
Severn NHS Trust
Worcester Royal Infirmary NHS Trust
Wolverley NHS Trust
Alexandra Health Care NHS Trust
Mid Staffordshire General Hospital NHS Trust
Countess of Chester Hospital NHS Trust
Halton General Hospital NHS Trust
The Oldham NHS Trust.

Mr. Mudie: To ask the Secretary of State for Health which two of the 14 trusts that failed to meet one or more targets in 1993–94 and 1994–95 are identified by the NHS executive in both years in the NHS summarised accounts 1994–95. [22165]

Mr. Horam: The information requested is as follows:
Humberside Ambulance Service NHS Trust
Royal National Throat, Nose and Ear Hospital NHS Trust.

Mr. Milburn: To ask the Secretary of State for Health how many NHS trusts are currently on a red light because they are regarded as being in financial trouble. [22167]

Mr. Horam: Details of the financial performance of all national health service trusts is contained in "1994–95 NHS Trust Financial Performance", copies of which are available in the Library, the latest information being for financial year 1994–95.

In-year information used by the NHS executive to monitor the financial performance of NHS trusts is management information and as such is not published.

Mr. Milburn: To ask the Secretary of State for Health how many trusts and health authorities have not reported the conclusion of their contract negotiations for the next financial year in each region. [22169]

Mr. Horam: Information on health service contracts agreed by health authorities for 1996–97 is not yet available. Information by individual national health service trusts is not collected centrally.

South Tyne District Hospital

Dr. David Clark: To ask the Secretary of State for Health if the accident and emergency department at South Tyne district hospital, South Shields, is meeting patients charter requirements for waiting times; what vacancies there are for *(a)* nurses, *(b)* junior doctors, *(c)* middle-range doctors and *(d)* consultants at the department; and if he will make a statement about the future of A and E services at the hospital. [22166]

Mr. Horam: Details of the proportion of patients assessed within five minutes of arrival in accident and emergency departments are contained in the NHS performance guide 1994–95, copies of which are available in the Library.

Vacancies for nurses, junior doctors, middle-range doctors and consultants at the hospital are a matter for South Tyneside Health Care NHS trust. The hon. Member may wish to contact Mrs. Dorothy Blenkinsop CBE, chairman of the trust, for details.

Accident and emergency services in South Tyneside are a matter for South of Tyne health authority. The hon. Member may wish to contact the chairman of the authority, Mr. W. M. Darling, for details.

George Eliot Hospital, Nuneaton

Mr. Olner: To ask the Secretary of State for Health (1) if he will make a statement on the success of the accident and emergency department at George Eliot hospital, Nuneaton, in meeting patients charter requirements for waiting times; [22243]

(2) if he will make a statement about the future of accident and emergency services at the George Eliot hospital, Nuneaton; [22246]

(3) what vacancies there are for nurses, junior doctors, middle-range doctors and consultants in the accident and emergency department at George Eliot hospital, Nuneaton. [22244]

Mr. Horam: Details of the proportion of patients assessed within five minutes of arrival in accident and emergency departments are contained in the NHS performance guide 1994–95, copies of which are in the Library.

Vacancies for nurses, junior doctors, middle-range doctors and consultants at the hospital are a matter for the George Eliot Hospital NHS trust. The hon. Member may wish to contact Mr. D. Hopkins, chairman of the trust, for details.

Accident and emergency services in the Nuneaton area are a matter for Warwickshire health authority. The hon. Member may wish to contact the chairman of the authority, Mr. G. N. Jackson, for details.

Market Testing

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 18 March, *Official Report*, columns *84–85*, which trusts have market-tested each service, indicating in each case the outcome. [22484]

Mr. Horam: This information could be provided only at disproportionate cost.

NHS Training

Mr. Milburn: To ask the Secretary of State for Health what data his Department collects on expenditure on NHS training and education and its distribution. [22168]

Mr. Malone: Expenditure on education and training is not identified separately in regional health authority nor health authority statutory annual accounts or financial returns nor trust annual summarisation schedules. Information on expenditure on education and training is collected separately from regional health authorities who currently have responsibility for commissioning non-medical education and training and medical and dental postgraduate education and training.

From 1 April, training activities not funded directly by health authorities and trusts will be funded via levies on health authorities: one each for NMET, PGMDE and SIFT—the service increment to support the costs to the NHS of undergraduate teaching. National information on these levies for 1996–97 was published in the Health authority interim cash limit exposition booklet, copies of which are available in the Library.

Consultancy Service Index

Mr. Milburn: To ask the Secretary of State for Health, pursuant to his answer of 18 March, *Official Report*, column *86*, on the consultancy service index, how many names have been on it and how many checks have been sought in each of the last five years. [22171]

Mr. Horam: The information is not readily available in precisely the form requested. There are currently 7,316 names on the index. The number of checks sought in each of the last five years is as follows:

1991: 53,685
1992: 54,480
1993: 62,389
1994: 46,307
1995: 51,375.

Public Bodies

Dr. Wright: To ask the Secretary of State for Health which of the advisory non-departmental public bodies sponsored by his Department *(a)* hold public meetings, *(b)* conduct public consultation exercises, *(c)* conduct consultation exercises with outside commercial interests, *(d)* publish a register of members' interests, *(e)* publish agendas for meetings and *(f)* publish the minutes of meetings (i) under a statutory requirement and (ii) voluntarily. [20115]

Mr. Horam *[holding answer 12 March 1996]:* The advisory non-departmental public bodies that

Hold open meetings;

(i) *under a statutory requirement:*

are none;

(ii) *voluntarily:*

are none;

that conduct public consultation exercises;

(i) *under a statutory requirement:*

are none;

(ii) *voluntarily:*

The British Pharmacopoeia Commission;

and the Physical Activity Task Force;

that conduct consultation exercises with outside commercial interests:

(i) *under a statutory requirement:*

are none;

(ii) *voluntarily:*

are British Pharmacopoeia Commission;

the Physical Activity Task Force;

and the Standing Committee on Pharmacy Postgraduate Education;

that publish a register of members' interests:

(i) *under a statutory requirement:*

are none;

(ii) *voluntarily:*

are the Advisory Board on the Registration of Homoeopathic Products;

The Advisory Committee on the Microbiological Safety of Food;

the Committee on Safety of Medicines;

The Committee on the Carcinogenicity of Chemicals in Food, Consumer Products and the Environment;

the Committee on the Medical Aspects of Food and Nutrition policy;

the committee on the Mutagenicity of Chemicals in Food, Consumer Products and the Environment;

the Committee on the Toxicity of Chemicals in Food, Consumer Products and the Environment;

and the Medicines Commission;

that publish agendas for meetings:

(i) *under a statutory requirement:*

are none;

(ii) *voluntarily:*

are none;

and publish the minutes of meetings:

(i) *under a statutory requirement:*

are none;

(ii) voluntarily:

Is the Committee on the Medical Aspects of Food and Nutrition Policy.

Residential Care and Nursing Homes

Mr. Dunn: To ask the Secretary of State for Health if he will list by local authority, the average weekly cost of providing a place in *(a)* residential care homes and *(b)* nursing homes administered by social services departments. [21401]

Mr. Bowis *[holding answer 20 March 1996]:* The readily available information about residential care homes is not in the form requested. It is possible to construct gross weekly figures of expenditure on residential care placements of elderly people in local authority homes, from information supplied by local authorities, but these do not consistently reflect the full weekly average cost because of variations between local authorities in the method of including indirect costs and overheads. A table of figures will be placed in the Library. There are no nursing homes administered by social services departments.

FOREIGN AND COMMONWEALTH AFFAIRS

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs how many questions were tabled to his Department in each Session since 1987–88; how many were not answered on the ground of disproportionate cost; what percentage of the total number of questions this represented; how many were not answered on the ground that the information was not centrally available; and what percentage of the total number of questions this represented. [21142]

Mr. Hanley: The information is as follows:

Session	*Number of questions tabled*
1987–88	3,690
1988–89	3,036
1989–90	3,733
1990–91	2,700
1991–92	1,170
1992–93	4,438
1993–94	3,558
1994–95	3,413
1995–96 (to date)	1,045

The rest of the information could be provided only at disproportionate cost.

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the average cost of answering an *(a)* oral and *(b)* written parliamentary question from (i) Opposition and (ii) Conservative hon. Members in each Session since 1989–90. [21786]

Mr. Hanley: We do not collect the information in the form requested.

South Georgia

Sir Michael Shersby: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the policy of Her Majesty's Government towards fishing in the waters surrounding South Georgia; and if he will make a statement. [21989]

Sir Nicholas Bonsor: Her Majesty's Government and the Government of South Georgia and the South Sandwich islands are determined to protect the South Georgia fishery. The waters around South Georgia fall within the area of the convention for the conservation of Antarctic marine living resources. The CCAMLR commission regulates fishing in the area by means of conservation measures. In order to enforce these measures more effectively, because of serious concern about fishing in the area in recent years in violation of the conservation measures, the Commissioner for South Georgia introduced legislation in 1993 establishing a maritime zone around South Georgia. This requires operators of fishing vessels to acquire licences in order to fish and provides for enforcement measures such as arrest of vessels and prosecution for unlicensed fishing. The legislation and the enforcement of it is in full conformity with international law and CCAMLR convention.

I am writing to my hon. Friend in more detail about this issue and will place a copy of my letter in the Libraries of the House.

Gibraltar

Sir Mark Lennox-Boyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a further statement on pensions in Gibraltar. [22839]

Mr. David Davis: The British and Gibraltar Governments have reached an agreement under which Gibraltarian and other eligible pensioners, irrespective of nationality or residence, will receive fixed payments representing their full entitlement under the Gibraltar social insurance fund which was wound up at the end of December 1993. To help meet this commitment, the British Government will provide assistance to the Government of Gibraltar at about £9 million for the first year, reducing progressively thereafter. A new pensions scheme, backdated to 1 January 1994, will be set up in Gibraltar on the basis of non-discrimination and full compliance with EC regulations. Funds for 1996–97 will be sought through a supplementary estimate. Funds will

be additional to the planned overseas aid budget announced on 28 November 1995. A minute will be placed in the Libraries of the House.

TRANSPORT

Joint Enforcement Database Initiative

Mrs. Dunwoody: To ask the Secretary of State for Transport how much his Department plans to invest in the joint enforcement database initiative. [21774]

Mr. Norris: The Department's Vehicle Inspectorate is investing over £11 million over three years in major changes to its information systems. This will improve the current links between the VI database and the traffic area network database, effectively giving a joint enforcement database. In addition, the Department is at present looking at ways of modernising the traffic area network database, including a possible full integration of the two databases. No investment has however yet been decided for this.

Driving Standards Agency (Dismissals)

Mrs. Dunwoody: To ask the Secretary of State for Transport, pursuant to his answer of 13 February, *Official Report*, column *484*, if the Driving Standards Agency follow Advisory, Conciliation and Arbitration Service guidance in all dismissal cases. [21817]

Mr. Norris: The Driving Standards Agency follows the Department of Transport's disciplinary procedures. These are substantially in line with the principles contained in Advisory, Conciliation and Arbitration Service guidance and were agreed with the Department's trade unions.

The Department's procedures are currently under review and this will include continuing account being taken of ACAS guidance. The TUS will of course be consulted about any proposed changes to the Department's procedures at the appropriate time.

Driving Licences (Disabled Drivers)

Mr. Dafis: To ask the Secretary of State for Transport how many driving licences have been issued to disabled drivers during the last three years in each of the constituent nations of the United Kingdom and the United Kingdom as a whole; and if he will make a statement. [21871]

Mr. Norris: Information about the number of driving licences issued to disabled drivers is not available in the form requested.

Unlicensed Truck Survey

Mr. Allen: To ask the Secretary of State for Transport when he will release the full figures of the unlicensed truck survey carried out in October 1995. [22065]

Mr. Norris: The results of the survey should be available early in April.

Unlicensed Light Goods Vehicles

Mr. Allen: To ask the Secretary of State for Transport what plans he has to give to enforcement officers powers to seize and impound unlicensed light goods vehicles. [22064]

Mr. Norris: None. Such vehicles are not covered by the goods vehicle operator licensing system. Vehicles for which the correct vehicle excise duty has not been paid may be wheelclamped and impounded: a pilot scheme is currently operating in London.

Crash Tests

Mr. Allen: To ask the Secretary of State for Transport (1) what side impact crash testing his Department has commissioned in each of the last three years; [22003]

(2) how much his Department has spent on the United Kingdom's crash test programme in each of the years for which figures are available; [22007]

(3) what assessment he has made of the relative performance in United Kingdom crash tests of different car models; [22005]

(4) if he will place in the Library the results of crash tests undertaken by the Transport Research Laboratory; [22004]

(5) if he will make a statement on the effectiveness of the United Kingdom's crash test programme; [22008]

(6) what European Union funds or directives apply to the United Kingdom crash test programme; [22006]

(7) what proposals exist to bring in a side impact crash test in the United Kingdom. [22002]

Mr. Norris *[holding answers 21 March 1996]:* The Department's research related to crashworthiness continues to play a considerable role in developing standards for the protection for car occupants in side and front impacts and for pedestrians.

Most of the research on developing the side impact test procedure was carried out from 1979 to 1990. Over the past three years, research has concentrated on two major aspects. Firstly, the development of an improved barrier face which is used to impact the car. Secondly, a study of possible component tests to evaluate more easily the effect of modifications to vehicle components.

Over the last four years, more than £6 million has been spent by the Department on car crash testing activities. These activities have been carried out mostly in collaboration with other countries associated with the European Experimental Vehicles Committee. They include research into the development of test dummies and the design and development of test procedures and deformable barriers associated with frontal and side impact protection.

The spend for the years 1992 to 1996 is as follows:

1992–93: £1.58 million

1992–94: £1.56 million

1994–95: £1.1 million

1995–96: £1.9 million.

A further £0.92 million was spent on test procedures for pedestrian protection.

The Department currently has research at the Transport Research Laboratory on the feasibility of a new car assessment programme in which the safety of new models would be evaluated. As part of this longer-term—1995 to 1998—programme, the TRL is currently testing several safety aspects of cars in the supermini class to see if the

results offer a reliable indicator of relative performance and how this data could be presented in a simple, meaningful and fair manner.

We will publish the results of this feasibility study and place a copy in the Library in due course. The report on the research will include test results if the comparisons prove fair to manufacturers and can be presented in a helpful and meaningful way.

Currently, funds for the United Kingdom's crash test programme are provided by my Department. EU funding to the value of £130,000 ecu was provided to TRL towards the validation phase of the frontal impact test procedure.

The proposals for a directive on side impact are at the final stages of adoption and my Department will lay regulations to incorporate them into UK law as soon as possible.

Public Bodies

Dr. Wright: To ask the Secretary of State for Transport if he will list those of his Department's advisory non-departmental public bodies which *(a)* the Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish their response to advice supplied by them. [21866]

Mr. Norris *[holding answer 21 March 1996]:* Following are the answers for the Department of Transport's only advisory NDPB—the Disabled Person's Transport Advisory Committee.

(a) The Government are required to consult DPTAC in advance of making certain regulations under part V of the Disability Discrimination Act.

(b) The Government are not required to publish its response to DPTAC's advice.

Sea Empress

Mr. Redmond: To ask the Secretary of State for Transport who was in command of the Sea Empress when she first struck rocks. [22379]

Mr. Norris: The person in command of Sea Empress when she first ran aground at Milford Haven was her Master, but the person conducting her navigation at the time was the pilot.

Crossrail

Ms Glenda Jackson: To ask the Secretary of State for Transport if he will list total payments to date made by the crossrail project to *(a)* consultants, *(b)* outside organisations and *(c)* individuals, indicating the name of the body involved and the services provided. [22241]

Mr. Norris: These are matters for London Underground Ltd.

Research Establishments

Mrs. Anne Campbell: To ask the Secretary of State for Transport which former public sector research establishments in his Department have been privatised since 1979; and which public sector research establishments in his Department are currently undergoing reviews with a view to placing them in the private sector. [21948]

Mr. Norris: The Transport Research Laboratory is the only research establishment of the Department, and I expect its privatisation to be completed shortly.

Display Screen Risk Assessment

Mrs. Dunwoody: To ask the Secretary of State for Transport, pursuant to his answer of 12 February, *Official Report*, column *419*, if he will place in the Library copies of the risk assessments carried out at the traffic area office in Leeds. [21819]

Mr. Norris: I am placing in the Library a summary report of the risk assessments carried out by the traffic area office in Leeds.

Mrs. Dunwoody: To ask the Secretary of State for Transport, pursuant to his answer of 12 February, *Official Report*, column *419*, for what reasons information is not readily available in respect of the dates of risk assessment; and if risk assessments have to be supplied in writing. [21818]

Mr. Norris: Risk assessments are a continuing activity that take place as changes occur at workstations and new equipment is provided. Risk assessments will take place over a period of time beginning with the issue of standard self-assessment sheets and culminating when sheets are returned and any action is taken to rectify any problems identified.

All information obtained from risk assessments is recorded locally and is available for inspection by local trade union health and safety representatives and staff.

Mrs. Dunwoody: To ask the Secretary of State for Transport, pursuant to his answer of 12 February, *Official Report*, column *419*, when he expects the risk assessments to be carried out in the south eastern and metropolitan office. [21820]

Mr. Norris: A professional risk assessment will be carried out at the South Eastern and Metropolitan traffic area office during April 1996.

Mrs. Dunwoody: To ask the Secretary of State for Transport, pursuant to his answer of 12 February, *Official Report*, column *417*, if he will list separately for each coastguard agency office the date when the last risk assessment was undertaken of the display screen equipment regulations and the workplace regulations. [21821]

Mr. Norris: The last date for which a risk assessment under the Health and Safety (Display Screen Equipment) Regulations 1992 was completed at Driving Standards Agency locations with display screen equipment was as follows:

(a) DSA Headquarters, Stanley house, Nottingham—February 1996.

(b) DSA training establishment, Cardington—December 1994.

(c) DSA Scotland area office, Edinburgh—October 1995.

(d) DSA Northern area office, Newcastle upon Tyne—March 1996.

(e) DSA Midlands and Eastern area office, Birmingham—December 1995.

(f) DSA Wales and Western area office, Cardiff—February 1994.

(g) DSA London and South-Eastern area office, London—the DSE risk assessment process needs to reflect a recent office reorganisation and will be completed by the end of April 1996.

The Workplace (Health, Safety and Welfare) Regulations 1992 require certain standards to be met—on lighting, heating, etc.—but do not require formal risk assessments to be undertaken. However, in view of the size of the DSA estate, with some 450 properties throughout Great Britain, a checklist containing the detailed requirements of these regulations was developed and issued to each DSA location in May 1995 to assist them in establishing priorities for local work.

Freight (River Thames)

Mr. Cox: To ask the Secretary of State for Transport what plans he has to increase the use of the River Thames for freight transportation; and if he will make a statement. [21755]

Mr. Norris: The River Thames working group has been working to promote the use of the River Thames for freight transport. The Government office for London will shortly be publishing draft strategic guidance for the River Thames which will include policies aimed at helping to achieve this goal. The Government continue to promote the transfer of freight from road to rail and water through the freight facilities grant.

Red Routes (London)

Mr. Cox: To ask the Secretary of State for Transport if he will list the London boroughs that have a red route system; and if he will list those London boroughs due to have such a system during the next 12 months. [21754]

Mr. Norris: The red route network in London was designated in June 1992. The red route measures are in operation or the works are under way in the London boroughs of:

Borough	
Barking and Dagenham	A13, A406
Barnet	A1, A41, A406
Bexley	A2, A20
Brent	A406
Bromley	A20, A21
Camden	A41
Croydon	A23, A232
Ealing	A40, A406
Enfield	A10, A406
Greenwich	A2, A20, A21, A102
Haringey	A1, A10
Havering	A12, A13, A127
Hillingdon	A30, A40
Hounslow	A4, A30, A205, A316, A406
Islington	A1, A501
Kingston	A3
Merton	A3
Newham	A13
Redbridge	A12, A406, A1400
Richmond	A205, A316
Tower Hamlets	A13, A102
Waltham Forest	A406
Wandsworth	A3, A306
Westminster	A41, A501

During the next 12 months implementation is programmed to begin in the London boroughs of:

Borough	
Bromley	A232
Camden	A41
Ealing	A312
Hillingdon	A312
Hounslow	A312
Kensington and Chelsea	A4
Newham	A117
Richmond	A205
Wandsworth	A205, A3205
Westminster	A5, A5205

Shipping (Working Language)

Mr. Clifford Forsythe: To ask the Secretary of State for Transport what monitoring is conducted to ensure that all passenger and freight ships operate a single designated working language on ships sailing between British ports. [21747]

Mr. Norris: The Marine Safety Agency has a target to inspect every UK and foreign passenger ferry at least twice annually. Foreign and UK cargo ships are also inspected regularly either under the port state control regime or under the Marine Safety Agency inspection programme for UK seagoing ships. Communication among crew members is monitored as part of these inspections.

Emergency and abandon ship drills can also be witnessed during inspections so providing an opportunity to test the ability of key crew members to communicate with each other and with passengers in an emergency. The Marine Safety Agency also has a special programme of concentrated inspections on ferries which involves a team of two or three surveyors making a voyage on the ferry, initially incognito, and focusing on the safe operation of the ferry.

Air Crash (Colombia)

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will make a statement on the action his Department has taken to ensure that parts taken from the American 757 crash site in Colombia are not resold within the United Kingdom. [21785]

Mr. Norris: Aircraft parts are strictly regulated in all member states of the joint aviation authorities by a control system known as JAA form 1. This includes a document which controls the release into service of aircraft parts. In the UK this scheme is administered by the Civil Aviation Authority.

All CAA approved maintenance organisations are regularly surveyed to ensure satisfactory standards are maintained. These checks include the sources and supply of spare parts, quality assurance programmes and stores procedures. Parts and components are not fitted to UK registered aircraft unless the certifying engineers are confident that they are in full compliance with the requirements of the CAA and those of the aircraft manufacturer.

Northern Line (New Trains)

Mr. John Marshall: To ask the Secretary of State for Transport when the General Electric Company is contractually due to supply the first of the 104 new trains for the Northern line; and when he now expects that this train will be supplied. [22106]

Mr. Norris: The details of GEC Alsthom's contract with London Underground for the supply of new trains for the Northern line are commercially confidential. However, I understand that London Underground expects the first train to enter service in mid-1997.

OVERSEAS DEVELOPMENT ADMINISTRATION

Angola

Mr. Robert Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs how many UNITA military personnel have now been quartered under the United Nations Angola verification mission III operated in Angola in each of the UN quartering areas and in each of the age categories being monitored. [22101]

Mr. Hanley: As at 19 March the number of UNITA military personnel quartered in each of the four UN quartering areas was as follows:

	Vila Nova	*Lunduimbali*	*Negage*	*Piri (Quibaxe)*	*Total*
Military personnel quartered	4,816	4,442	5,003	2,145	16,406
Under 17 years old	954	576	359	237	2,126

Mr. Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs how many weapons of each kind have been handed in by UNITA personnel under the UNAVEM III operation in Angola; and in what condition the verification mission has judged them to be. [22102]

Mr. Hanley: As at 19 March the following weapons had been handed in by UNITA personnel at the quartering areas:

	Vila Nova	*Lunduimbali*	*Negage*	*Piri (Quibaxe)*	*Total*
Personal	3,859	3,127	4,455	1,835	13,276
Infantry	437	361	211	35	1,044
Artillery	8	4	7	0	19
APC/tanks	1	0	0	0	1
Other	7	17	12	18	54

In his report to the Security Council of 6 March the Secretary General commented that 30 to 40 per cent. of the personal weapons collected are in very poor condition or not serviceable.

Research Establishments

Mrs. Anne Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs which former public sector research establishments in the Overseas Development Administration have been privatised since 1979; and which public sector research establishments in the Overseas Development Administration are currently undergoing reviews with a view to placing them in the private sector. [21940]

Mr. Hanley: From 1979 to date, no ODA research establishment has been transferred to the private sector. Over the period a number of separate bodies were brought together to form the Natural Resources Institute. The transfer of NRI to the private sector is in progress; a preferred bidder was announced on 5 March 1996, *Official Report*, column *166*.

International Bodies (Funding Allocations)

Mr. Clifton-Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs what were the funding allocations for each of the financial years 1994–95 and 1995–96 for United Nations Population Fund, the International Planned Parenthood Federation and the World Health Organisation special programme; and what is the proposed allocations to each of these organisations for the financial year 1996–97. [21987]

Mr. Hanley: The United Kingdom's multilateral contributions to the United Nations Population Fund, the International Planned Parenthood Federation and the World Health Organisation special programme of research, development and research training in human reproduction are:

£ million

Multilateral organisation	*Expenditure 1994–95*	*Expenditure 1995–96*
UNFPA	[1]11.650	6.750
IPPF	7.148	8.536
WHO/HRP	[2]2.785	2.000

[1] Includes an advance on £3.75 million from 1995–96 f/y allocation.
[2] Includes an advance of £1.0 million from 1995–96 f/y allocation.

For the financial year 1996–97, planned allocations to these organisations will be of a similar order of magnitude.

Written Answers to Questions

Monday 25 March 1996

LORD CHANCELLOR'S DEPARTMENT

War Pension Appeals

Mr. Hinchliffe: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 7 February, *Official Report*, columns *254–55*, when the domiciliary visit to assess Mr. John Middleton's war pension appeal took place. [22172]

Mr. Jonathan Evans: As arranged with Mr. Middleton earlier this month, the visit took place on 21 March, that being the earliest date at which the medical member was available.

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21504]

Mr. Jonathan Evans: This answer is given on behalf of the Lord Chancellor's Department headquarters, including associated offices, the Court Service and the Public Trust Office.

The number of staff recorded as being paid for overtime which took their hours worked to over 48 hours a week are 143, 3,068 and 130 respectively, which represents approximately 15.6 per cent., 29.2 per cent. and 22.7 per cent. of total staff employed in the Lord Chancellor's Department headquarters, the Court Service and the Public Trust Office.

No records are held centrally, however, of the hours worked either by senior staff not eligible for paid overtime or by those on flexible working schemes.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Parliamentary Secretary, Lord Chancellor's Department what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21467]

Mr. Jonathan Evans: Terms and conditions of employment, including wages, are a matter between the contractor or supplier and his employees, subject of course to any relevant legal requirements. For certain contracts, however, the Department requests salary information from contractors and suppliers in support of tenders, as part of its value for money criteria.

Compliance with health and safety regulations is a legal requirement for the contractor or supplier.

CHURCH COMMISSIONERS

Pension Fund

40. **Mr. Corbyn:** To ask the right hon. Member for Selby, representing the Church Commissioners, what estimate he has made of the continuing viability of the pension fund. [20674]

Mr. Alison: I refer the hon. Member to the answer I gave him on 29 January, *Official Report*, column *492*.

The commissioners have had detailed discussions with dioceses about how quickly they expect to be able to raise the full costs of pension contributions and the response has been very encouraging. The General Synod has given general approval to draft legislation to give effect to the arrangements. This legislation is now in the revision stage and will come before Parliament in due course in the usual way.

Clergy

41. **Mr. Harry Greenway:** To ask the right hon. member for Selby, representing the Church Commissioners, how many currently beneficed clergy are *(a)* male and *(b)* female; and if he will make a statement. [20675]

Mr. Alison: As at 31 December 1995, 5,835 men and 63 women held benefices. The total numbers of clergy of incumbent status, including priests-in-charge and team vicars, were 7,417 men and 250 women.

ENVIRONMENT

Executive Action

Mr. Gordon Prentice: To ask the Secretary of State for the Environment if he will list those areas of executive action where he has discretion to act in respect of an individual without giving reasons for his decision. [20542]

Mr. Gummer: Comprehensive records are not kept in the form requested but the following provisions have been identified from readily available sources.

Common lands

Decisions are required from the Secretary of State under public, local and private Acts. Examples of matters involving individuals are applications to the Secretary of State for—

Orders for the exchange of lands under section 147 of the Inclosure Act 1845, applications for consent to the improvement of common land under the Law of Commons Amendment Act 1893, confirmation of regulation of regulations under the Commons Act 1908, imposition of limitations on the public's rights of access to common land under section 193 of the Law of Property Act 1925.

Countryside

Decisions on nature conservation orders, limestones pavement orders, designation of marine nature reserves and orders in respect of moor and heath land in National Parks (under sections 29, 34, 36 and 42 of the Wildlife and Countryside Act 1981).

Wild birds, habitats and animals and plants

Decisions on special protection areas for birds, designation of special areas of conservation, the system for licensing various matters in respect of sale and possession of wild birds (in particular under sections 3, 6, 7 and 16 of the Wildlife and Countryside Act 1981 and regulations made thereunder).

Highways

Certain powers with respect to public path extinguishment and diversion orders and temporary stopping up of highways under section 120 of the Highways Act 1980 and section 261 of the Town and Country Planning Act 1990.

Trees

The power for the Secretary of State to make tree preservation orders under section 202 of the Town and Country Planning Act 1990.

Town and country planning

Various powers relating to the preservation of listed buildings and in particular sections 46 to 48, 54, 55 and 76 to 78 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The decision to issue a direction calling in an application for planning permission or hazardous substance consent under section 77 of the Town and Country Planning Act 1990 and section 20 of the Planning (Hazardous Substances) Act 1990.

Building control

The determination of questions referred to the Secretary of State about plans for building work under section 16(10) of the Building Act 1984.

Housing

Decisions as to whether to give assistance in connection with legal proceedings in relation to the right to buy (section 170 of the Housing Act 1985).

Landlord and tenant

Decisions about apportionment of rent under section 20 of the Landlord and Tenant Act 1927.

Rentcharges

Decisions relating to redemption and apportionment of rentcharges under sections 3 and 5 of the Rentcharges Act 1977.

Zoos

Decisions on revocation of licences, and on directions on dispensation from the Act under the Zoo Licensing Act 1981.

This list does not include certain provisions which allow the Secretary of State to take decisions which might in theory apply only to a particular individual, such as section 115(9) of the Local Government and Housing Act 1989, which confers powers to specify generally or for particular cases purposes for which renovation work may be approved for grant.

Under section 10 of the Tribunals and Inquiries Act 1992, Ministers are under a duty to give reasons for decisions in any case in which a person concerned could have required a statutory inquiry or hearing to be held.

Research Establishments

Mrs. Anne Campbell: To ask the Secretary of State for the Environment which former public sector research establishments in his Department have been privatised since 1979; and which public sector research establishments in his Department are currently undergoing reviews with a view to placing them in the private sector. [21939]

Sir Paul Beresford: The Hydraulics Research Station was converted to an independent company limited by guarantee in 1982.

Prior options reviews of the Building Research Establishment and the Health and Safety Executive's health and safety laboratory have been undertaken and the recommendations of both reviews are being considered. The reviews have addressed the relationship of the establishments to others working in similar or related fields and, among other things, the potential for privatisation or rationalisation.

Westminster City Council

Mr. Alan W. Williams: To ask the Secretary of State for the Environment when the district auditor's report on Westminster city council will be published. [22061]

Sir Paul Beresford: The timing of the publication of his report is a matter for the auditor.

Ozone Layer

Mr. Alan W. Williams: To ask the Secretary of State for the Environment what recent evidence he has evaluated concerning damage to the ozone layer; and if he will make a statement. [22063]

Mr. Flynn: To ask the Secretary of State for the Environment what assessment he has made of recent changes in the ozone layer over the British Isles; and if he will make a statement. [22814]

Mr. Clappison: On behalf of the Department, the United Kingdom Meteorological Office makes daily measurements of total ozone levels at two sites in the UK and publishes the information weekly during the sensitive winter and spring period of potentially low ozone. The Government also receive all reports from the World Meteorological Organisation on the state of the global ozone layer and information on the ozone layer over Europe from the European ozone research co-ordinating unit in Cambridge.

Statistically significant stratospheric ozone reductions continue everywhere except in equatorial regions, due to the high level of ozone-depleting substances in the atmosphere. Recent levels of ozone over the United Kingdom have been significantly lower on individual days than previously observed due mainly to a particularly cold stratosphere this winter. Some year-to-year variation is to be expected due to fluctuations in meteorological conditions.

During the next 50 years, ozone levels are expected to return slowly to normal as a result of actions being taken under the Montreal protocol on substances that deplete the ozone layer.

Equal Opportunities

Mr. David Shaw: To ask the Secretary of State for the Environment what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches that do not proceed to tribunals or courts and (ii) equal opportunities breaches that proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22519]

Sir Paul Beresford: No cases have arisen in the current year. Two cases arose during the period 1 April 1993 to 31 March 1995: one in category *(a)* (ii) amounted to £16,526 and one in category *(b)* (ii) amounted to £21,500.

Organic Pollutants

Mr. Dafis: To ask the Secretary of State for the Environment what are the 12 most dangerous persistent organic pollutants which the United Nations Environmental Programme has recommended should be banned; and if he will make a statement. [22227]

Mr. Clappison: The United Nations Environmental Programme has not yet come to a decision on the need to ban any persistent organic pollutants, although it has identified 12 substances that should be assessed for risks posed to human health and the environment. Consideration will then be given to measures necessary to control risks identified. The 12 consist of:

pesticides (aldrin, dieldrin, DDT, endrin, chlordane, hexachlorobenzene, mirex, toxaphene and heptachlor);

industrial chemicals known as polychlorobiphenyls (or PCBs);

dioxins and furans.

The UK has played a major role in developing a proposed protocol on persistent organic pollutants under the United Nations Economic Commission for Europe convention on long-range transboundary air pollution. The Government support the UNEP initiative to build on this work, and will play an active role in its development.

Government Office for the South-West

Mr. Stern: To ask the Secretary of State for the Environment if he will call for, and publish, a cost-benefit analysis on the work of the Government office for the south-west. [22355]

Sir Paul Beresford: The GOSW's programme and running cost expenditure for 1994–95, objectives and achievements, are contained in the office's annual report, which I have arranged to be sent to the hon. Member. For 1995–96, the office's running cost budget is £7.6 million. Details are available in GO-MINIS1, a copy of which is in the Library of this House.

The office's annual report for 1995–96 and GO-MINIS2 with details of Government office running costs budgets for 1995–96 will be available in due course. I believe that the Government office, operating within the rigorous framework of the GO-MINIS exercise, provides good value for money.

Bat Conservation

Mr. Flynn: To ask the Secretary of State for the Environment what new proposals he has for bat conservation measures in *(a)* urban and *(b)* rural conservation areas. [22808]

Mr. Clappison: Four species of bat have had a range of measures proposed within biodiversity species action plans, which the Government are currently considering. A response to these proposals is expected this spring.

A range of measures within the rural environment to improve habitat identification and management are being considered. English Nature's species recovery programme for the greater horseshoe bat includes the promotion of appropriate land management around maternity roosts.

Butterfly and Moth Conservation

Mr. Flynn: To ask the Secretary of State for the Environment what new proposals he has to improve the *(a)* rural and *(b)* urban habitats for butterfly and moth conservation. [22816]

Mr. Clappison: Preparation of action plans for the large blue and large copper, and the high brown and marsh fritillaries, via English Nature's species action plans is in hand in appropriate habitats.

Work continues on five of our most threatened moth species—reddish buff moth, black-veined moth, Sussex emerald moth, barberry carpet moth and fiery clearwing moth. The 1996 programme involves enlarging the areas of available habitat and restoration of other sites in preparation for colonisation.

Sustainable Development

Mr. Congdon: To ask the Secretary of State for the Environment when the White Paper on sustainable development and the Government response to the second annual report of the panel on sustainable development will be published; and if he will make a statement. [22995]

Mr. Gummer: We will publish "This Common Inheritance: UK Annual Report 1996" and the "Government Response to the Second Annual Report of the Government's Panel on Sustainable Development" tomorrow. Copies will be placed in the Library.

The White Paper reports progress during 1995 in meeting the commitments which we made in previous White Papers and in the UK sustainable development strategy, as well as making commitments for future action. In particular, it highlights our new priorities for the year ahead and bring together the main quantified targets which have been already agreed by Government or which are under consideration.

At the strategic level, Government policy is guided by advice from their panel on sustainable development, which issued its second annual report in January of this year, focused on environmental accounting, biotechnology, forestry and the disposal of radioactive waste. My right hon. Friend the Prime Minister is writing to the convenor of the panel with the Government's response, which is also being issued in the form of a short booklet.

The White Paper and the panel reports provided an objective audit of the Government's success in moving towards sustainable development. They complement the recently published "Indicators of Sustainable Development for the United Kingdom", which aims to demonstrate the progress which the country is making towards sustainable development and to show where further action is needed—not just by Government but by business, local authorities and individuals.

Housing Partnership Fund

Mr. Jenkin: To ask the Secretary of State for the Environment when he will announce the allocation of resources to local authorities under his Department's housing partnership fund for 1996–97. [23057]

Mr. Curry: Some 238 schemes in 181 housing authorities will benefit from the £30 million housing partnership fund for 1996–97.

The scheme, which brings together the combined skills of the private sector, housing associations and other local organisations, continues to prove a popular and successful one. It demonstrates the Government's commitment to supporting imaginative, high-quality housing projects which will be of long-lasting benefit to local communities.

The successful bids involve a wide range of innovative and valuable housing projects, which address local housing needs. This year, we have particularly focused on schemes to bring empty properties back into use.

The combination of public sector money means that up to £135 million will be invested to meet local housing need, help stimulate local economic growth and create jobs.

A list of the resources being allocated to local authorities under the housing partnership fund for 1996–97 has been placed in the Library.

HOUSE OF COMMONS

Manchester Airport Exhibition

Mr. William O' Brien: To ask the Chairman of the Administration Committee if he has considered an application for an exhibition relating to 50 years of achievement of Manchester airport to be displayed in the Upper Waiting Hall. [22537]

Mr. Michael J. Martin: I understand that, under procedures agreed by the Administration Committee, arrangements have been made for the exhibition to be held in the Upper Waiting Hall from Monday 1 July to Friday 5 July 1996.

Parliamentary Questions

Sir Michael Neubert: To ask the Lord President of the Council how many parliamentary questions have been tabled since 6 November with the indication that a relevant registered interest has been declared.

Mr. Newton: There have been 73 parliamentary questions tabled from 6 November 1995 until 21 March 1996 where a registered interest was declared—56 written, 17 oral. These figures do not include those oral parliamentary questions tabled but not successful in the ballot.

ATTORNEY-GENERAL

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the Attorney-General how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21585]

The Solicitor-General: For the departments and agency for which my right hon. and learned Friend is responsible the number of staff recorded as being paid for overtime which took their hours worked to over 48 hours in a week is in the table.

	Number of staff	*Percentage of staff*
Treasury Solicitor's Department	3	0.74
Legal Secretariat to the Law Officers	5	20
Serious Fraud Office	71	41.5
Government Property Lawyers	4	3

Information for the Crown Prosecution Service is not available except at disproportionate cost.

No records are held centrally of the hours worked by senior staff not eligible for paid overtime or those on flexible working schemes.

HOME DEPARTMENT

Heathrow Airport Passengers

Mr. Wilshire: To ask the Secretary of State for the Home Department how many passengers arriving at Heathrow airport were refused admission to the United Kingdom in each of the last five years; and how many were deported immediately. [21079]

Mr. Kirkhope: The information on passengers refused leave to enter and removed at Heathrow airport is given in the table. The available statistics do not show how many were removed immediately following refusal.

Passengers refused and removed at Heathrow Airport

Year	*Number of passengers removed*
1991	8,086
1992	6,809
1993	7,155
1994	7,108
1995	7,937

Police Tasks

Mr. Michael: To ask the Secretary of State for the Home Department (1) which of the 26 police tasks to be reviewed under the police core roles and ancillary tasks report have been identified as being less cost-effective if they were removed from police responsibility; [22083]

(2) what savings his Department expects as a result of the police core roles and ancillary tasks report; and if he will list the savings he expects to attribute to each of the 26 identified police tasks. [22082]

Mr. Maclean: Work is still in progress on these matters in consultation with the police and other interested parties, as part of the follow-up work to the review. We expect to receive a report on the review's proposals, including an evaluation of savings and other benefits, by the summer.

Mr. Michael: To ask the Secretary of State for the Home Department what was the cost of the Home Office inquiry into police core roles and ancillary tasks, established in 1993 and reporting in 1995. [22081]

Mr. Maclean: The total estimated cost to my Department of conducting the review, including pay costs, travelling and subsistence, and the final costs of printing and distribution, amounted to about £232,000.

Computer Misuse Act 1990

Mr. Colvin: To ask the Secretary of State for the Home Department how many prosecutions have been brought under the provisions of the Computer Misuse Act 1990; and how many of these have resulted in convictions. [22249]

Mr. Maclean: The information is given in the table.

Number of prosecutions at magistrates[1] courts and convictions at all courts for offences[1] under the Computer Misuse Act 1990[2] 1990–94

England and Wales

Year	*Prosecutions*	*Convictions[3]*
Indictable offences		
1990	—	—
1991	4	2
1992	7	10
1993	8	5
1994	4	3

[1] Data for summary offences committed under Section 1 of the Act cannot be separately identified from other summary non-motoring offences.
[2] Came into force 29 August 1990.
[3] Includes persons proceeded against in earlier years or initially for other offences.

Buckley Hall Prison

Ms Lynne: To ask the Secretary of State for the Home Department how many incidents of concerted indiscipline at Buckley Hall prison have been reported to the Prison Service headquarters since the prison first opened; and what is the average figure over the same period of time for male category C training prisons. [22760]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Ms Liz Lynne, dated 25 March 1996:

The Home Secretary has asked me, in the absence of the Director General, to reply to your recent Question asking how many incidents of concerted indiscipline at Buckley Hall prison have been reported to Prison Service Headquarters since the prison first opened; and what is the average figure over the same period of time for male category C training prisons.

The number of incidents of concerted indiscipline reported from Buckley Hall prison since its opening on 14 December 1994 until 20 march 1996 is seven.

The average number of incidents of concerted indiscipline reported during the same period from male category C training prisons is 0.6.

Domestic Violence (Islington)

Mr. Michael: To ask the Secretary of State for the Home Department what evaluation his Department has made of the domestic violence matters project based at Islington police station. [22542]

Mr. Maclean: The Islington domestic violence matters project was funded by the Home Office programme development unit from 1992 to September 1995. The work was independently evaluated by the university of North London and the final evaluation is close to completion.

Irish Prisoners

Mr. Madden: To ask the Secretary of State for the Home Department what decisions have been taken by the parole board in relation to Irish prisoners who completed 20-year sentences last July; and if he will make a statement. [22417]

Miss Widdecombe *[holding answer 22 March 1996]:* Discretionary lifer panels of the parole board heard the cases of Sean Kinsella, Stephen Nordone, Noel Gibson, Paul Norney and Brendan Dowd on 12, 13 and 14 December 1995.

Noel Gibson, Sean Kinsella and Stephen Nordone were directed to be released. Such a direction is binding on the Secretary of State and they were released on 26 January. The discretionary lifer panels did not direct the release of Paul Norney and Brendan Dowd.

Holloway Prison

Mr. Cox: To ask the Secretary of State for the Home Department when Sir David Ramsbotham last visited Holloway prison. [21750]

Miss Widdecombe: Sir David Ramsbotham, GCB, CBE visited Holloway prison on 13 and 14 December last year as part of an unannounced inspection of the establishment.

Boot Camps

Mr. Cox: To ask the Secretary of State for the Home Department what is his Department's policy on boot camps for young offenders; and what progress is being made in its implementation. [21752]

Miss Widdecombe: Our policy is to pilot two tough, disciplined and demanding new regimes for young offenders which are intended to break the cycle of reoffending.

Last September, my right hon. and learned Friend announced details of the first of these pilots, the high-intensity training regime at Thorn Cross young offender institution in Cheshire which will take its first inmates in the summer.

High-intensity training will provide the discipline which young offenders need. It will also equip them with skills they must have for the world of work, and it will tackle their anti-social attitudes by making them face up to what they have done and accept responsibility for it.

I hope shortly to make an announcement about a second pilot regime.

Chief Inspector of Prisons

Mr. Cox: To ask the Secretary of State for the Home Department how many prisons in England and Wales Sir David Ramsbotham has visited since his appointment; and how many reports, following those visits, have been submitted to the Home Office. [21751]

Miss Widdecombe: Since his appointment on 1 December 1995, Sir David Ramsbotham, GCB, CBE has visited 22 Prison Service establishments. Seven visits were as part of an inspection and inspection reports on these establishments will be submitted to my right hon. and learned Friend.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for the Home Department how many questions were tabled to his Department in each Session since 1987-88; how many were not answered on the grounds of disproportionate cost; what percentage of the total number of questions this represented; how many were not answered on the grounds that the information was not centrally available; and what percentage of the total number of questions this represented. [21143]

Mr. Howard: The number of questions tabled to the Home Office in each Session since 1987–88 is:

	Written	*Oral (including supplementaries)*	*Total*
1987–88	3,846	414	4,260
1988–89	3,549	274	3,823
1989–90	3,252	212	3,464
1990–91	2,245	238	2,483
1991–92	1,351	134	1,485
1992–93	4,345	361	4,706
1993–94	3,348	267	3,615
1994–95	3,187	278	3,465
1995–96	1,310	98	1,408

The remainder of the information requested by the hon. Member could itself be provided only at disproportionate cost.

India

Mr. Vaz: To ask the Secretary of State for the Home Department when he last visited India; at what cost to public funds; which places he visited in India and for what reasons; and if he will list the names of officials who accompanied him. [18575]

Mr. Howard: I visited India and Pakistan between 29 December 1995 and 9 January 1996 at a total cost of £34,201. The officers who accompanied me were my private secretary, a press officer and the head of the immigration policy division. The guidelines in "Questions of Procedure for Ministers" were followed. The necessary approval was sought in advance of the visit and full official programmes were followed which had been drawn up with the Foreign and Commonwealth Office.

In India, I visited Jodhpur, at the invitation of the Indian high commissioner for Great Britain, Delhi, Bombay and Amritsar. In Pakistan, I visited Lahore, Peshawar and Islamabad.

The purpose of my visit was to visit the entry clearance operations run by the Home Office in these countries, to discuss drugs issues with both Governments, to further my understanding of community relations issues and to help improve relations between countries.

Departmental Gun Clubs

Mr. Tony Banks: To ask the Secretary of State for the Home Department how many Government Departments have *(a)* gun clubs and *(b)* shooting ranges on the premises. [21988]

Mr. Maclean: Four Government Departments in Great Britain have gun clubs approved by the Secretary of State under section 15 of the Firearms (Amendment) Act 1988 in which members may use firearms for target practice without holding a firearm certificate. Information is not held centrally on gun clubs which do not fall under the section 15 scheme. Information about the number of shooting ranges on Government premises could be obtained only at disproportionate cost.

Involuntary Manslaughter

Mrs. Dunwoody: To ask the Secretary of State for the Home Department (1) what consideration the Law Commission has given to the introduction of prison sentences for involuntary manslaughter; [21878]

(2) what action he intends to take following the publication of the Law Commission report into involuntary manslaughter. [21771]

Mr. Maclean: The Law Commission's final report on involuntary manslaughter was published on 5 March. It recommends reform of the existing law by the creation of two new offences of unintentional killing by individuals, for which a penalty of imprisonment would continue to be available, and a new offence of corporate killing for which a penalty of imprisonment would not be available. We are grateful to the Law Commission for the work which it has carried out in this complex area of the law. We will consider carefully the recommendations contained in its report.

Police Driver Training

Ms Jowell: To ask the Secretary of State for the Home Department what was the total amount spent by the Metropolitan police on driver training in 1995; and what is the projected budget for 1996. [22405]

Mr. Maclean: Driver training costs incurred by the Metropolitan police in 1995 were £5,410,352. I understand from the Commissioner that projected costs for 1996 are £5,629,832.

Criminal Records

Mr. Spellar: To ask the Secretary of State for the Home Department what records are kept of individuals' criminal convictions. [22157]

Mr. Maclean: Information about criminal convictions for reportable offences, including all imprisonable and specified other offences, is held on the police national computer and in the record library of the national identification service. Local police forces may also keep this information together with information about convictions for non-reportable offences.

Prisoners (Drug Testing)

Mr. Llwyd: To ask the Secretary of State for the Home Department how many prisoners over the last 12 months have tested positive as a result of mandatory drug testing; and if he will make a statement. [22395]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Elfyn Llwyd, dated 25 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the Office, to reply to your recent Question regarding the number of prisoners who have tested positive in the last 12 months as a result of mandatory drug testing.

Between February 1995 and January 1996 8352 prisoners were tested under the random testing programme with 3073 positive test results. Results for February 1996 are not yet available.

Mr. Llwyd: To ask the Secretary of State for the Home Department how many prisoners in Welsh prisons over the last 12 months have tested positive as a result of mandatory drug testing; and if he will make a statement. [22396]

Miss Widdecombe *[holding answer 21 March 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Elfyn Llwyd, dated 25 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the number of prisoners in Welsh prisons who have tested positive in the last 12 months as a result of mandatory drug testing.

Of the three Welsh establishments, Swansea and Usk/Prescoed began testing in December 1995 and Cardiff in February 1996. Results for February 1996 are not yet available. Of 74 prisoners tested at Swansea and Usk/Prescoed in December and January, 22 were found to be positive for drugs.

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21507]

Mr. Howard: Records of the number of hours worked by each employee are not kept centrally and could be provided only at disproportionate cost.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Secretary of State for the Home Department what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21469]

Mr. Howard: Terms and conditions of employment, including wages, are a matter between the contractor or supplier and his employees, subject of course to any relevant legal requirements. Compliance with health and safety regulations is a legal requirement for the contractor or supplier.

Police (Body Armour)

Mr. Allason: To ask the Secretary of State for the Home Department what is the British police standard of stab-proof ballistic material for soft body armour. [21532]

Mr. Maclean: Standards are set out in publications by the Home Office police scientific development branch entitled "PSDB Ballistic Body Armour Standard (1993)" and "PSDB Stab Resistant Body Armour Test Procedure (1993)". Copies have been placed in the Library. These standards have been agreed by the Association of Chief Police Officers and are made freely available to manufacturers and other interested bodies.

PRIME MINISTER

Taiwan

Sir Nicholas Scott: To ask the Prime Minister if he will make it his policy to support the application by Taiwan to join the United Nations organisation and to seek support from Commonwealth and EU partners for it. [22219]

The Prime Minister: No. Membership of the United Nations is open only to states. Her Majesty's Government do not recognise Taiwan as a state.

Rathbone Community Furniture

Mr. Parry: To ask the Prime Minister what reply he gave to Rathbone Community Furniture, Liverpool, in response to its recent letter to him; and if he will make a statement. [22156]

The Prime Minister: My office has forwarded the letter to the Department for Education and Employment which will respond in due course.

Enterprise Zones

Mr. Wigley: To ask the Prime Minister, pursuant to his oral answer of 19 March 1996, *Official Report*, columns 167-68, to the hon. Member for Easington (Mr. Cummings) if he will list the advantages which will be given to the area by virtue of the creation of an enterprise zone; and how long it has taken from the first proposal for such a zone to the date of coming into effect of such a status. [22382]

The Prime Minister *[holding answer 22 March 1996]:* The benefits available to businesses during the 10-year life of an enterprise zone are the following: 100 per cent. allowances for corporation tax purposes for capital expenditure on industrial and commercial buildings: exemption from the national non-domestic rate on industrial and commercial property; a simplified planning regime; speedier administration of residual statutory planning controls; exemption from industrial training levies and from the requirements to supply information to industrial training boards; processing applications for certain customs facilities as a priority, and the relaxation of certain criteria; and the reduction of government requests for statistical information. Enterprise zones can effect economic activity over a wide area through displacement effects and are not the appropriate regeneration measure in most circumstances.

The Government announced that they would consider the case for new enterprise zones at Easington in County Durham on 29 March 1993; zones in that area were designated on 29 November 1995.

FOREIGN AND COMMONWEALTH AFFAIRS

Taiwan

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he has to reduce the tension between Taiwan and China. [22411]

Mr. Hanley: We have repeatedly urged China to show restraint and have called for an early resumption of the cross-straits dialogue. We have made these points to the Chinese directly at prime ministerial level and through the EU. We remain fully supportive of the actions taken by the United States to defuse the situation.

Equal Opportunities

Mr. David Shaw: To ask the Secretary of State for Foreign and Commonwealth Affairs what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22520]

Mr. Hanley: We have made the following settlements, without prejudice, in respect of alleged equal opportunities breaches:

(i) in 1995 £5,000 was paid to a former employee. The case did not proceed to a tribunal or court.

(ii) in 1994 an out-of-court settlement of £25,000 was paid to a former employee. Industrial tribunal proceedings had been initiated.

In respect of other organisations, a without prejudice settlement for £20,875 was paid in 1995 to a former employee. The case did not proceed to a tribunal or court.

European Parliament

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 18 March, *Official Report,* column *11,* what rents were paid for the various buildings rented by the European Parliament in *(a)* Strasbourg, *(b)* Brussels and *(c)* Luxembourg; and if he will indicate the floor areas of the buildings, the purposes for which they are used, and the nature of any applicable rent reviews. [22360]

Mr. David Davis: The information requested is as follows:

	1996 rent (£)	*Floor area*
Luxembourg		[2]140,000m
BAK building	8,593,930	
NHE building	679,884	
Schuman building	3,158,223	
Senningerberg building	287,417	
Tower building	1,504,316	
Strasbourg		[2]120,000
Palais de L'Europe	664,084	
IPE O, IPE I and IPE II	7,042,439	
IPE III	4,016,552	
Brussels		[2]175,000m
Belliard I building	4, 771,102	
Belliard II building	1,210,748	
Belliard III/IV building	4,328,590	
Eastman building	270,054	
Remorqueur building	251,708	
Remard building	1,019,901	
Van Maerlant building	3,232,279	
D2 building	11,143,704	

The Palais de l'Europe in Strasbourg and the D2 building in Brussels contain debating chambers for plenary sessions of the European Parliament. Other buildings contain offices and meeting rooms.

The figures for rent also include property tax. The rentals are calculated over 12 months on the basis of existing leases. They are not subject to periodic review, but the leases provide for indexing to the cost of living, or to construction costs.

European Union

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will conduct a review of the presentation of Government policy on the European Union. [20683]

Mr. David Davis: We have no such plans.

St. Helena

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs what television satellite services are available in St. Helena; at what cost to the consumer; and if he will make a statement. [22037]

Sir Nicholas Bonsor: Cable and Wireless receives and re-broadcasts the CNN international satellite television channel. The cost to the consumer consists of an installation charge, which varies according to consumers' particular requirements, and a service charge of £5 per month.

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people in St. Helena are *(a)* employed in the private sector, *(b)* employed by the Government, *(c)* unemployed and *(d)* working on community projects. [22041]

Sir Nicholas Bonsor: There are *(a)* 786 people employed in the private sector, *(b)* 1,282 employed by the Government, *(c)* 254 unemployed and *(d)* 122 working on community projects.

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs which British Ministers have visited St. Helena in each of the past 22 years; and on what dates. [22033]

Sir Nicholas Bonsor: There has been one visit at ministerial level: the late Neil Marten represented the Minister for Overseas Development in January 1984.

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the trades, businesses, professions and vocations approved by the

governor of St. Helena since 1994 which are new to St. Helena, are likely to be continued in St. Helena and which have taken advantage of tax holidays. [22034]

Sir Nicholas Bonsor: Coffee production—one. Cabinet making—one. They have both taken advantage of tax holidays.

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs what banking licences have been granted on St. Helena in the past five years. [22038]

Sir Nicholas Bonsor: No banking licences have been granted on St. Helena in the past five years.

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs what activities on St. Helena have been privatised in the past five years; and if he will make a statement. [22040]

Sir Nicholas Bonsor: No activities have been privatised in the past five years. However, the St. Helena Government have recently embarked on a public sector reform programme which they anticipate could lead to the privatisation of various activities and services in due course.

TRADE AND INDUSTRY

Telecommunications (Key Escrow)

Mr. Michael Brown: To ask the President of the Board of Trade, pursuant to his answer of 6 March, *Official Report*, column *229*, when he intends to announce the Government's decision on the introduction of a telecommunications key escrow. [22204]

Mr. Ian Taylor: As I made clear in my previous answer on 6 March, discussions on this important issue are continuing. It would be inappropriate to establish at this stage any artificial time constraints.

Satellite Dish Sales

Mr. Dafis: To ask the President of the Board of Trade what estimate he has made of satellite dish sales in *(a)* Wales, *(b)* England, *(c)* Scotland and *(d)* Northern Ireland in the last five years. [22235]

Mr. Ian Taylor: Estimated sales of satellite dishes in United Kingdom for each year from 1991 to 1995 are:

1991: 710,000
1992: 710,000
1993: 740,000
1994: 750,000
1995: 760,000

I am not aware of any statistics separately available for England, Scotland, Wales and Northern Ireland.

Working Time Directive

Mr. Chris Davies: To ask the President of the Board of Trade what entitlements to paid leave for *(a)* part-time employees and *(b)* full-time employees are specified within the working time directive. [22267]

Mr. John M. Taylor: The directive specifies that every worker should be entitled to paid annual leave of the least four weeks a year in accordance with conditions for entitlement laid down by national legislation or practice. Member states may reduce this to three weeks for a transitional period of three years. The directive does not distinguish between part-time and full-time employees.

Employment Insecurity

Mrs. Bridget Prentice: To ask the president of the Board of Trade what plans he has to investigate the effect of employment insecurity on productivity in relation to *(a)* small and medium-sized enterprises and *(b)* the economy. [22290]

Mr. Page: The Department has no plans for research into this topic.

Community Pharmacies

Mr. Wigley: To ask the President of the Board of Trade if in considering the Office of Fair Trading review of resale price maintenance on non-prescription medicines, he will take account of the viability of community pharmacies. [22199]

Mr. John M. Taylor: The Secretary of State has no statutory role or discretion in relation to the review being undertaken by the Office of Fair Trading. Representations concerning the viability of community pharmacies and other aspects of the review should be made direct to the Director General of Fair Trading.

Recycled material

Mr. Sheerman: To ask the President of the Board of Trade (1) what discussions he has had with the glass industry in developing more end-use markets and products for recycled glass; [21738]

(2) what recent discussions his Department has had with the bottling industry regarding the use of recycled glass. [21743]

Mr. Page: My Department has funded an environmental technology innovation scheme project with British Glass to develop alternative uses for green waste glass—cullet. A number of interesting applications have been identified, such as foam glass building blocks, coffee tables, floor tiles and "glasphalt", and British Glass is now pursuing some of the more promising ideas under its own auspices. The environmental technology best practice programme will promote the results of projects aiming to increase the proportion of cullet used in UK glass industry. The Government frequently meet representatives of the glass container-making and using industries in the course of discussions on producer responsibility for packaging waste.

Mr. Sheerman: To ask the President of the Board of Trade (1) what studies his Department has commissioned to evaluate the enterprise potential of the manufacture of products from recycled material; [21741]

(2) what research his Department has initiated into the feasibility of expanding markets for products manufactured from recycled material. [21740]

Mr. Page: My Department periodically commissions the recycling advisory unit of the national environmental technology centre to carry out and publish studies into the market prospects for a number of recycled materials, including paper, plastics, metals, glass and wood. These

studies, which include an assessment of the technical and market barriers to increasing the use of material for recycling, are in the process of being brought up to date, and copies will be placed in the Library of the House when they are finalised.

A number of projects under our ETIS and Euroenviron schemes of assistance had as their objective the development of new products using recycled materials, and the current environmental technology best practice programme will promote the results of projects aimed at increasing the use of waste paper and glass.

British Coal Enterprise

Mr. Sheerman: To ask the President of the Board of Trade (1) how many companies are being considered for the purchase of British Coal Enterprise subsidiaries; and what criteria will be used against which to judge the suitability of the bids; [21742]

(2) what steps his Department is taking to ensure that workspace is sold to an appropriate purchaser with knowledge of and commitment to the regeneration of former coalfield communities through training and regeneration. [21812]

Mr. Page: The sale of British Coal Enterprise is a matter for British Coal. When launching the sales process, British Coal indicated that it would be considering proposals for BCE in the light of its statutory duties and the importance of ensuring continuation of effective assistance to coalfield communities.

The corporation has announced that two management buy-out teams have been identified as preferred bidders for the business funding and outplacement arms of BCE, and that Birkby plc has been identified as preferred bidder for BCE's workplace portfolio.

Mr. Tipping: To ask the President of the Board of Trade what recent discussions he has held about the disposal of British Coal Enterprise's property portfolio; who is to acquire it; from what date; what steps have been taken to ensure that the new owners continue to meet the needs of coalfield communities; and if he will make a statement. [22605]

Mr. Page: The sale of British Coal Enterprise is a matter for British Coal. When launching the sales process, British Coal indicated that it would be considering proposals for BCE in the light of its statutory duties and the importance of ensuring continuation of effective assistance to coalfield communities.

The corporation has announced that Birkby plc has been identified as preferred bidder for BCE's workspace activities. The corporation expects that the sales process will be concluded at or shortly after the end of March 1996.

Research Establishments

Mrs. Anne Campbell: To ask the President of the Board of Trade which former public sector research establishments in his Department have been privatised since 1979; and which public sector research establishments in his Department are currently undergoing reviews with a view to placing them in the private sector. [21947]

Mr. Ian Taylor: The National Engineering Laboratory was privatised by trade sale in October 1995. The National Measurement Accreditation Service—NAMAS—formerly part of the National Physical Laboratory, was merged with the National Accreditation Council for Certification Bodies—NACCB—formerly part of the British Standards Institution, in August 1995 to form the United Kingdom Accreditation Service, which was established as a non-profit distribution company limited by guarantee. The National Maritime Institute—formerly part of the National Physical Laboratory—was also privatised as a company limited by guarantee in October 1982, changing its name to NMI Ltd. The operation of the National Physical Laboratory was contracted-out in October 1995. Negotiations are currently under way with a preferred bidder for a trade sale of the Laboratory of the Government Chemist.

No research establishments which fall within the area of responsibility of the research councils for which DTI is responsible have been privatised since 1979. The plant breeding activities of the former plant breeding institute were privatised by trade sale in October 1987, but the establishment itself remains in the pubic sector as part of the Institute of Plant Science Research.

Commercially oriented research activity has formed, and will continue to form, part of the work of AEA Technology, which is also due to be privatised. This includes the rationalised activities of the Warren Spring Laboratory which were absorbed by AEA Technology in spring 1994.

In terms of those research establishments currently under review, I refer the hon. Member to the answer given to my hon. Friend the Member for Taunton (Mr. Nicholson) on 26 January 1996, *Official Report*, columns *421-23*. Each review will address the relationship of establishments to others working in similar or related fields and consider, among other things, the potential for privatisation or rationalisation.

Advisory, Conciliation and Arbitration Service

Dr. Twinn: To ask the President of the Board of Trade when he expects to receive the annul report for the Advisory, Conciliation and Arbitration Service. [22983]

Mr. Lang: I am laying the ACAS report for 1995, before both Houses of Parliament today. Copies are available from the Vote Office.

Scott Inquiry

Mr. Gordon Prentice: To ask the President of the Board of Trade what steps he is taking to ensure that Ministers are aware of the views of the vice-chancellor concerning the use of selective quotations taken from the vice-chancellor's answers given at the press conference on 15 February. [17697]

Mr. Lang: The inquiry itself made it clear that Sir Richard Scott's views about selective quotation from his report applied to any summary of his report, whether by Government, Opposition or the media.

Business Employment

Mr. Harry Greenway: To ask the President of the Board of Trade what study he has made as to the changes in employment levels in the last year in respect of businesses employing *(a)* over 20 people and *(b)* fewer than this figure; and if he will make a statement. [20697]

Mr. Page: Estimates of the changes in employment levels during 1995 for businesses of different sizes are not available but it will be possible to derive such figures in future years from information held on the Central Statistical Office's interdepartmental business register.

Some information is available from the labour force survey, but with respect to workplaces rather than businesses. Changes in employment levels between autumn 1994 and autumn 1995, in workplaces with *(a)* fewer than 25 and *(b)* 25 or more people, are given in the table.

Changes in the number of employees[1] by size of workplace
Great Britain, not seasonally adjusted

Thousands

	Total[2]	*Less than 25 employees*[3]	*25 or more employees*[3]
Autumn 1994	21,632	7,157	14,237
Autumn 1995	21,977	7,145	14,578
Change	346	–12	342

Notes:
[1] Figures are for employees only, and excluded the self-employed, unpaid family workers and those on Government programmes.
[2] Includes some people who did not give the number of employees at their workplace.
[3] Excludes those who did not give the number of employees their workplace.
Source:
Labour Force Survey.

Insolvency Service

Mr. Mike O'Brien: To ask the President of the Board of Trade if he will make a statement on the privatisation of the Insolvency Service. [20684]

Mr. Oppenheim: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Spelthorne (Mr. Wilshire) on 28 February 1996, *Official Report*, column *589*.

OVERSEAS DEVELOPMENT ADMINISTRATION

Bilateral Aid

32. **Mr. Bayley:** To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals the Government have to increase the proportion of bilateral aid spent on meeting basic needs for poor people in poor countries. [20712]

Mr. Hanley: We are committed to the goal of poverty eradication in poor countries but we do not set rigid targets about the quantity of aid going to the poor; we are instead most concerned to provide quality, effective aid which makes a lasting impact on basic needs.

33. **Dr. Goodson-Wickes:** To ask the Secretary of State for Foreign and Commonwealth Affairs in how many instances since 1979 aid has ceased because the country was judged no longer to need it. [20713]

Mr. Hanley: We have ceased normal bilateral programmes in a number of better-off developing countries such as Korea and Singapore. ODA policy is to continue to concentrate aid further on the poorest countries where it is most needed, and can be used effectively.

Mr. William O'Brien: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the criteria used to allocate overseas aid. [20708]

Mr. Hanley: The main criteria for allocating bilateral aid are the needs of the country concerned and the effectiveness with which aid can be used. A number of other factors, including good government, the commitment of recipients to political and economic reform and traditional ties with Britain, are also taken into account. There are also our obligations to multilateral organisations of which we are a member.

Rwanda

34. **Mr. Llwyd:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current level of aid to Rwanda; what were the equivalent figures in the last financial year; what is proposed for the next financial year; and if he will make a statement. [20714]

Mr. Hanley: In 1994–95, the United Kingdom spent more than £45 million in bilateral emergency aid in Rwanda. In 1995–96 we have committed more than £7 million in bilateral emergency and rehabilitation assistance. In addition, we have contributed £41.5 million to EU actions since April 1994. Future pledges will reflect needs and the capacity of the Government and implementing partners to deliver assistance.

Sub-Saharan Africa

35. **Mr. Nigel Evans:** To ask the Secretary of State for Foreign and Commonwealth Affairs what is the level of aid devoted to sub-Saharan Africa in 1995–96. [20715]

Mr. Hanley: Gross public expenditure on bilateral aid to sub-Saharan Africa in 1995–96 is expected to total nearly £347 million. Africa is also a major recipient of multilateral assistance, to which Britain makes significant contribution—estimated at over £355 million in 1993.

Lumle Agricultural Research Station, Nepal

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the visit to the office of the Minister for Overseas Development of the right hon. Member for Tonbridge and Malling (Sir J. Stanley) and the hon. Member for Linlithgow about aid to Nepal, following the Inter-Parliamentary Union visit, what decisions he has arrived at regarding the Lumle agricultural research station. [20851]

Mr. Hanley: I refer the hon. Member to the reply I gave to him on 29 January, *Official Report,* column *506*, and to the letter he received from my right hon. and noble Friend the Minister for Overseas Development dated 8 February 1996.

St. Helena

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list, by value of assistance, the fishing projects being supported by the St. Helena Development Agency. [22035]

Mr. Hanley: No fishing projects are being supported by the St. Helena development agency.

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs what have been the costs to public funds of supporting the operation of RMS St. Helena in each of the past five years. [22043]

Mr. Hanley: The cost of the shipping subsidy and associated costs in each of the last five financial years is:

1991–92: £0.920 million

1992–93: £1.389 million

1993–94: £1.071 million

1994–95: £1.152 million

1995–96: £1.346 million (estimate)

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) how many *(a)* females and *(b)* males normally resident in St. Helena have commenced higher education courses (i) on the island and (ii) overseas in each academic year since 1990; [22030]

(2) how many *(a)* female and *(b)* males normally resident in St. Helena have commenced higher education courses (i) on the island and (ii) overseas in each of the most recent five years for which figures are available. [22031]

Mr. Hanley: All higher education courses have commenced in the United Kingdom. The numbers are:

Academic year	*Male*	*Female*
1990–91	1	8
1991–92	—	5
1992–93	7	7
1993–94	4	5
1994–95	1	9
1995–96	2	5

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs what constraints have been removed on fisheries under the St. Helena five-year development plan. [22032]

Mr. Hanley: The principal constraints to the development of an economically viable local fishery at St. Helena are related to its isolated location and to the limited natural resource base available for exploitation. St. Helena's geographical isolation does not permit easy or rapid access to markets, and the lack of a safe haven with associated vessel maintenance facilities precludes the operation of larger locally based fishing vessels. The Overseas Development Administration has worked closely with the Government of St. Helena, the St. Helena Fisheries Corporation and the island's fishing community to promote the development of a viable small-scale commercial fishery. To this end, the Administration, since 1978, has invested more than £3 million in a series of technical assistance and development aid projects. The Fisheries Corporation is now considering how best to expand throughput to meet demand and to develop its export marketing strategy further.

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the staff employed by the St. Helena development agency who have previously worked with British development agencies, indicating for how long each employee worked for the relevant agency. [22036]

Mr. Hanley: No staff employed by the St. Helena development agency have previously worked with British development agencies.

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the expert staff for key posts on St. Helena who are provided by the British Government. [22042]

Mr. Hanley: The key posts provided by the British Government are:

Mr. David Smallman: *Governor*

Mr. John G. Perrott: *Chief Secretary*

Mr. Robert J. Perrott: *Financial Secretary*

Mr. David Jeremiah: *Attorney General*

Mr. Kenneth Jones: *Chief Auditor*

Mr. Chris Lomas: *Chief Agricultural and Forestry Officer*

Dr. John Sharpe: *Chief Medical Officer*

Mr. Keith Jones: *Chief Engineer*

ODA is also funding the costs of an additional 13 expatriates working within St. Helena Government Departments.

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs what budgetary aid by category he is providing to St. Helena during the current financial year. [22044]

Mr. Hanley: The budgetary aid provision for St. Helena in 1995–96 is £3.56 million. This is a single grant in aid intended to supplement the St. Helena Government's overall public expenditure budget.

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs what non-governmental organisations have been established on St. Helena for electricity and water supplies. [22039]

Mr. Hanley: None. However, the St. Helena Government are currently considering a consultancy report which may lead to a restructuring of the electricity and water undertakings.

SCOTLAND

Procurator Fiscal Service

Mr. McAvoy: To ask the Secretary of State for Scotland if he will make a statement on the procedure for processing complaints from members of the public about procurator fiscal offices. [21215]

Lord James Douglas-Hamilton: My noble and learned Friend the Lord Advocate informs me that the Crown Office has recently completed a review of its complaints system. The revised system, which is about to be implemented, involves the introduction of a standard form for noting complaints. This will form the basis of a central record of the types of complaints received by the Department and the outcome of inquiries into those complaints.

The Crown Office has also produced a leaflet which will be available to members of the public and which will describe the procedure for making complaints and the way in which they will be handled. Complaints will be investigated by or under the supervision of procurators fiscal, regional procurators fiscal or the Crown agent as appropriate.

Mr. McAvoy: To ask the Secretary of State for Scotland on how many occasions disciplinary action was taken against employees of the procurator fiscal service as a result of complaints from members of the public in each of the last five years. [21217]

Lord James Douglas-Hamilton: The Crown Office has no record of disciplinary action being taken against any member of staff in the last five years as a result of complaints from members of the public.

Mr. McAvoy: To ask the Secretary of State for Scotland (1) how many complaints about the operation of the Glasgow procurator fiscal office he has received from members of the public in each of the last five years; [21216]

(2) how many complaints against the operation of procurator fiscal offices in Scotland he received in each of the past five years. [21214]

Lord James Douglas-Hamilton: My noble and learned Friend the Lord Advocate informs me that this information is not readily available and could be obtained only at disproportionate cost as there is no central record of the number of complaints made about the operation of procurator fiscal offices. The procurator fiscal at Glasgow has checked his records for 1995 and 1996 to date. During that period only one written complaint was received from a member of the public about the actions of a member of his staff.

Mr. McAvoy: To ask the Secretary of State for Scotland if he will make a statement on the work of the procurator fiscal service in respect of on-going staff training and development. [21218]

Lord James Douglas-Hamilton: My noble and learned Friend the Lord Advocate informs me that the Crown Office and procurator fiscal service committed to the principles of "Investors in People" in December 1994. A departmental training and development group works with regional groups to take forward the training and development of staff in accordance with a training strategy agreed by senior management which addressed induction, core and development needs of each staff group. The group is currently revising competences which will form the basis of performance appraisal and be a foundation for future training. The link between competences and vocational qualifications is under consideration. The training strategy reflects the overall objectives, values and business requirements of the organisation and includes an objective to provide training on a complaints system which is about to be implemented.

Small Claims

Mr. Gordon Brown: To ask the Secretary of State for Scotland how many cases have come before the sheriff courts in each sheriffdom under the small claims procedures in the last three years. [22442]

Lord James Douglas-Hamilton: The information requested in relation to small claims initiated is shown in the table.

Sheriffdom	*1993*	*1994*	*1995*
Glasgow and Strathkelvin	11,322	10,401	10,240
Grampian, Highland and Islands	12,175	11,024	9,149
Lothian and Borders	12,733	12,116	11,584
North Strathclyde	11,430	8,646	8,306
South Strathclyde, Dumfries and Galloway	12,026	9,966	8,917
Tayside, Central and Fife	13,028	11,849	11,481
Total	72,714	64,002	59,677

Dental Services

Mr. Simon Hughes: To ask the Secretary of State for Scotland how many people have been deregistered from their dentist since 1992 in each health board area; and if he will make a statement. [20875]

Lord James Douglas-Hamilton: Information supplied by health boards about deregistration is listed in the table:

Number of patients deregistered from April 1992 to February 1996 by Health Board

Health Board	*Number of patients de-registered*[1]
Argyll and Clyde	2,349
Ayrshire and Arran	1,817
Borders	2,156
Dumfries and Galloway	7,033
Fife	1,535
Forth Valley	576
Grampian	3,302
Greater Glasgow	2,231
Highland	1,448
Lanarkshire	903
Lothian	4,127
Orkney	—
Shetland	—
Tayside	[2]1,677
Western Isles	53
Total	29,207

[1] The total is the number deregistered by dentists for reasons other than the dentist moving, relocating, non-payment of bills etc or because a patient has entered into a private contract with the dentist. The information was supplied for management purposes only and is not statistically validated.
[2] From July 1992.

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the Secretary of State for Scotland how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21512]

Mr. Michael Forsyth: Records of the number of hours worked by each employee are not held centrally and the information requested could be provided only at disproportionate cost.

Amey Construction Ltd.

Mr. Key: To ask the Secretary of State for Scotland if he will list projects in which Amey Construction Ltd. were employed by the Scottish Office as contractors, by subject and by value, in the financial years 1994–95 and 1995–96. [22028]

Lord James Douglas-Hamilton: Amey Construction Ltd. is currently employed by the Scottish Office on only one project, a joint venture with Miller Construction to upgrade the A1 trunk road between Haddington and Tranent.

The contract was let during financial year 1994–95 and is worth £26.61 million.

NATIONAL HERITAGE

Royal Opera House

Dr. Spink: To ask the Secretary of State for National Heritage what assessment she has made of the impact of redundancy costs on the Royal Opera House. [18226]

Mr. Sproat: Central Government support for the arts in England is channelled through the Arts Council of England. The council works closely with its client bodies, including the Royal Opera House, in assessing the artistic, financial and management implications of forecast budgets and other plans.

HEALTH

Human Embryos

Mrs. Ann Winterton: To ask the Secretary of State for Health how many human embryos have to date been licensed for creation and storage by the Human Fertilisation and Embryology Authority; in how many of those cases the period of maximum storage for which consent was given was less than five years; in how many of those cases in which the authorised storage period has passed the embryos have been *(a)* implanted, *(b)* destroyed, *(c)* used for research purposes and *(d)* experienced other outcomes; and if he will make a statement on the action the authority takes to ensure that maximum storage periods are not exceeded and that embryos which reach the end of the authorised storage period die in a manner consistent with their status. [19654]

Mr. Horam: The records of the Human Fertilisation and Embryology Authority show that the number of embryos created in IVF treatment in the period 1 August 1991 to 1994 inclusive—latest available figures—was 302,156. Of these, the number of embryos placed in store during the same period was 64,161. Information on the number of people who consented to a storage period of fewer than five years and the purpose for which consent was given is not held centrally. This information is contained on the consent forms which are held by patients and the licensed centres.

The HFEA's code of practice sets out the action necessary in licensed centres to sustain appropriate standards in the storage of embryos. Copies of the code of practice are available in the Library. Licensed centres are held to account for compliance with the code of practice when the HFEA carried out its annual inspection of centres.

Mr. Alton: To ask the Secretary of State for Health, pursuant to his answer of 4 March, *Official Report*, column 67, how many live babies were born from the human embryos frozen between 1991 and 1994; and what percentage of the number of embryos frozen this represents. [20385]

Mr. Horam: The number of embryos used in treatment cycles during the period 1 August 1991 to 1994 inclusive includes embryos frozen prior to 1991. The number of babies born from frozen embryos during the period 1 August 1991 to 1994 inclusive was 1,339.

Mr. Alton: To ask the Secretary of State for Health how many women had embryos implanted from 1991 to 1994 under the terms of the Human Fertilisation and Embryology Act 1990; and how much was paid in fees for treatment by these women over the same period. [20386]

Mr. Horam: The number of women who had embryos transferred to the uterus in the period 1 August 1991 to 1994 inclusive was 36,867. The Department of Health does not collect information about fees paid for treatment.

Mr. Alton: To ask the Secretary of State for Health how many human embryos have been frozen in each year since the practice was first sanctioned by law. [18317]

Mr. Horam *[pursuant to his reply, 4 March 1996, c. 67]:* I regret that there was an error in the information provided. The correct reply should read as follows.

As recorded in the records of the Human Fertilisation and Embryology Authority, the number of embryos placed in store following in-vitro fertilisation treatment in each year was as follows:

1991: 4,969 (from 1 August)

1992: 15,940

1993: 19,756

1994: 23,496

Data for 1995 have not yet been validated.

Mr. Alton: To ask the Secretary of State for Health (1) how many frozen human embryos have been experimented on and then destroyed since the practice was first sanctioned by law; [18318]

(2) how many unfrozen human embryos have been experimented on and then destroyed since the practice was first sanctioned by law. [18319]

Mr. Horam *[pursuant to his reply, 4 March 1996, c. 67]:* I regret that there were two errors in the information provided.

The total number of embryos created in in-vitro fertilisation treatment from 1 August 1991 to 1994 inclusive was 302,156, not 498,493. Of these, the number donated for research during the same period was 27,524, not 27,493, as previously stated.

Mr. Alton: To ask the Secretary of State for Health how many human embryos were used in treatment cycles from 1991 to 1994. [19787]

Mr. Horam *[pursuant to his reply, 8 March 1996, c. 386]:* I regret that there was an error in the information provided.

As recorded in the records of the Human Fertilisation and Embryology Authority, the number of embryos used in treatment cycles between 1 August 1991 and 1994 inclusive was 139,973, not 140,410, as stated previously. This includes fresh and frozen embryos.

Mr. Alton: To ask the Secretary of State for Health how many human embryos were destroyed between 1991 and 1994 at the request of their parents. [19788]

Mr. Horam *[pursuant to his reply, 8 March 1996, c. 386]:* I regret that there was an error in the information provided.

The number of embryos created in in-vitro fertilisation treatment that were not frozen or used for treatment or for other purposes during the period in question was 90,491, not 90,756 as stated previously. As required by the Human Fertilisation and Embryology Act, decisions about these embryos would have been taken only with the consent of the couple involved.

Private Cosmetic Surgery

Mrs. Clwyd: To ask the Secretary of State for Health when he plans to publish the study commissioned by the Department of Health from the British Association of Plastic Surgeons on private cosmetic surgery started in July 1995. [21385]

Mr. Horam: We are awaiting a full analysis of the British Association of Plastic Surgeons' survey.

Health Authorities (Spending Targets)

Mr. Bill Michie: To ask the Secretary of State for Health what was the total amount by which NHS authorities failed to meet their spending targets in the year 1994–95. [21651]

Mr. Horam: The spending of four district health authorities and five family health services authorities exceeded their cash limits by a total of £694,000.

Ministerial Engagements

Mr. Redmond: To ask the Secretary of State for Health for what reasons he cancelled at short notice his commitments personally to open the new mental health unit at City and Hackney community services trust. [21732]

Mr. Horam: My right hon. Friend was called to attend a meeting of the Cabinet.

Blister Packs

Mr. MacShane: To ask the Secretary of State for Health how many cases of hospital admissions are due to ailments caused by children ingesting pharmaceutical products they have extracted from blister packs in the last year for which figures are available. [21823]

Mr. Malone: The information is not available centrally.

Accident and Emergency Departments

Mrs. Dunwoody: To ask the Secretary of State for Health on which basis the star rating system of triage in accident and emergency departments has been calculated; and what weight is given to *(a)* the quality and *(b)* speed of assessment. [21959]

Mr. Horam: The basis for star ratings for performance on the patients charter immediate assessment standard is set out in the national health service performance guide. The figure given for each unit is the number of patients seen and assessed by a qualified person within five minutes of arrival at the A and E department, as a percentage of the total number arriving. Star ratings indicate that the Audit Commissions' auditors were satisfied with the data collection systems.

Mrs. Dunwoody: To ask the Secretary of State for Health what assessment he has made of the performance of accident and emergency departments operating triage *(a)* 24 hours and *(b)* 12 hours a day. [21953]

Mr. Horam: In the first three quarters of the year 1995–96, 93 per cent. of patients were seen and assessed by a nurse or doctor within five minutes of their arrival at the A and E department.

Mrs. Dunwoody: To ask the Secretary of State for Health if he will make a statement on the performance of patients *(a)* seen by a triage nurse before being registered and *(b)* seen after registration in accident and emergency departments. [21957]

Mr. Horam: This information is not collected centrally. The organisation of A and E departments is a matter for local decision.

Mrs. Dunwoody: To ask the Secretary of State for Health if he will make a statement on the relationship between performance star rating and the quality of care received by the patient in accident and emergency departments. [21956]

Mr. Horam: The patients charter sets out standards on quality of service for the national health service. One such standard is the length of time spent waiting for initial assessment in an A and E department.

My right hon. Friend the Secretary of State has asked the NHS chief executive to review with health authorities their plans for emergency services. This review will examine the scope for developing further standards which are accepted by professional staff as relevant indicators of quality.

Mrs. Dunwoody: To ask the Secretary of State for Health what sample size was used in the study of triage in accident and emergency departments. [21958]

Mr. Horam: I understand that the hon. Lady is referring to the "Study of the Value of Initial Patient Assessment within the Accident and Emergency Department and the Most Effective Way of Achieving this Activity", copies of which have been placed in the Library. This study was commissioned by the patients charter unit of this Department and conducted by Mr. Gary J. Jones, who collected information from 46 hospitals.

Mrs. Mahon: To ask the Secretary of State for Health (1) if he will make a statement about the future of accident and emergency department services at the royal infirmary, Halifax; [22475]

(2) if the accident and emergency department of the royal infirmary, Halifax, is meeting patients charter requirements for waiting times in accident and emergency services; [22529]

(3) in respect of the accident and emergency department at the royal infirmary, Halifax, what vacancies there are for nurses, junior doctors, middle-range doctors and consultants. [22474]

Mr. Horam: Accident and emergency services in Halifax are a matter for West Yorkshire health authority. The hon. Member may wish to contact the chairman of the authority, Mr. Peter Wood, for details.

Details of the proportion of patients assessed within five minutes of arrival in accident and emergency departments are contained in the NHS performance guide 1994–95, copies of which are available in the Library.

Vacancies for nurses, junior doctors, middle-range doctors and consultants at the hospital are a matter for Calderdale Healthcare national health service trust. The hon. Member may wish to contact Mr. Allan Templeton, chairman of the trust, for details.

Mr. Steinberg: To ask the Secretary of State for Health what vacancies there are currently for *(a)* nurses, *(b)* junior doctors, *(c)* middle-range doctors and *(d)* consultants at the accident and emergency department at Dryburn hospital, Durham; if the department is meeting patients charter requirements for accident and emergency waiting times; and if he will make a statement about the future of accident and emergency services at the hospital. [22224]

Mr. Horam: Vacancies for nurses, junior doctors, middle-range doctors and consultants at the hospital are a matter for North Durham Acute Hospitals national health service trust. The hon. Member may wish to contact Mr. Colin P. Douglas, chairman of the trust, for details.

Details of the proportion of patients assessed within five minutes of arrival in accident and emergency departments are contained in the NHS performance guide 1994–95, copies of which are available in the Library.

Accident and emergency services in North Durham are a matter for North Durham health authority. The hon. Member may wish to contact the chairman of the authority, Professor John I. Clarke, for details.

Mr. Tony Lloyd: To ask the Secretary of State for Health if he will make a statement on the future of accident and emergency departments in Greater Manchester with reference to the findings of the Audit Commission report. [22435]

Mr. Horam: Accident and emergency services in Greater Manchester are a matter for the six local health authorities: Bury and Rochdale, Manchester, Salford and Trafford, Stockport, West Pennine, and Wigan and Bolton. The hon. Member may wish to contact the chairman of the respective health authorities for details.

Mr. Sedgemore: To ask the Secretary of State for Health what vacancies there are for nurses, junior doctors, middle-range doctors and consultants in respect of the accident and emergency department at the Homerton hospital, east London; if the department is meeting patients charter requirements for waiting times in accident and emergency; and if he will make a statement about the future of accident and emergency services at the hospital. [22387]

Mr. Horam: Vacancies for nurses, junior doctors, middle-range doctors and consultants at the hospital are a matter for Homerton Hospital NHS trust. The hon. Member may wish to contact Mr. Michael Haines, chairman of the trust, for details.

Details of the proportion of patients assessed with five minutes of arrival in accident and emergency departments are contained in the NHS performance guide 1994–95, copies of which are available in the Library.

Accident and emergency services in east London are a matter for the East London and the City health authority. The hon. Member may wish to contact the chairman of the authority, Frances Heidensohn, for details.

Mr. Eastham: To ask the Secretary of State for Health how many vacancies there are for nurses, junior doctors, middle-range doctors and consultants in respect of the accident and emergency department at North Manchester general hospital; if the department is meeting the patients charter requirements for waiting times; and if he will make a statement about the future of these services at the hospital. [22390]

Mr. Horam: Vacancies for nurses, junior doctors, middle-range doctors and consultants at North Manchester general hospital are a matter for North Manchester Healthcare NHS trust. The hon. Member may wish to contact Mr. David Wilson, chairman of the trust, for details.

Details of the proportion of patients assessed within five minutes of arrival in accident and emergency departments are contained in the NHS performance guide 1994–95, copies of which are available in the Library.

Accident and emergency services in Manchester are a matter for Manchester health commission. The hon. Member may wish to contact the chairman of the commission, Professor R. D. H. Boyd, for details.

Smoking and Drinking-related Deaths

Sir Russell Johnston: To ask the Secretary of State for Health what comparison he has made between the number of deaths attributable to smoking and to excessive alcohol consumption; what are the figures for each in each of the past five years; and if he will make a statement. [22105]

Mr. Bowis: I refer the hon. Member to the reply I gave the hon. Member for Newport, West (Mr. Flynn) on 10 January, *Official Report,* columns *231–32.*

Free Prescriptions

Mr. Walden: To ask the Secretary of State for Health what additional revenue would accrue from limiting free prescriptions to those on income support. [21744]

Mr. Malone: It is not possible to make a reliable estimate. The present categories of exemption or remission are not mutually exclusive. Many people qualify under several categories and therefore no reliable estimates can be made of the number of those who would qualify under income support alone and hence the number of people who would no longer qualify for free prescriptions.

NHS Management (Salaries)

Mr. Barron: To ask the Secretary of State for Health how many chairmen of health service bodies have salary payments made directly to them; how many receive payments indirectly; and what have been these numbers in each year since 1992. [22749]

Mr. Malone: Remuneration should be paid directly to the chairmen of all national health service bodies to comply with Inland Revenue requirements.

Triazolam

Mr. Simon Hughes: To ask the Secretary of State for Health under what powers, from which Acts, the suspension of the product licenses for triazolam referred to in the letter dated 1 October 1991 from the then chairman of the Committee on Safety of Medicines was made; and on which of the grounds specified in these Acts the Committee on Safety of Medicines based its view that the product licences should be suspended. [20930]

Mr. Malone: Product licences for triazolam were suspended on 2 October 1991 in accordance with the powers available in paragraphs 10 and 11 of schedule 2 to the Medicines Act 1968. The grounds were that the products could no longer be regarded as products which could safely be administered for the purposes indicated in the licences.

Mianserin

Mr. Simon Hughes: To ask the Secretary of State for Health on which dates the adverse reactions group of the subcommittee on efficacy and adverse reactions and the Committee on Safety of Medicines considered safety issues relating to the antidepressant mianserin; what advice was given to the licensing authority; and on what dates that advice was given. [20931]

Mr. Malone: Safety issues relating to mianserin were considered by these committees on a number of occasions between 1981 and 1990. The advice given to the Licensing Authority is confidential.

Oral Contraceptives

Mr. Simon Hughes: To ask the Secretary of State for Health what measures the Committee on Safety of Medicines took at its meeting on 13 October 1995 to ensure that the apparent association between third generation oral contraceptives and venous thromboembolism was not due to chance, confounding or bias. [20932]

Mr. Malone: The committee took particular care to examine these issues on the basis of all the evidence available and concluded that the association could not be fully explained by chance, bias or confounding.

Mr. Hughes: To ask the Secretary of State for Health for what reason the intention of the chief executive of the Medicines Control Agency, as expressed in writing on 18 October 1995, to take regulatory action on third generation oral contraceptives was halted; on whose authority this decision was made; and what was the effect of this decision on the ability of the Licensing Authority to fulfil its statutory duties. [20929]]

Mr. Malone: Regulatory action is initiated by the Licensing Authority. I refer the hon. Member to the reply I gave the hon. Member for Gordon (Mr. Bruce) on 19 December 1995, *Official Report,* column *1149,* in which I made it clear that such matters are confidential until regulatory action has been completed.

Mr. Hughes: To ask the Secretary of State for Health who drafted and on what date the "Dear Doctor" letter of 18 October 1995; and if it was agreed by the Committee on Safety of Medicines at its meeting on 13 October 1995. [20935]

Mr. Malone: The chairman of the Committee on Safety of Medicines drafted the letter following the meeting of the Committee on Safety of Medicines on 13 October 1995, on the basis of the recommendations made by the committee.

Mr. Hughes: To ask the Secretary of State for Health what representations in respect of the Licensing Authority's view of the potential safety concern regarding third generation oral contraceptives the chairman made at the special meeting of the Committee on Safety of Medicines on 13 October 1995. [20936]

Mr. Malone: None.

Medicines Control Agency

Mr. Simon Hughes: To ask the Secretary of State for Health what procedures are in place within the Medicines Control Agency to monitor the technical competence of staff. [20933]

Mr. Malone: The Medicines Control Agency ensures that its staff have appropriate professional and technical qualifications to perform effectively through its stringent recruitment and selection procedures; all new staff undergo a probationary period of one year upon joining. The technical competence of staff is maintained through appropriate training and is monitored through annual appraisal of their ability to meet defined objectives; this is subject to sign-off by a senior member of staff.

The agency is also involved in the development of continuing further education programmes to ensure that all staff remain abreast of developments within their field.

Toxocariasis and Toxoplasmosis

Mr. Pike: To ask the Secretary of State for Health how many cases of *(a)* toxocariasis and *(b)* toxoplasmosis have been recorded in England and Wales in each of the last five years; and if he will make a statement. [22122]

Mr. Horam: The numbers of laboratory reports for England and Wales of toxocariasis and toxoplasmosis to the public health laboratory service's communicable disease surveillance centre for each year from 1991 to 1995 are shown in the table.

Year	*Toxocariasis*	*Toxoplasmosis*
1991	33	636
1992	23	580
1993	25	454
1994	25	627
1995[1]	38	322

[1] Data for 1995 are provisional, but are unlikely to change significantly.

From the limited data received in recent years, the CDSC has not noted any significant change in the number of toxocariasis infections reported.

On toxoplasmosis, the CDSC received an annual average of around 750 laboratory reports between 1982 and 1991, and an average 524 in each year between 1991 and 1995. From 1982, numbers remained fairly constant until 1989. Since 1990, with the exception of an increase in 1994, numbers have continued to decline.

GP Patients (Transport)

Mr. Sutcliffe: To ask the Secretary of State for Health what assistance with transport is provided by his Department to patients who are unable to attend doctors' surgeries bu: who in the doctor's opinion do not require a home visit. [22250]

Mr. Malone: None. It is for general practitioners themselves to determine how best to provide their services, taking into account the needs of their patients.

Beef Extracts

Mr. Kevin Hughes: To ask the Secretary of State for Health (1) what recent advice he received from the Spongiform Encephalopathy Advisory Committee about the implications for human health on the use of foodstuff containing beef extracts; [22675]

(2) what recent advice he received from the chief medical officer about the implications for human helath on the use of foodstuffs containing beef extracts. [22674]

Mr. Horam: My right hon. Friend the Secretary of State for Helath made an oral statement on 20 March about the advice received from the Spongiform Encephalopathy Advisory Committee and the chief medical officer, *Official Report*, columns 375–86. The advice received about beef included beef products.

Health Care Purchases

Mr. Milburn: To ask the Secretary of State for Health if he will list by *(a)* districts within each region and *(b)* trusts within each region the costs of purchasing health care from non-NHS bodies in each year from 1991–92. [21538]

Mr. Malone *[holding answer 18 March 1996]:* The information will be placed in the Library.

SOCIAL SECURITY

Incapacity Benefit

Ms Walley: To ask the Secretary of State for Social Security what proportion of people claiming incapacity benefit *(a)* are currently subject to the age ruling and *(b)* have had income support withdrawn as a result of the age ruling. [16281]

Mr. Burt: Entitlement to incapacity benefit ceases when a person reaches state pension age, that is, age 65 for men and age 60 for women, with the exception that a person who had attained SPA and was in receipt of invalidity benefit on 13 April 1995 has the right to retain entitlement for up to five years beyond SPA.

In the current year, 1995–96, to the end of February, approximately 23,000 claimants, around 1 per cent. of the incapacity benefit case load, had transferred to retirement pension. Information on the income support entitlement of this group is not available. However, the benefit structure is such that a person would not become disentitled to income support solely because of transfer from incapacity benefit to retirement pension.

One-parent Benefit

Mr. Chisholm: To ask the Secretary of State for Social Security how many people in Scotland currently receive *(a)* one-parent benefit plus family credit and *(b)* one-parent benefit plus disability working allowance. [21575]

Mr. Andrew Mitchell: As I explained in my written answer of 11 March, *Official Report*, column *476*, it is estimated that the vast majority of the 34,000 lone parents receiving family credit in Scotland are also receiving one-parent benefit.

It is estimated that there are fewer than 500 recipients of disability working allowance in Scotland who are also receiving one-parent benefit.

Attendance Allowance

Mr. Frank Field: To ask the Secretary of State for Social Security if his Department will undertake research to establish how many people have had their attendance allowance withdrawn because they were in residential care temporarily paid for by the local authority pending the sale of their houses since the allowance first came into operation. [22015]

Mr. Andrew Mitchell: We have no plans to undertake such research. Information is collected about the overall number of cases where payment of attendance allowance has been suspended. It includes cases where payment has been suspended following admission to hospital as well as admission to residential care or nursing homes. The detailed reasons for such suspensions are not recorded.

Office Equipment and Furniture

Mr. Chris Smith: To ask the Secretary of State for Social Security if he will list *(a)* the number and *(b)* the value of items of equipment and furniture that have been (i) stolen and (ii) are otherwise unaccounted for from (1) DSS offices and (2) executive agency offices in each region, for each of the last five years; and if he will list by name those items valued at £5,000 or more. [13088]

Mr. Burt *[pursuant to his reply, 12 February 1996, c. 467]:* Further information is as follows.

The information is not available in the format requested. The Department of Social Security does not separately maintain centralised records of individual items stolen. Losses due to theft, fraud, arson, sabotage or other causes are recorded in a single category. The number of individual losses recorded within this category, and the total value for each of the last five years is in the table:

Financial year	*Number of individual cases*	*Total value* £
1990–91	364	89,799
1991–92	411	72,315
1992–93	94	84,500
1993–94	192	222,382
1994–95	192	192,020

Since 1992–93 the Information Technology Services Agency has conducted annual certification exercises to confirm the value of its fixed asset register. Following the 1992–93 exercise, a total of £5,845,000 was noted on the Department's appropriation account for 1992–93 as being "loss arising from discrepancies between the ITSA Asset Register and actual equipment identified".

Following the 1994–95 exercise, a total of £695,000 was so identified. The fact that the certification exercises in 1993–94 and 1994–95 revealed surplus equipment of over £6 million valued on a comparable basis suggests that these "losses" are not permanent. However, in Government accounting terms the discrepancies identified are categorised as losses.

The estimated gross value of the Department's tangible fixed assets, excluding land and buildings, is approximately £780 million for 1994–95.

Travel Grants

Mr. Frank Field: To ask the Secretary of State for Social Security if he will make an estimate of the annual benefit savings from providing travel grants to families from the former Yugoslavia living on benefit in the United Kingdom to enable them to return home. [21764]

Mr. Roger Evans: Information upon which to base an estimate is not available and could be obtained only at disproportion cost.

Benefits Agency Staff

Mr. Mudie: To ask the Secretary of State for Social Security what was the *(a)* basic salary and *(b)* bonus paid to the Benefits Agency chief executives in *(a)* 1993–94 and *(b)* 1994–95. [22680]

Mr. Roger Evans: The basic salary of the Benefits Agency chief executive was paid at £82,012 for the period 1993–94 and £86,475 for 1994–95. The chief executive's total remuneration is set out in the 1993–94 and 1994–95 Benefits Agency annual report and accounts, copies of which are available in the Library.

Child Support Agency

Mr. Nicholas Winterton: To ask the Secretary of State for Social Security what plans he has for further changes in the administration of the Child Support Agency. [23067]

Mr. Andrew Mitchell: I am able to report changes to two significant areas within the administration of the agency.

First, an independent complaints examiner will be recruited for the Child Support Agency later this year. The agency will be running a pilot scheme during the summer in order to inform the guidelines within which the examiner will operate. My intention is that a full independent complaints service will be in operation shortly after that.

Secondly, I am pleased to announce the following improvements to the Child Support Agency's compensation scheme, which are to take effect from 1 April 1996.

The rules under which the agency makes compensation payments for delays in issuing maintenance application forms—which are issued to the parent with care—and maintenance enquiry forms—which are issued to the absent parent—will be changed. Currently, compensation is considered only for delays exceeding three months, where the Child Support Agency is culpable for the delay, which leads to a loss of opportunity to receive child maintenance which would have otherwise been received. For claims where the full maintenance assessment is completed on or after 1 April 1996, however, payments will be made if the delay exceeds one month, unless the agency needs to make further inquiries before issuing a MEF, when the delay period will be two months.

Additionally, a new type of consolatory payment will be introduced. In cases were the Child Support Agency is culpable of sending a MEF to a person who is not the parent of the child, or children, in question, that person will be entitled to a consolatory payment of £100 to compensate for the upset and inconvenience caused by this error, This new payment will also be introduced on 1 April 1996.

These changes build on the existing compensation arrangements in the Child Support Agency which cover other losses incurred as a result of maladministration. They should ensure that compensation reaches those who do not receive an acceptable level of service in this area from the Child Support Agency. The changes to the scheme mean the Child Support Agency now has a compensation scheme which has been designed in the light of experience to meet the special circumstances of Child Support Agency responsibilities.

These improvements, together with the announcement I made last week, *Official Report,* column 165, on the introduction of interest payments on maintenance that the Child Support Agency has not transferred quickly enough, are a further significant step in securing the kind of service that Parliament intended.

Social Fund

Mr. Bradley: To ask the Secretary of State for Social Security how many people whose homes were damaged as a result of the Canary wharf bomb and who have been rehoused as a consequence have applied for a social fund

(a) grant and *(b)* loan and how many of these in each category have had the application (i) granted and (ii) refused. [22415]

Mr. Roger Evans: The administration of the social fund is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Keith Bradley, dated 22 March 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many people whose homes were damaged as a result of the Canary Wharf bomb and have been rehoused as a consequence have applied for a Social Fund (SF) (a) grant and (b) loan and how many of these in each category have had the application (i) granted and (ii) refused.

The information has been obtained from clerical records kept by the Benefits Agency (BA) District City East, which comprises of the BA offices of City, Poplar and Stepney Nelson Street. The figures provided are provisional and subject to change.

Total applications to the SF from people rehoused as a result of the Canary Wharf bomb: 8

Number of people who received a grant: None

Number of people who received a loan: 8

I hope you will find this reply helpful.

Benefits Agency Medical Services

Mr. Gordon Prentice: To ask the Secretary of State for Social Security how many doctors were employed by the Benefits Agency medical services *(a)* in April 1995 and *(b)* at the most recent date for which figures are available. [19661]

Mr. Burt: The administration of the Benefits Agency medical services is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Gordon Prentice, dated 22 March 1996:.

The Secretary of State has asked me to reply to your recent Parliamentary Question asking how many doctors were employed by the Benefits Agency Medical Services (BAMS) (a) in April 1995 and (b) at the most recent date for which figures are available.

On 1 April 1995 BAMS employed 250 doctors. The latest figures available show that as of 1 February 1996 BAMS employed 313 doctors.

I hope you find this reply helpful.

EDUCATION AND EMPLOYMENT

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Education and Employment how many questions were tabled to her Department in each Session since 1987–88; how many were not answered on the grounds of disproportionate cost; what percentage of the total number of questions this represented; how many were not answered on the grounds that the information was not centrally available; and what percentage of the total number of questions this represented. [21152]

Mr. Robin Squire: The number of questions tabled for the Department since 1987 are shown in the following table. The reminder of the information sought could be obtained only at disproportionate cost.

Year	*Department of Employment*		*Department for Education and Science*	
	Written	*Oral*	*Written*	*Oral*
1987–88	3,145	390	2,342	461
1988–89	2,984	362	2,029	318
1989–90	2,620	321	2,281	266
1990–91	1,496	312	1,670	274
1991–92	730	143	776	127
1992–93	2,342	403	[1]2,289	[1]372
1993–94	1,636	273	[1]1,550	[1]278
1994–95	1,528	218	[1]1,506	[1]239
1995–96	—	—	[2]962	[2]137

[1] Department for Education.
[2] Department for Education and Employment.

Mr. Donohoe: To ask the Secretary of State for Education and Employment what was the average cost of answering an *(a)* oral and *(b)* written parliamentary questions from (i) Opposition and (ii) Conservative hon. Members in each Session since 1989–90. [21792]

Mr. Squire: This Department does not collect the information in the form requested.

Higher Education

Mr. Stewart: To ask the Secretary of State for Education and Employment how many representatives of Scottish education interests he intends to appoint to the committee of inquiry into higher education in the United Kingdom. [22430]

Mr. Forth: My colleagues, including my right hon. Friend the Secretary of State for Scotland, and I are considering the membership of the committee of inquiry in the light of consultations and expect to make an announcement after Easter.

Pupil Registration Regulations

Mr. Nigel Jones: To ask the Secretary of State for Education and Employment, pursuant to her answer of 28 November 1995, *Official Report*, column *676*, what conclusions she has reached on updating the Education (Pupil Registration) Regulations 1956. [22287]

Mr. Robin Squire: My right hon. Friend has no current plans to amend the Education (Pupil Registration) Regulations 1995, which replaced the 1956 regulations and came into force on 1 September 1995. Officials are, however, continuing to explore with representatives of local education authorities whether existing guidance and procedures in this area should be revised to take account of issues raised by the West case.

Pupil Assessments

Mr. Spearing: To ask the Secretary of State for Education and Employment if she will list the evidence she has evaluated which shows that the performance of a school pupil in respect of subjects and related grades achieved in the general certificate of secondary education at the age of 16 plus can be predicted on the basis of assessments made at the age of 11 plus. [22768]

Mr. Paice: The first year of statutory assessment of 11-year-olds at the end of key stage 2 was 1995. It will be possible to compare these pupils' 1995 key stage 2 national curriculum assessment results with their GCSE results in 1999.

There are, however, a number of local schemes in existence which compare the value added by schools to pupils' achievements over time. We have asked the School Curriculum and Assessment Authority to investigate these and to advise how value added might be calculated nationally and for individual schools. The SCAA is due to report by the end of the year.

Access to Work Scheme

Mr. Sutcliffe: To ask the Secretary of State for Education and Employment (1) what was the outcome of her Department's consideration of the access to work scheme: [22251]

(2) what plans she has to alter criteria for inclusion on the access to work scheme. [22252]

Mr. Paice: The review of the access to work programme is now complete; an announcement is expected to be made shortly about its future operation.

Child Care Projects (Merseyside)

Mr. Frank Field: To ask the Secretary of State for Education and Employment for what reason the rules concerning the funding of stand-alone child care projects attempting to gain support under objective 1 status in Merseyside were changed last year; and if she will make a statement. [22425]

Mrs. Gillan: The rules concerning the funding of stand-alone child care projects have not changed. Child care cost are only eligible as part of a European social fund vocational training or employment project.

School Funding

Sir Peter Emery: To ask the Secretary of State for Education and Employment what information she collates about the allocation of funds by local education authorities to different age groups at schools; and what was the average expenditure for children between *(a)* four and six years old, *(b)* seven and 11 years old, *(c)* 13 and 14 years old and *(d)* 15 and 16 years old plus in the last year for which figures are available. [22447]

Mr. Robin Squire: Information on the funding allocated by local education authorities to schools in 1995–96 by reference to the number and ages of their pupils is set out at appendix A in the volume "Education Statistics 1995–96 Estimates", published by the Chartered Institute of Public Finance and Accountancy, which is available in the Library. Information on funding allocated by reference to other factors is set out in appendix B. The Department has itself undertaken no collation and analysis which would add usefully to CIPFA's.

Careers Service

Mr. Byers: To ask the Secretary of State for Education and Employment which contracts in respect of which local authority areas for the operation of the careers service have been awarded to Nord Anglia. [22448]

Mr. Paice: Nord Anglia has provided the careers service in Stockport and the High Peak since April 1995. It is contracted to provide services in Wiltshire, Brent and Harrow and Bolton, Bury and Rochdale from 1 April 1996. A further contract is expected to be signed before the end of March but details remain commercial in confidence until then.

Training and Enterprise Councils

Mr. Byers: To ask the Secretary of State for Education and Employment what is the salary range for each training and enterprise council chief executive or highest paid director in *(a)* 1993–94 and *(b)* 1994–95. [22491]

Mr. Paice: In line with other private companies, training and enterprise councils are required to report details of salaries paid to their highest paid director in their annual accounts. Copies of the accounts are held in the Library.

NORTHERN IRELAND

Southern Education Area Board Building (Armagh)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what proposals the Southern education area board has *(a)* to replace the damaged flagpole and *(b)* repair the public clock at its premises in the Market house in the centre of the Armagh city conservation area. [21196]

Mr. Ancram: The Southern education and library board has said that the necessary repairs will be carried out as soon as possible.

Killylane Reservoir

Mr. Clifford Forsythe: To ask the Secretary of State for Northern Ireland what is the Department of the Environment environmental services sampling regime for discharge points at Killylane reservoir. [21248]

Mr. Moss: The environment service commenced monitoring of the discharge of waste water from Killylane water treatment plant in January 1996. Sampling will take place at monthly intervals.

Mr. Forsythe: To ask the Secretary of State for Northern Ireland what was the aluminium content in samples taken from discharger points at Killylane reservoir between January 1993 and January 1996; and what assessment he has made of the compliance of those discharges with World Health Organisation tolerance levels. [21249]

Mr. Moss: A sampling regime for Killylane water treatment plant commenced in January 1996. A sample of the waste water discharge from the plant to the Killylane reservoir was taken by the environment service on 22 January and the aluminium content in the sample was 3.23 mg per litre.

World Health Organisation guidelines apply to drinking water and are therefore not appropriate in the context of waste water discharges.

Union Flag (Government Building)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what is the reason for the removal of the flagpole from the Government building at 2 Newry road, Armagh city; what proposals there are for its replacement; and what arrangements are in place to fly the Union flag at these Government buildings on appropriate dates. [21194]

Mr. Moss: An inspection of the flagpole found it to be rotten and it was removed immediately for health and safety reasons. A replacement flagpole is on order and will be wall mounted on arrival. The Union flag will then be flown on appropriate dates.

Mr. Taylor: To ask the Secretary of State for Northern Ireland what arrangements he has made to fly the Union flag on Government buildings on St. Patrick's day; and if the five education area boards and four health area boards have been made similar arrangements. [21225]

Sir John Wheeler: Each year, all Northern Ireland Government Departments are informed of the prescribed dates on which the Union flag should be flown; the list includes St. Patrick's day. These instructions apply only to central Government office buildings, that is, those buildings, irrespective of ownership, where the civil service is the major occupant. There is no requirement for health and social services boards, health trusts or education and library boards to fly the Union flag on these dates, although they are notified of the dates, should they wish to do so.

Fur Farms

Mr. Heppell: To ask the Secretary of State for Northern Ireland how many fox fur farms there are in each county of Northern Ireland. [21369]

Mr. Ancram: There are no fox fur farms in Northern Ireland.

Mr. Heppell: To ask the Secretary of State for Northern Ireland how many licences were issued for mink farms in each county of Northern Ireland in each of the last five years. [21368]

Mr. Ancram: There are currently no mink farms in Northern Ireland and no licences to keep mink have been issued by the Department of Agriculture in the last five years.

Grammar Schools

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many grammar schools there are in Northern Ireland; how many of these schools include Latin languages in their curriculum to *(a)* GCSE level and *(b)* A-level examinations. [21195]

Mr. Ancram: There are 71 grammar schools in Northern Ireland; *(a)* 26 entered candidates for Latin at GCSE level and *(b)* 16 entered candidates for Latin at A-level in the 1994–95 academic year.

Elections

Mr. Connarty: To ask the Secretary of State for Northern Ireland if he will make a statement on the format of the proposed elections in Northern Ireland. [21257]

Mr. Ancram: I refer the hon. Member to the oral statement made by my right hon. Friend the Prime Minister on 21 March 1996, *Official Report*, columns 497–508.

Traffic Lights (Conlig Main Street)

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what plans he has to erect traffic lights at the junction of Conlig main street with the dual carriageway. [21199]

Mr. Moss: There are no plans to erect traffic lights at this junction.

Fire Service

Mr. Llwyd: To ask the Secretary of State for Northern Ireland how many fire brigades failed to meet the statutory minimum standards for their rescue and firefighting role in Northern Ireland in 1995–96; and if he will make a statement. [21576]

Mr. Moss: The Northern Ireland fire brigade is drawing to the end of implementing a 10-year plan to enable it fully to meet the UK nationally recommended standards of fire cover. However, I am satisfied that in general the brigade is already meeting those standards, with a few localised exceptions which the completion of the 10-year plan will address. Her Majesty's inspectors of fire services, in their annual inspection, draw attention to exceptions and it is for the Fire Authority for Northern Ireland to take the appropriate action in such cases.

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the Secretary of State for Northern Ireland how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21584]

Sir John Wheeler: Within the Northern Ireland Office and the Northern Ireland Departments, the information requested is not readily available and could be obtained only at disproportionate cost.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Secretary of State for Northern Ireland what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21465]

Sir John Wheeler: The conditions of contract used by the Northern Ireland Departments and the Northern Ireland Office to contract for goods and services specifically require contractors and suppliers to comply with all statutory obligations which may affect the execution of the contract.

The statutory obligations include those relating to health and safety. In the conditions of contract, contractors' attention is drawn specifically to article 4 of the Health and Safety at Work (Northern Ireland) Order 1978—general duties of employers to their employees—and they require contractors to prepare a written policy statement on health and safety, together with the arrangements for carrying out that policy.

The conditions of contract do not contain any terms in relation to the wages paid by contractors or suppliers. Contracting Departments do not concern themselves with the rates of pay of contractors' employees other than to assist in the tender process of evaluating the quality of service on offer where that service is labour intensive.

Civil Evidence Act 1995

Dr. Hendron: To ask the Secretary of State for Northern Ireland when section 1 of the Civil Evidence Act 1995 will come into effect in Northern Ireland. [21483]

Sir John Wheeler: Section 1 of the Civil Evidence Act 1995, which abolishes the rule against the admission of hearsay evidence in civil proceedings, does not extend to Northern Ireland. However, the Law Reform Advisory Committee for Northern Ireland is in the process of examining the rule against hearsay in Northern Ireland and a report containing its recommendations is expected to be published shortly.

War Memorials

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland if he will introduce legislation to allow relatives of service men and women killed in action since the end of the second world war to have their names placed on war memorials. [21023]

Mr. Moss *[holding answer 18 March 1996]:* There are no plans to change the existing legislation. It is similar to that in Great Britain, and allows for the names of those killed in a war to be placed on war memorials.

TREASURY

Research Establishments

Mrs. Anne Campbell: To ask the Chancellor of the Exchequer which former public sector research establishments in his Department have been privatised since 1979; and which public sector research establishments in his Department are currently undergoing reviews with a view to placing them in the private sector. [21949]

Mr. Jack: HM Treasury is not currently responsible, and has not been since 1979, for any public sector research establishments; the responsibility for the latest series of reviews is with the President of the Board of Trade.

Landfill Tax

Mr. Matthew Banks: To ask the Chancellor of the Exchequer what was the outcome of the Customs and Excise consultation exercise on the scope of the lower rate of landfill tax. [23060]

Mr. Heathcoat-Amory: Customs and Excise has now analysed the replies which it received to the consultation exercise on the scope of the lower rate of landfill tax. On the basis of the information provided and representation made, we have concluded that the lower rate of landfill tax should apply to the wastes listed. Mixtures consisting only of listed wastes will qualify for the lower rate, as will water with suspended solids consisted only of listed wastes.

In order to be taxable at the lower rate, listed wastes—or mixtures of such wastes—must not contain or be contaminated with any material which is not listed. If they are, the standard rate of tax will apply. But a de minimis level will apply to enable wastes to qualify for the lower rate if they consist wholly of listed wastes, apart from a small quantity of material which is not listed, provided that the material does not lead to any potential for pollution. Where wastes appear on the lower rate list and are also covered by an exemption, the exemption will apply.

Naturally occurring rocks and soils, including:

clay, sand, gravel, sandstone, limestone, crushed stone, china clay, clean building or demolition stone such as sandstone, limestone or slate, topsoil, peat, coal, silt and dredgings.

Ceramic or cemented materials

Glass.

Ceramics, including bricks (see below for bricks with plaster), tiles, clay ware, pottery, china, bricks and mortar.

Concrete, including reinforced concrete, concrete blocks, breeze blocks and thermalite blocks.

Processed or prepared mineral materials, which have not been used or contaminated

Moulding sands and clays.

Clay absorbents, including Fuller's earth and bentonite and other mineral absorbents.

Man-made mineral fibres, including glass fibre.

Silica.

Mica.

Abrasives.

Furnace slags

Certain ash:

Bottom ash and fly ash from wood or coal combustion (including pulverised fuel ash from coal combustion).

Low activity inorganic compounds:

Titanium dioxide.

Calcium carbonate.

Magnesium carbonate.

Magnesium oxide.

Magnesium hydroxide.

Ferric oxide.

Ferric hydroxide.

Aluminium oxide.

Gypsum and plaster

These will be subject to the lower rate only if disposed of in landfill sites licensed only to take inactive or inert waste.

Other wastes

There are, in addition to the above, a few wastes on which Custom and Excise is seeking further information before a conclusion is reached as to whether the lower rate is appropriate.

DEFENCE

Civilian Employees

Mrs. Ewing: To ask the Secretary of State for Defence how many civilian employees of his Department there are at each individual forces base in Scotland. [22714]

Mr. Arbuthnot: I have placed a list in the Library of the House.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Defence how many questions were tabled to his Department in each Session since 1987–88; how many were not answered on the grounds of disproportionate cost; what percentage of the total number of questions this represented; how many were not answered on the grounds that the information was not centrally available; and what percentage of the total number of questions this represented. [21147]

Mr. Soames: The Library of the House has provided the following information on the number of questions tabled to my Department for the relevant years.

	Written Questions	*Oral Questions (including supplementaries)*
1987–88	3,784	415
1988–89	3,415	367
1989–90	3,244	333
1990–91	2,390	275
1991–92	1,097	132
1992–93	3,623	385
1993–94	2,849	302
1994–95	3,580	276
1995–96	1,081	133

The other information requested is not held centrally and could be provided only at disproportionate cost.

Ridgewood Group of Companies

Mr. Jamieson: To ask the Secretary of State for Defence what departmental investigations have been *(a)* initiated and *(b)* completed by his Department into the Ridgewood group of companies; and if will publish his conclusions. [21182]

Mr. Arbuthnot *[holding answer 18 March 1996]:* Inquiries have been made within the Ministry of Defence to establish whether there are any departmental investigations into the Ridgewood group of companies; none are known to be current. Any in the past have been concluded satisfactorily and their conclusions will not be published.

Married Quarters

Mr. David Nicholson: To ask the Secretary of State for Defence what representations he has had from representatives of the building industry, the mortgage lenders and estate agents about the consequences for the English housing market of the sale of Ministry of Defence married quarters. [21383]

Mr. Arbuthnot: We have received no such representations on behalf of these groups.

Research Establishments

Mrs. Anne Campbell: To ask the Secretary of State for Defence which former public sector research establishments in his Department have been privatised since 1979; and which public sector research establishments in his Department are currently undergoing reviews with a view to placing them in the private sector. [21937]

Mr. Arbuthnot: No MOD research establishments have been privatised since 1979, and no such establishment is currently undergoing review for this purpose.

Decommissioned Submarines

Ms Rachel Squire: To ask the Secretary of State for Defence if he will make a statement on *(a)* the removal of decommissioned submarines from Rosyth royal dockyard and *(b)* the disposal and transportation of radioactive waste from the decommissioned submarines. [22099]

Mr. Arbuthnot: The Government's policy is that decommissioned nuclear submarines should be stored safely afloat at the location where they are decommissioned. This policy is kept under review. There are no current plans to remove these decommissioned submarines stored afloat at Rosyth royal dockyard. Radioactive waste produced during the decommissioning process is handled in accordance with current national legislation. There is no transportation of radioactive waste following decommissioning.

Tornado Crews (Training)

Dr. David Clark: To ask the Secretary of State for Defence if he will list the average air crew flying training hours for Tornado aircraft in each of the last five years. [21884]

Mr. Soames *[holding answer 21 March 1996]:* The monthly average Tornado air crew flying training hours for each of the last five years are as follows:

Financial year	*Tornado F3*	*Tornado GR1*
1991–92	17 hours 45 minutes	17 hours 45 minutes
1992–93	18 hours 55 minutes	16 hours 50 minutes
1993–94	15 hours 45 minutes	15 hours 35 minutes
1994–95	14 hours 30 minutes	16 hours 45 minutes
1995–96	13 hours 55 minutes	13 hours 25 minutes

The figures shown exclude operational flying in support of the Iraq no-fly zone and UN-NATO operations in Bosnia, in which the Tornado F3 has been involved since April 1993 and the Tornado GR1 to varying degrees throughout the period. Such flying includes an element of continuation training. The figures for 1995–96 are the monthly average up to and including January 1996.

Service Strength

Dr. David Clark: To ask the Secretary of State for Defence what is his Department's estimate of the strength of *(a)* the RAF, *(b)* the Army and *(c)* the Royal Navy by the end of the decade. [21883]

Mr. Soames *[holding answer 21 March 1996]:* The estimated strengths for the services at 1 April 1999 are as follows:

(a) Royal Air Force: 55,500

(b) Army: 114,000

(c) Royal Navy: 44,000

The Army estimate includes Gurkha strengths, but excludes the Royal Irish Regiment—home service force. The Royal Navy estimate includes the Royal Marines and Queen Alexandra's Royal Naval Nursing Service. All the figures include an element for personnel undergoing training.

Equal Opportunities

Mr. David Shaw: To ask the Secretary of State for Defence what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunal or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22514]

Mr. Soames: The handling of civilian equal opportunities cases has been delegated to budget holders and agencies. Details of amounts paid and numbers of cases are not all readily available centrally. Information is however available on six cases over the past few years, for which the average payment was about £7,500.

For service personnel, the great majority of such payments relate to compensation for those dismissed on the ground of pregnancy before the services introduced maternity leave in 1990. An average of about £10,000 has been paid to each of 4,615 cases which did not proceed to tribunals, and about £30,000 to each of 320 cases which proceeded to tribunal. Most of this expenditure was made in 1994–95. On service cases other than pregnancy dismissal, not all details are available in the form requested but an average of about £7,000 has been paid in each of about 60 cases, of which three proceeded to tribunal.

HMY Britannia

Mr. Cohen: To ask the Secretary of State for Defence what are the annual running costs for HMY Britannia; and from which subheads of which votes these funds are taken. [22409]

Mr. Soames: The estimated total operating costs of HMY Britannia for the financial year 1995–96 are £8,933,000. Provision for this expenditure is currently made in class I, vote 1, subheads A1 and F1 and in class I, vote 2, subheads A1 and A2.

Mr. Cohen: To ask the Secretary of State for Defence what studies his Department is carrying out into the replacement of HMY Britannia; what has been the cost of these studies to date; and what is the estimated cost of a replacement for HMY Britannia. [22408]

Mr. Arbuthnot: The possible replacement of HMY Britannia, together with other options for meeting the tasks she presently fulfils, is being examined by an interdepartmental working group. The main cost of this work, which has been confined to a small proportion of the salaries of the officials involved, has not been collected centrally and could not be estimated without disproportionate effort. The cost of any replacement would depend entirely on its design and role.

Mr. Gill: To ask the Secretary of State for Defence what is the average daily cost of crewing HMY Britannia *(a)* with and *(b)* without the royal family embarked. [22824]

Mr. Soames: In the current financial year, the present estimated average daily cost of crewing HMY Britannia is about £16,000. The presence, or absence, on board of members of the royal family does not affect crewing levels.

Mr. Gill: To ask the Secretary of State for Defence what is the daily running cost, excluding maintenance and refitting, of HMY Britannia *(a)* in harbour and *(b)* at sea with and without the royal family embarked. [22825]

Mr. Soames: This information is not available in the form requested. In the current financial year, however, the present estimated daily total operating costs of HMY Britannia are about £21,000, excluding repair and refit.

Nuclear Decommissioning

Mr. Cohen: To ask the Secretary of State for Defence what are his Department's outstanding liabilities for future decommissioning of nuclear facilities at *(a)* Calder Hall, *(b)* Chapelcross and *(c)* Capenhurst. [22350]

Mr. Soames: British Nuclear Fuels Ltd. is responsible for assessing the costs of decommissioning facilities at its sites. My Department's share of these costs is either subsumed in prices paid on supply contracts or met when the costs are actually incurred, which in most cases will not be for some considerable time. It is not possible accurately to determine the costs of these liabilities as they will depend on a number of factors including future usage of the facilities by other customers.

Atomic Weapons Establishment, Aldermaston

Mr. Cohen: To ask the Secretary of State for Defence what is the current status of the A91 building at AWE Aldermaston; and on what date it is expected that this building will become fully operational. [22365]

Mr. Arbuthnot: Work to rectify the problems in the A91 building at AWE Aldermaston is progressing. The building is expected to become fully operational in 1997.

Mr. Cohen: To ask the Secretary of State for Defence what is the current total estimated cost of the new capital works projects at AWE Aldermaston. [22364]

Mr. Arbuthnot: The projects in question are largely complete and the estimate of their total cost remains £1.2 billion.

Mr. Cohen: To ask the Secretary of State for Defence what is the current status of the A90 building at AWE Aldermaston; and on what date it is expected that this building will become fully operational. [22349]

Mr. Arbuthnot: The phased radioactive commissioning of the A90 building is in progress. The building is expected to come into full operation by the end of this year, with the completion of the progressive transfer of plutonium processing from existing facilities.

Pindar Facility

Mr. Cohen: To ask the Secretary of State for Defence what is the current status of the Pindar bunker. [22351]

Mr. Soames: The Pindar facility is fully operational.

51 Squadron

Mr. Cohen: To ask the Secretary of State for Defence what is the role of aircraft from 51 Squadron, Royal Air Force, in operations over Bosnia. [22356]

Mr. Soames: It is not our policy to comment on such matters.

Exercise Arid Thunder

Mr. Cohen: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Don Valley (Mr. Redmond) of 12 March, *Official Report*, column 510, which sub-munitions were used during the expending of BL755 cluster bombs during Exercise Arid Thunder. [22362]

Mr. Soames: The sub-munitions used were piercing–fragmentation bomblets.

RAF Bases

Mrs. Mahon: To ask the Secretary of State for Defence which RAF bases in the United Kingdom have no *(a)* runways, *(b)* jets and *(c)* other aeroplanes; how many United States personnel are stationed at each; and how much each base cost in the last year for which figures are available. [20642]

Mr. Soames *[pursuant to his reply, 18 March 1996, c. 64–65]:* I regret that there was an omission from the list of RAF bases where there is a US presence but where there is no operational runway or aircraft. This is RAF Feltwell where there are approximately 400 US personnel.

DUCHY OF LANCASTER

Deregulation

12. **Mr. Pike:** To ask the Chancellor of the Duchy of Lancaster how many new regulations have been introduced by the Government since April 1992; and how many regulations have been removed as a result of the Government's deregulation procedures. [20690]

Mr. Willetts: We have repealed or amended over 500 of the 1,000 regulations which we identified as unnecessary burdens on business. Of 3,334 new statutory instruments in 1994, nearly 2,000 were for road closures and other local measures. Two thirds of the remainder either were specifically to help businesses or had no impact on them.

25. **Mr. Llwyd:** To ask the Deputy Prime Minister what new deregulation initiatives his Department is examining; and if he will make a statement. [20705]

Mr. Willetts: A number of new deregulation initiatives were announced at the "Your Business Matters" conference on 11 March. We also announced plans for a programme of deregulation seminars, covering sectors from tourism to financial services, to enable business to put forward their own ideas for further deregulation.

Charter Mark

15. **Mr. Jim Cunningham:** To ask the Chancellor of the Duchy of Lancaster which Labour-held councils were recently awarded the charter mark; and what are the categories of the awards and the factors underlying their issue. [20694]

Mr. Willetts: There were 41 charter mark winners from within Labour-controlled local authorities in 1995.

There is one category of award. All winners must demonstrate excellence against the nine criteria.

Government Policy

16. **Mr. Keith Hill:** To ask the Deputy Prime Minister if he will make a statement on his policy on the co-ordination of Government policy. [20695]

The Deputy Prime Minister: We are pursuing economic prosperity and security for all, based on an enterprise economy; creating a nation of opportunity, reflecting the Government's values of choice, ownership and reward; upholding decent common-sense values in the pursuit of law, order and justice; providing the people of Britain with first-class public services; and reflecting pride in the nation and its place in the world.

Referendums

17. **Mr. Dykes:** To ask the Deputy Prime Minister if he will commission a study into the use of referendums in respect of Government policies. [20696]

The Deputy Prime Minister: No; the Government have access to sufficient information and advice on the subject.

Small Businesses

18. **Mr. Ainger:** To ask the Deputy Prime Minister what contribution his Department made to the Government initiative on small businesses. [20698]

Mr. Freeman: A package of new deregulation measures for small businesses was announced at the "Your Business Matters" conference on 11 March. These measures, which include new rights for business in enforcement actions and a prototype IT system to provide information about forms and regulations, have been widely welcomed by business.

19. **Mr. Gordon Prentice:** To ask the Deputy Prime Minister what steps he is taking to co-ordinate more effectively the presentation of Government policy towards small businesses. [20699]

Mr. Willetts: Last year, the Prime Minister asked the Institute of Directors and other business organisations to organise a series of small business conferences, so that small businesses could give their views on Government policies and their presentation. At the final conference on 11 March, the Prime Minister announced further measures to help small firms and said that the Government would respond in full to these conferences in the third White Paper on competitiveness in the summer.

Ministerial Responsibilities

20. **Mr. Hain:** To ask the Deputy Prime Minister if he will make a statement about his division of responsibilities with other Cabinet Ministers. [20700]

24. **Mr. Dalyell:** To ask the Deputy Prime Minister what are *(a)* his responsibility and *(b)* his authority in respect of (i) the Department of Trade and Industry and (ii) the Department for Education and Employment. [20704]

The Deputy Prime Minister: Ministerial responsibilities are a matter of public record, set out in my Department's publication, the "List of Ministerial Responsibilities".

23. **Mr. Wareing:** To ask the Deputy Prime Minister what changes have taken place in his responsibilities since he was appointed. [20703]

The Deputy Prime Minister: As previously announced, the Prime Minister has this year invited me to chair ministerial groups on information technology and on the Millennium festival. In other respects, my role is unchanged.

Competitiveness

21. **Mr. John Evans:** To ask the Deputy Prime Minister what progress has been made following the Government's planned White Paper on competitiveness. [20701]

The Deputy Prime Minister: The Government will report on the progress made since last year's White Paper on competitiveness in a third competitiveness White Paper in the summer.

Departmental Staff

22. **Mr. Win Griffiths:** To ask the Deputy Prime Minister how many staff there are in his Department. [20702]

Mr. Willetts: By convention, the Office of Public Service, the Cabinet Office and CCTA, the Government Centre for Information Systems, are treated as one group, and staff currently number 1,332.

Research Establishments

Mrs. Anne Campbell: To ask the Chancellor of the Duchy of Lancaster which former public sector research establishments in his Department have been privatised since 1979; and which public sector research establishments in his Department are currently undergoing reviews with a view to placing them in the private sector. [21936]

Mr. Willetts: There are no such research establishments in the Department and agencies for which my right hon. Friend is responsible.

Her Majesty's Stationery Office

Mr. Chris Davies: To ask the Chancellor of the Duchy of Lancaster what contractual obligations to protect the jobs of existing employees of HMSO at its plants in Norwich, London and Oldham the prospective purchasers of the organisation will be required to meet. [22268]

Mr. Freeman: The level of HMSO staffing now, in all locations, largely depends on the amount of business it wins in competition with other suppliers. That will not change after privatisation, and I can offer no guarantees as to the future staffing levels. The hon. Member will note the recent high level of redundancies across HMSO, which reflect the need for it to streamline itself to remain competitive.

HMSO has a major presence in Norwich, and to a lesser extent elsewhere in the country. Relocation is a very expensive process, and as I made clear during the 18 March debate, *Official Report*, column 89, I cannot envisage circumstances in which the new owner would wish to move significant numbers of staff away from their current locations. This is especially true in locations such as Oldham, where current facilities include a large amount of specialised plant. Bidders will be required to submit their plans for the development of the business, and an assessment of their overall plans will assist us in selecting the winning bid.

However, I would not wish to pre-empt the commercial judgment of the new owner to reorganise the business in the future if circumstances dictated. That would cut across the whole purpose of the sale, which is to give the business the freedom necessary for it to prosper.

Driving Standards Agency

Mr. William O'Brien: To ask the Deputy Prime Minister if he will make a statement on the number of charter marks which have been awarded to the Driving Standards Agency. [20692]

Mr. Willetts: The Driving Standards Agency was awarded a charter mark in 1992. This expired in 1995.

Principal Civil Service Pension Scheme

Mr. Luff: To ask the Chancellor of the Duchy of Lancaster when he expects to lay an order specifying the principal civil service pension scheme administration as a function which contractors may be authorised to carry out; and if he will make a statement. [22986]

Mr. Freeman: An order under the Deregulation and Contracting Out Act 1994 was laid today before Parliament in draft, and will be subject to affirmative resolution of both Houses.

Approval of the order by Parliament will enable Departments to market test their day-to-day administration of the principal civil service pension scheme, and associated schemes. Occupational pension arrangements for civil servants will continue to be provided through the PCSPS. Market testing of the administration function will not affect pension benefits in any way. Competition will ensure value for money and the focus on performance outputs will help to raise the quality of service to scheme members. Decisions on the timing and method of competitive tendering will be for each employing Department to take. It will be open to existing service providers, such as the Paymaster agency, to compete on a value-for-money basis. Such bids will be at full cost and will be considered rigorously. The unions will be consulted on individual market tests as they arise.

Responsibility for management of the PCSPS—and associated schemes—including setting the rules, will remain within government. This function transferred from HM Treasury to the Office of Public Service and Science on 1 April 1995. Expenditure on civil service pension benefits will continue to be met from the civil superannuation vote, responsibility for which also transferred to the Office of Public Service.

LORD PRESIDENT OF THE COUNCIL

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the Lord President of the Council how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21510]

Mr. Newton: Within the last 52 weeks, 10 Privy Council Office staff worked paid overtime which took their hours above 48 in a week, and two more received payments in recognition of hours worked on a similar scale. In aggregate, they constituted just over 30 per cent. of the Department's total staff. The hours worked by Ministers and senior staff not eligible for paid overtime are not recorded, nor are records kept of the hours worked in individual weeks by staff on flexible working schemes.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the Lord President of the Council what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; and if he will make a statement. [21468]

Mr. Newton: Terms and conditions of employment, including wages, are a matter between the contractor or supplier and his employees, subject to any relevant legal requirements. Compliance with health and safety regulations is a legal requirement for the contractor or supplier.

WALES

Welsh National Opera

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 19 March, *Official Report*, column *171*, what were the dates of the meetings relating to the permanent home for the Welsh National Opera company; and if he will indicate the positions held by those present. [22410]

Mr. Hague: I refer the hon. Member to the reply I gave him on Friday 22 March, *Official Report*, column *356*.

Inward Investment

Mr. Wigley: To ask the Secretary of State for Wales, pursuant to his answer of 14 March 1996, *Official Report*, column *745*, relating to inward investment company visits, how many of these included visits to *(a)* Gwynedd and *(b)* Dyfed. [22218]

Mr. Hague: Of the 13 inward visits brought to Wales over the past 12 months by the Invest in Britain Bureau, one visited Dyfed.

Nursery Voucher Scheme

Mr. Win Griffiths: To ask the Secretary of State for Wales to what extent the £1,100 per four-year-old child currently in school which will be withdrawn from local education authorities in April 1997 under the nursery voucher scheme is funded through the revenue support grant for local authorities. [22237]

Mr. Richards *[holding answer 22 March 1996]:* I refer the hon. Member to my reply of 11 March, *Official Report*, column *495*.

Dental Services

Mr. Simon Hughes: To ask the Secretary of State for Wales how many people have been deregistered from their dentist since 1992 in each health authority area; and if he will make a statement. [20890]

Mr. Richards: From the information supplied by family health services authorities the number of patients in Wales who have been deregistered since August 1992 is as follows:

FHSA	*Adult patients*	*Child patients*	*Total patients*
Clwyd	12,363	145	12,508
Dyfed	4,585	14	4,599
Gwent	11,386	0	11,386
Gwynedd	19,928	0	19,928
Mid Glamorgan	2,142	0	2,142
Powys	0	0	0
South Glamorgan	6,565	59	6,624
West Glamorgan	44	0	44
Totals	57,013	218	57,231

This information was supplied for management purposes only and is not statistically validated.

These are cumulative figures and do not indicate how many of those patients subsequently registered with another dentist.

Statistics published by the Dental Practice Board indicate that, at the end of December 1995, the number of registered patients in Wales was 38,194 higher than it was at the end of June 1992.

Planning

Mr. Alex Carlile: To ask the Secretary of State for Wales (1) what the planning status of technical advice notes will be; if they will be subject to consultation; and if he will make a statement; [22052]

(2) when he plans to publish the single planning policy guidance (Wales); and if he will make a statement; [22054]

(3) if the technical advice notes will be released at the same time as the planning policy guidance (Wales); and if he will make a statement; [22053]

(4) what plans he has to prepare technical advice notes on nature conservation; and if he will make a statement. [22055]

Mr. Hague: A final decision on planning policy guidance in Wales has not yet been taken, but I shall be making an announcement shortly. If I decide to go ahead with a single planning policy guidance (Wales) document it would be issued in advance of the series of technical advice notes. The intention would be to cancel the current PPG series but leave the technical guidance contained in the notes extant until the TANs were issued in their formal form.

Full consultation would take place on any draft TANs, one of which would relate to nature conservation, produced by my Department. The status of the TANs would be made clear at the time of issue.

Amey Construction Ltd.

Mr. Key: To ask the Secretary of State for Wales if he will list projects in which Amey Construction Ltd. were employed by the Welsh Office as contractors, by subject and by value, in the financial years 1994–95 and 1995–96. [22027]

Mr. Gwilym Jones: In 1994–95 and 1995–96 Amey Construction has been employed on one road project. The project was M4 Brynglas tunnels—A4042 Malpas road relief scheme, and the accepted tender price was £38 million.

Bird Reserve, Gwent

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 13 March 1996, *Official Report*, column *629*, what assessment he has made of the additional time taken to establish the Gwent bird reserve by the Land Authority for Wales and the Cardiff Bay development corporation on the basis of using the private finance initiative compared with the conventional public sector route. [22805]

Mr. Hague: It is Government policy to consider private finance initiative options for all capital schemes and the aim to complete engineering works before impoundment of the waters within Cardiff bay took account of this.

Cardiff Bay Development Corporation

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his answer of 13 March 1996, *Official Report*, column *629*, what consultations he has had with the chairman of the Cardiff Bay development corporation and the leaders of the Cardiff and Vale councils concerning the exit strategy for the development corporation; and if he will chair the first exit strategy joint meeting. [22817]

Mr. Hague: I have asked the board of the Cardiff Bay development corporation to prepare a draft plan for winding up the corporation. The draft plan will be put out to consultation with the relevant local authorities and other interested bodies by July 1996 or sooner if possible.

Local Management of Schools

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will list the shadow unitary authorities which submitted their proposals for local management of schools schemes by the stated deadline, indicating *(a)* which have been the subject of requests for further information, the length of time and deadline for the return of this information and *(b)* which have had their local management of schools schemes approved and the estimated latest date on which approval can be given to county borough local management of schools schemes to enable them to inform the schools of their budgets for April 1996 to March 1997. [22544]

Mr. Richards: The 22 unitary authorities were asked to submit their draft schemes by 1 December, with subsequent amendments by 12 January this year. Thirteen authorities met the first deadline, all the second, although many of the schemes submitted were considered incomplete. It has been necessary to request far more information than anticipated in respect of all draft schemes submitted. The deadline set for the additional information has varied between authorities, in whose interests it is to provide the information as soon as possible. Additional information is still outstanding from four authorities.

Thirteen schemes have been approved so far. Subject to the timely provision of all the additional information requested, I would hope that all schemes can be approved by 1 April. I understand that many authorities have already given their schools an indication of their budget for 1996–97.

East Glamorgan General Hospital

Dr. Howells: To ask the Secretary of State for Wales if he will make a statement about the future of accident and emergency services at the East Glamorgan General Hospital, Pontypridd. [22574]

Mr. Richards: The new district general hospital at Ynys-y-Plwm is scheduled to open in December 1998 and will offer a full accident and emergency service. Until then this service will continue to be available at East Glamorgan general hospital.

Dr. Howells: To ask the Secretary of State for Wales if the accident and emergency unit at East Glamorgan general hospital, Pontypridd, is meeting patients charter requirements for waiting times in accident and emergency. [22599]

Mr. Richards: At 31 December 1995, 76 per cent. of patients were assessed within five minutes of arrival at the hospital's accident and emergency department. Over 90 per cent. of casualty patients were found a hospital bed within two hours of the decision to admit them.

Dr. Howells: To ask the Secretary of State for Wales what is the latest estimated date for the opening of the East Glamorgan general hospital at its new Llantrisant site. [22601]

Mr. Richards: The hospital is due to open in December 1998 following six months' commissioning after the contract completion date in May 1998.

Dr. Howells: To ask the Secretary of State for Wales if he will ensure that, as part of the transfer of services from its present, Church village, site to its new site at Llantrisant, the East Glamorgan general hospital will be required by the Welsh Office to provide a full and continuing accident and emergency service at the new site. [22603]

Mr. Richards: Yes, the East Glamorgan NHS trust will provide a full accident and emergency service from the new site.

Dr. Howells: To ask the Secretary of State for Wales what vacancies there are for nurses, junior doctors, middle-range doctors and consultants at the accident and emergency department at East Glamorgan general hospital, Pontypridd. [22600]

Mr. Richards: There is currently one vacancy for a staff grade doctor. This will be filled as soon as a work permit has been received in respect of an overseas doctor recently interviewed for the post.

Dr. Howells: To ask the Secretary of State for Wales what is *(a)* latest projected cost for completion of the East Glamorgan general hospital at its new Llantrisant site and *(b)* the number of beds to be included in that hospital. [22602]

Mr. Richards: The latest projected costs including works, equipment, fees and VAT is £82 million and the hospital will include 513 beds.

Civil Service

Mr. Flynn: To ask the Secretary of State for Wales how many civil service jobs have been relocated out of Wales since the process of market testing and contractorisation began. [22810]

Mr. Hague: The information requested is not collected.

TRANSPORT

Road Schemes

Ms Short: To ask the Secretary of State for Transport what is the average cost overrun for major road schemes

constructed by his Department in each of the last 10 years; and if he will list the 10 schemes with the largest cost overrun during the last 10 years. [20777]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Ms Clare Short, dated 25 March 1996:

The Minister for Railways and Roads, Mr. John Watts, has asked me to reply to your recent Parliamentary Question about the average cost overrun of road schemes. You asked what was the average cost overrun of major road schemes constructed in each of the last ten years, and requested a list of the ten schemes with the largest cost overrun during that period.

A report entitled "Department of Transport: Contracting for Roads" was published by the National Audit Office in October 1992, and provided detailed information on this matter. In addition, I wrote to Mrs. Joan Walley MP on 3 October 1995 in response to a Parliamentary Question enclosing some information for schemes completed between March 1990 and March 1995. I enclose copies of these documents for your ease of reference.

Highways Agency

Ms Short: To ask the Secretary of State for Transport what was the cost of the restructuring of the Highways Agency announced in March 1995. [20775]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Ms Clare Short, dated 25 March 1996:

The Secretary of State for Transport has asked me to reply to your recent question about the cost of the restructuring of the Highways Agency announced in March 1995.

My assessment of the cost is £14,060,000.

Chinese Military Manoeuvres

Sir Nicholas Scott: To ask the Secretary of State for Transport if he will make a statement about recent interference in recognised international sea and air routes by China in respect of launching missiles, firing munitions and conducting manoeuvres; and to what extent Chinese notification of these accorded with acceptable international practice. [22211]

Sir Nicholas Bonsor: I have been asked to reply.

Since 8 March, the Chinese navy and air force have been conducting military exercises in the Taiwan straits. For this purpose, they have established and duly notified a series of maritime and air exclusion zones. While diversions by ships and aircraft may have been necessary, the Chinese exercises have not prevented transit passage through the straits.

Although China is not yet a state party to the United Nations convention on the law of the sea, her actions, including notification procedures, appear to be in general conformity with international practice.

Royal Family (Official Cars)

Mr. Gordon Prentice: To ask the Secretary of State for Transport who *(a)* owns and *(b)* has responsibility for operating the official cars used by the royal family for their public duties. [21476]

Mr. Kenneth Clarke: I have been asked to reply.

The costs of cars used for official purposes by the Queen and the Duke of Edinburgh are met from the Queen's civil list and from His Royal Highness's parliamentary annuity respectively. They may be owned or leased and are operated by the Royal Mews. The costs of cars used for official purposes by Queen Elizabeth the Queen Mother are met from Her Majesty's parliamentary annuity. They are the responsibility of her staff and may be owned or leased. Cars are also owned privately for private use.

Costs for other members of the royal family are not paid for from public funds.

Aircraft (Ice Falls)

Mrs. Dunwoody: To ask the Secretary of State for Transport, pursuant to his answer of 6 March 1996, *Official Report*, column *215*, if he will make a statement on the action his Department is taking to reduce the incidence of ice balls falling from aircraft. [21364]

Mr. Norris: The aviation industry and the Civil Aviation Authority are aware of public concerns and practical steps are being taken to reduce the number of occurrences of ice falling from aircraft. These steps include:

- the fitting of manufacturers' modification kits to improve resistance to water leaks at servicing points;
- enhanced maintenance requirements to ensure the continued integrity of water sealing systems in service;
- routine visual inspections of aircraft after landing, by airline engineers checking for evidence of ice accretion;
- unannounced inspections by CAA surveyors checking airworthiness standards which include evidence of ice accretion/water leakage; and
- recording of occurrences by the CAA and investigation of serious events by the air accidents investigation branch.

Freightliner

Mr. Wilson: To ask the Secretary of State for Transport if he has entered into an agreement under section 137 of the Railways Act 1993 in connection with the proposed sale of Freightliner. [21719]

Mr. Watts: I expect to do so shortly.

Vehicle Inspectorate

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) if he will list the sources of legal advice obtained by the Vehicle Inspectorate; [21772]

(2) how many vehicles were found not to be displaying a valid operator's licence in each spot check undertaken by the Vehicle Inspectorate in the last year; [21961]

(3) how many vehicle spot checks were undertaken by the police or the Vehicle Inspectorate on tankers used to transport oil from south Pembrokeshire beaches to oil refineries in Milford Haven in the last year; and how many prohibition notices were issued; [21960]

(4) if he will place in the Library the results of the Vehicle Inspectorate staff attitude survey. [21775]

Mr. Norris: I have asked the chief executive of the Vehicle Inspectorate to write to the hon. Member.

Letter from Ron Oliver to Mrs. Gwyneth Dunwoody, dated 25 March 1996:

The Secretary of State has asked me to reply to your questions concerning:

(1) the sources of legal advice obtained by the Vehicle Inspectorate (VI);

(2) the number of vehicles found not to be displaying a valid operator's licence in each spot check undertaken by the VI in the last year;

(3) the number of vehicle spot checks undertaken by the police or the VI on tankers used to transport oil from South Pembrokeshire beaches to oil refineries in Milford Haven in the last year, and the number of prohibition notices issued; and

(4) the Vehicle Inspectorate's Staff Attitude Survey.

The Vehicle Inspectorate seeks legal advice from one of three sources: the Department of Transport's own Legal Branch, the Treasury Solicitors and from contracted solicitors. Contracted solicitors are based around the country to deal with regional prosecution cases.

With regard to (2), this information is not collected as the non-display of a disc does not necessarily indicate an operator operating outside the "O" licence system.

Four tankers have been examined, three by our Traffic Examiners and one by Vehicle Examiners, at normal roadside checks. None of the vehicles were issued with prohibition notices.

A copy of the Survey has been forwarded to the Library.

Mrs. Dunwoody: To ask the Secretary of State for Transport what was the number of additional enforcement staff employed as a result of the recent £495,000 increase in the Vehicle Inspectorate's budget. [22348]

Mr. Norris: I have asked the chief executive of the Vehicle Inspectorate to write to the hon. Member.

Letter from Ron Oliver to Mrs. Gwyneth Dunwoody, dated 25 March 1996:

The Secretary of State has asked me to reply to your recent question concerning the number of additional enforcement staff employed as a result of the increase in the Vehicle Inspectorate's budget.

The additional £495,000 funding will allow the Inspectorate to maintain frontline staff numbers in 1996/97 including the additional 14 posts created in 1995/96.

Railway Stations (Disabled Access)

Mr. Dafis: To ask the Secretary of State for Transport what sums were spent on measures to improve access for disabled people within local railway stations in Wales in the last three years. [22231]

Mr. Watts: No central record is maintained of amounts spent on facilities for disabled people at individual stations.

Mr. Dafis: To ask the Secretary of State for Transport what measures Railtrack is taking to address the needs of wheelchair users and other disabled persons in local railway stations in Wales. [22233]

Mr. Watts: It is for each train operating company providing train services in Wales to produce its own plans as to how it will improve access facilities for disabled people on trains and at the stations operated by it. These plans will be set out in its disabled persons protection policy which each TOC has to have approved by the Rail Regulator.

Of the seven TOCs operating in Wales, Great Western Trains Co. Ltd, which is now a private sector company, has received approval for its DPPP from the Rail Regulator. The remaining TOCs involved are all at an advanced stage in obtaining approval from the Rail Regulator for their own DPPPs.

Railfreight (Sale)

Mr. William O'Brien: To ask the Secretary of State for Transport (1) if he will list the units, goods depots and land in the care and ownership of Railfreight that will not be included in the sale of Railfreight; [22215]

(2) if Europort's rail freight terminals are included in the privatisation of Railfreight; [22217]

(3) what estimate he has made of income to the Government from the sale of Railfreight; [22205]

(4) how many bids have been made by potential purchasers for Railfreight. [22216]

Mr. Watts: Railfreight Distribution has not yet been offered for sale. The Government and the British Railways Board are currently considering the options for its privatisation.

Railway Companies

Mr. Cousins: To ask the Secretary of State for Transport if he will ensure that hon. Members are informed of all track, renewal, maintenance, operating freight and other non-British Rail companies that are operating in, or serving, their constituencies and that this information is issued with regular revisions. [22555]

Mr. Watts: No.

Ferry Safety

Mr. Flynn: To ask the Secretary of State for Transport what timetables have been agreed for ferries operating in *(a)* British waters and *(b)* Norwegian waters to comply with the new 50 cm limit for flooding of the car decks. [22807]

Mr. Norris: I have asked the chief executive of the Marine Safety Agency to write to the hon. Member.

Letter from R. M. Bradley to Mr. Paul Flynn, dated 25 March 1996:

The Secretary of State for Transport has asked me to reply to your question about the time tables for implementation of the new 50 centimetre limit for flooding on the car decks of ferries operating in (a) British waters and (b) Norwegian waters.

The agreement concluded in Stockholm last month establishes a timetable for the application of the new standard to all ferries operating on international voyages in the waters of any country, within the specified geographical area, including the UK and Norway and wishing to apply the agreement. Such ferries are required to comply not later than the first yearly inspection following the date of compliance prescribed below according to the vessel's value of A/Amax:

Value of A/Amax	*Date of Compliance*
Less than 85 per cent.	1 April 1997
Less than 90 per cent.	31 December 1998
Less than 95 per cent.	31 December 1999

Value of A/Amax	*Date of Compliance*
Less than 97.5 per cent.	31 December 2000
97.5 per cent. or higher	31 December 2001—but in any case not later than 1 October 2002.

Energy Consumption

Mr. Flynn: To ask the Secretary of State for Transport what estimate he has made of the energy consumption per mile for *(a)* aircraft, *(b)* car, *(c)* rail and *(d)* water transport. [22815]

Mr. Norris: Estimates of energy consumption per mile are not made in the form requested.

Second Severn Crossing

Mr. Flynn: To ask the Secretary of State for Transport when the second Severn crossing will be officially opened for traffic. [22813]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Paul Flynn, dated 25 March 1996:

I have been asked by the Secretary of State for Transport to reply to your recent Parliamentary Question asking when the Second Severn Crossing will be officially opened for traffic.

The Concessionaire, Severn River Crossing Plc, have announced that the official opening ceremony will take place on 5 June 1996. It is expected that the crossing will be open to traffic on the following day.

M25 (Speed Limits)

Mr. Wilshire: To ask the Secretary of State for Transport if he will make a statement on the working of the variable speed limits on the M25 and on his plans to extend the lengths of the motorway covered by these regulations. [20928]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. David Wilshire, dated 25 March 1996:

The Secretary of State for Transport has asked me to reply to your recent question about variable speed limits on the M25.

Variable speed limits have been operating since the end of August 1995. We have been able to show that the system is capable of effectively controlling vehicle speeds during peak conditions, and the vast majority of drivers appear to appreciate that the system will ease conditions for them.

More data is needed about the precise effect on the traffic flows, traffic safety and possible changes to driving patterns before we can determine the extent to which the system can be used elsewhere on the network.

Traffic Violations

Ms Glenda Jackson: To ask the Secretary of State for Transport what was the number of traffic violations involving Department of Transport vehicles, the nature of the violation, and the total amount of any fines arising from those violations, in each year since 1986. [22242]

Mr. Norris *[holding answer 22 March 1996]:* The available records on traffic violations for 1986 to date are as follows:

Year	*Violation*	*Fine* £
1986	Nil	Nil
1987	Nil	Nil
1988	Nil	Nil
1989	Nil	Nil
1990	Nil	Nil
1991	Nil	Nil
1992	Nil	Nil
1993	Nil	Nil
1994	Nil	Nil
1995	2 x speeding	80.00
	1 x parking	30.00
1996	Nil to date	Nil to date
Total		110.00

AGRICULTURE, FISHERIES AND FOOD

Farming Waste

Mr. Sheerman: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the number of tons of waste material produced by the farming industry each year. [21389]

Mr. Boswell: It is estimated that approximately 80 million tons of animal manure is produced each year on farms in the United Kingdom, most of which is recycled back to agricultural land. Estimates for other waste materials generated on farms are not available.

Mr. Sheerman: To ask the Minister of Agriculture, Fisheries and Food what advice his Department provides to farmers on the safe removal or recycling of waste material from farm processes. [21388]

Mr. Boswell: Detailed guidance for farmers on the safe disposal or recycling of agricultural wastes is contained in the Ministry's codes of good agricultural practice for the protection of water, air and soil which are available free of charge to all farmers and growers. In addition, the Ministry funds ADAS—the agricultural development advisory service—to provide free advice to farmers in the form of a general pollution risk assessment or assistance in the preparation of a farm waste management plan.

Mr. Jenkin: To ask the Minister of Agriculture, Fisheries and Food what assistance he will provide to farmers in nitrate vulnerable zones who are to face restrictions on the spreading of manures. [22996]

Mr. Boswell: I am very pleased to announce a new grant scheme which will be open to farmers in England and Wales who have land in a nitrate vulnerable zone. The scheme will help those farmers who need to improve their farm waste facilities as a result of limits to be set on the spreading of livestock manures in the zones. The necessary statutory instrument has been laid before Parliament today and will be debated in both Houses of Parliament.

The scheme, which offers a 25 per cent. rate of grant on eligible waste storage and handling facilities, will come into force on 17 April. For the first time, grant will be available on facilities for the separation of clean and dirty water, other than roofing, where this will reduce the need for storage. In addition, farmers will be able to call on ADAS for free advice to help them decide on the waste facilities needed to comply with the NVZ measures.

Agricultural and Rural Development

Mr. McGrady: To ask the Minister of Agriculture, Fishers and Food what discussions he has held with his ministerial counterpart in the Northern Ireland Office concerning the resumption of the special programme for agricultural and rural development. [21652]

Mr. Boswell: None.

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21514]

Mr. Boswell: The number of staff recorded as being paid for overtime work which took their hours worked to over 48 hours net in any one week in the 12 months to February 1996 is 1,611, which represents 23.9 per cent. of this Department's staff.

No records are held centrally of the hours worked either by senior staff not eligible for paid overtime or by those on flexible working schemes.

Parliamentary Questions

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food what was the average cost of answering an *(a)* oral and *(b)* written parliamentary question from (i) Opposition and (ii) Conservative hon. Members in each Session since 1989–90. [21794]

Mr. Boswell: This Department does not collect the information in the form requested.

Live Animal Transport

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 14 March 1996, *Official Report*, column *728*, what assessment he has made of the adequacy of the local veterinary inspectors, conditions of appointment in respect of recording the time taken for each inspection; and if he will make a statement. [22079]

Mrs. Browning *[holding answer 21 March 1996]:* The conditions of appointment of local veterinary inspectors are kept under review. I refer the hon. Gentlemen to the answer that I gave him on 30 January 1996, *Official Report*, columns *696-97*, which outlined the safeguards to ensure that high standards of veterinary certification are maintained. I have no immediate plans to change the conditions of appointment of LVIs.

Dietary Supplements

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food what consideration is being given by the Codex Alimentarius Committee to the availability of and trade in dietary supplements; what is the role and purpose of that committee; through what mechanism the United Kingdom contributes to the committee; through what procedures it reaches conclusions; upon whom and with what authority those decisions are binding; and if he will make a statement. [22045]

Mrs. Browning: The purpose of the Codex Alimentarius is

"to guide and promote the elaboration and establishment of definitions and requirements for foods, to assist in their harmonisation and, in doing so, facilitate international trade".

The discussions bring together scientist, technical experts, government regulators, consumer organisations and industry representatives in order to develop Codex guidelines and standards by consensus. The UK is a member of the committee and participates fully. The Codex Alimentarius Committee on Nutrition and Foods for Special Dietary Uses is at a preliminary stage in developing a Codex guideline on dietary supplements. The committee develops guidelines by consensus, and the Codex guidelines are advisory instruments only.

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food when his Department received copies of the minutes of the meetings of the Codex Alimentarius Committee at which dietary supplements have been considered; and if he will make such minutes available *(a)* in the Library and *(b)* to the Society for the Promotion of Nutritional Therapy. [22046]

Mrs. Browning: The final report of the last meeting of the Codex Alimentarius Committee on Nutrition and Foods for Special Dietary Uses, which considered dietary supplements, was received by my Department on 12 June 1995. Interested parties were informed about this and the report is available to them on request. I have arranged for a copy to be placed in the Library of the House.

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food when he expects the Codex Alimentarius Committee to meet next; if dietary supplements will be discussed at that meeting; and if he will make a statement setting out the timetable for future meetings of and decisions by that committee in relation to dietary supplements. [22047]

Mrs. Browning: The Codex Alimentarius Committee on Nutrition and Foods for Special Dietary Uses will next meet from 7 to 11 October 1996. Dietary supplements will be on the agenda of the meeting. The timetable for future meetings and decisions by this committee is a matter for the committee to decide.

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food what evaluation he has made of the proposals submitted by Germany to the Codex Alimentarius Committee in relation to dietary supplements; and what response he has made to those proposals. [22048]

Mrs. Browning: A paper was tabled by Germany at the Codex Alimentarius Committee on Nutrition and Foods for Special Dietary Uses from 27 to 31 March 1995. The United Kingdom delegation made a preliminary evaluation of the paper prior to the meeting in consultation with both industry and consumer representatives, and at the meeting expressed the view that Codex guidelines were not necessary.

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to promote at meetings of the Codex Alimentarius Committee and the General Agreement on Tariffs and Trade the continued availability to consumers of vitamin, mineral and other dietary supplements. [22049]

Mrs. Browning: Yes.

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food what proposals he has received from *(a)* the Codex Alimentarius Committee and *(b)* other bodies associated with GATT to restrict (i) the potency, (ii) the availability and (iii) the trade in vitamin, mineral and other dietary supplements for (1) prophylactic and (2) other use; and if he will make a statement. [22050]

Mrs. Browning: The paper tabled by Germany at the Codex Alimentarius Committee on Nutrition and Foods for Special Dietary Uses from 27 to 31 March 1995, which contained these points, was not a formal proposal, but an early draft for a revised draft guideline for dietary supplements.

No proposals concerning dietary supplements have been received from any of the other international standards-setting bodies referred to in the GATT agreement on sanitary and phytosanitary measures.

Mr. Hain: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the competence of GATT structures for addressing *(a)* the potency, *(b)* the availability and *(c)* the trade in vitamin, mineral and other dietary supplements for (i) prophylactic and (ii) other use; and if he will make a statement. [22051]

Mrs. Browning: The rules of the World Trade Organisation—the successor body to GATT—would be relevant to the availability or use of dietary supplements only if situation arose in which one WTO member country restricted imports of such substances and another wished to challenge that restriction. Such a situation would be likely to arise only if there were any evidence that dietary supplements posed a danger to human health.

Rabies

Mr. Key: To ask the Minister of Agriculture, Fisheries and Food on what date the Council of Ministers discussed the report of the Scientific Veterinary Committee on various aspects of rabies, paper VI/1533/92–EN–REI–I (PVET/EN/1268). [22026]

Mrs. Browning: We do not have any record of this working paper itself being discussed at the Council of Ministers. However, discussions on the Balai directive—EC directive 92/65—were held at the Council of Agriculture Ministers meeting on 15 June 1992. The rabies provisions of this directive, particularly those relating to dogs and cats, were based on the Scientific Veterinary Committee recommendations in this paper.

Organophosphate Poisoning

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce a system of compensation for farmers suffering from organophosphate poisoning who cannot obtain legal aid; and if he will make a statement. [22371]

Mrs. Browning: I have no plans to introduce such a system. Questions of compensation are a matter between the individual and the company concerned.

Fishing Fleet

Mr. David Porter: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the discrepancy in the size of the British registered fishing fleet and the figures quoted by the EU Fisheries Commissioner, Emma Bonino, on her recent visit to the United Kingdom. [22253]

Mr. Baldry: The figures which the Fisheries Commissioner was reported as using apparently showed a doubling of the UK fleet from 116,000 GRT—gross registered tonnage—in 1986 to 239,000 GRT now.

This is not so. The 1986 figure comes from a statistical series recording only certain significantly active vessels and is not comparable with later figures which give the total registered fleet. Moreover, the supposed figure for current tonnage is wrong and does not come from any published UK source.

Our own figures show that there has in fact been a net reduction in registered tonnage over the last 10 years to the present position of 207,000 GRT.

I have written to Mrs. Bonino drawing her attention to this.

Coastal Protection

Mr. David Porter: To ask the Minister of Agriculture, Fisheries and Food how the Environment Agency will from 1 April prepare, operate and maintain a programme for sea defence and coast protection; what will be its policy by region on managed retreat and artificial defences; and if he will make a statement. [22254]

Mr. Boswell: From 1 April the Environment Agency will assume the operational powers of the National Rivers Authority on flood defence. The EA will exercise general supervision over all matters relating to flood defence in England and Wales. It will also undertake measures to reduce flooding from main rivers and the sea.

These functions will continue to be carried out through regional flood defence committees. Maritime local authorities will retain responsibility for coast protection against erosion.

The EA will operate within the Ministry's comprehensive policy framework for flood and coastal defence which inter alia encourages the provision of technically, environmentally and economically sound and sustainable defences. There is no presumption in favour of "managed retreat", or "managed setback" as it is better described. Setting back the line of defence is simply one of a range of options that regions of the EA can be expected to consider. All capital schemes, including artificial defences, should be based on an understanding of natural processes and, as far as possible, be compatible with those processes. The development of catchment

plans and shoreline management plans will enable the EA to ensure that schemes are considered in a strategic context.

Avoparcin

Mr. Viggers: To ask the Minister of Agriculture, Fisheries and Food if he will raise the animal welfare aspect of the Danish ban and German suspension of Avoparcin at the intergovernmental conference in Italy; if he will make a statement on his Department's policy on the use of Avoparcin; and what actions the United Kingdom Government plan to take at the IGC on this issue. [22543]

Mrs. Browning: The availability of Avoparcin is controlled under directive 70/524/EEC. The Danish ban and German suspension have been taken in accordance with article 11 of the directive, and the data submitted by both member states are under urgent consideration by the European Commission's Scientific Committee for Animal Nutrition. On the basis of the currently available scientific information, we do not believe that such prohibition action is justified, but the position will be reviewed in the light of the committee's scientific advice, which is expected in April. In the circumstances, it would not be appropriate to raise this issue at the intergovernmental conference.

Written Answers to Questions

Tuesday 26 March 1996

DEFENCE

Nimrod Aircraft

Mr. Cohen: To ask the Secretary of State for Defence which aircraft the Nimrod R1 replaced in active service with the Royal Air Force. [22363]

Mr. Arbuthnot: Nimrod R1 replaced Comet Mk2s in No. 51 Squadron Royal Air Force.

Mr. Cohen: To ask the Secretary of State for Defence if the Nimrod R1 lost on 16 May 1995 had received its star window upgrade. [22354]

Mr. Soames: Star window equipment was not fitted to this aircraft.

Mr. Cohen: To ask the Secretary of State for Defence what is the estimated cost of the star window upgrade to the Nimrod R1; and from which sub-heads of which votes these funds are taken. [22352]

Mr. Soames: The value of the star window upgrade is under £30 million. Costs have been charged to vote 2, section M6.

Bahrain

Mr. Cousins: To ask the Secretary of State for Defence how many officials and members of the United Kingdom armed forces are *(a)* stationed in Bahrain and *(b)* attached to Bahrainian military, police or paramilitary units or services (i) to support contracts, (ii) on secondment and (iii) for training (1) currently and (2) on 1 January 1995. [22662]

Mr. Soames: It is our practice not to comment on the precise location of forces deployed on operations in the Gulf region.

One Royal Navy officer, acting as UK/Bahrain defence co-operation officer, is based at the British embassy in Bahrain.

No members of the UK armed forces are attached to Bahrain's military, police or paramilitary units or services, nor were there any on 1 January 1995.

Mr. Cousins: To ask the Secretary of State for Defence how many visits have been undertaken to Bahrain by (i) officials of his Department and (ii) members of the United Kingdom armed forces in the last 12 months with, in each case, their rank and status. [22661]

Mr. Soames: The information is not available in the form requested.

Gulf War Syndrome

Rev. Martin Smyth: To ask the Secretary of State for Defence when he plans to report on the inquiry into Gulf war syndrome. [22551]

Mr. Soames: As stated in my reply to the right hon. Member for South Shields (Dr. Clark) of 30 January 1996, *Official Report*, columns *607–608*, we are in the process of commissioning a series of epidemiological studies into the alleged Gulf war syndrome. I shall report further when significant information becomes available.

Royal Yacht Britannia

Mr. Gill: To ask the Secretary of State for Defence what is the annual cost of *(a)* routine maintenance and *(b)* refitting of HMY Britannia. [22823]

Mr. Soames: The present estimated cost of maintenance for the current financial year is £1,262,000. No further refits are planned.

Air-launched Anti-armour Weapon

Mr. Eastham: To ask the Secretary of State for Defence how many companies have tendered for the new air-launched, anti-armour weapon, currently out to tender; if he will list the companies involved and the countries they are based in; and what is the estimated number of jobs that will be created to fulfil this contract. [22580]

Mr. Arbuthnot: Five companies have tendered for the new advanced air-launched anti-armour weapon as follows:

Company	*Country*
BAe Dynamics	UK
GEC Marconi	UK
Hunting Engineering	UK
Texas Instruments	US
Thompson Thorn Missile Electronics	UK/FR

It is too early to give any meaningful estimate of the number of jobs which will be created to fulfil the contract.

Research and Development

Mr. Malcolm Bruce: To ask the Secretary of State for Defence what is his estimate of Government expenditure in support of military research and development for each year since 1986–87, including the figures planned for 1995–96, 1996–97 and 1997–98. [22682]

Mr. Arbuthnot: The information requested is set out in the 1995 edition of "Forward Look", the publication on Government-funded science, engineering and technology, volume 3, table 2.1, a copy of which is in the Library of the House.

Service Accommodation

Dr. David Clark: To ask the Secretary of State for Defence if he will list the number of his Department's *(a)* married quarters and *(b)* other houses in each parliamentary constituency. [22999]

Mr. Soames: The information is not held in the form requested and could be provided only at disproportionate cost.

22 Special Air Services

Mr. David Martin: To ask the Secretary of State for Defence if he will make a statement on the location of 22 SAS. [23297]

Mr. Soames: The present site at Stirling Lines, Hereford occupied by 22 SAS is too small to meet long-term requirements and it is planned to move the unit to the former RAF site at Credenhill, Hereford within the next three years.

"The Military Ethos (The Maintenance of Standards)"

Mr. Key: To ask the Secretary of State for Defence for what purpose the Army produced and published a paper entitled "The Military Ethos (The Maintenance of Standards)" in January 1994; to whom it was distributed; and with what instructions for onward transmission. [22715]

Mr. Soames *[holding answer 25 March 1996]:* The purpose of the Army paper "The Military Ethos (The Maintenance of Standards)", is to explain the requirement for high standards of personal conduct and respect for law demanded of those in military service. Before the paper was promulgated, the Army had issued edicts on various subjects such as drug misuse, but without fully explaining the reasons behind them. The paper is intended to make all serving Army personnel, recruits and members of the Territorial Army conversant with the standards required of them, and the reasons behind them.

The paper was issued on 21 October 1993 and distributed to commanders in chief, all commands and districts both home and abroad. Commanding officers were instructed to bring the paper to the attention of all ranks. To that end, commanding officers were to set aside time to explain personally these issues to their officers and senior non-commissioned officers to ensure that the message was understood.

TRADE INDUSTRY

Export Licences

Mr. Llew Smith: To ask the President of the Board Trade if he will list, by year, country and export classification, the number of waivers used Customs and Excise with respect to the export of military equipment. [19241]

Mr. Oppenheim: This information was not collated centrally by Her Majesty's Customs and Excise.

Mr. Smith: To ask the President of the Board of Trade what monitoring is done to ensure that goods leaving the United Kingdom on temporary export licences are returned to the UK; and if he will list those occasions since 1990 when goods exported on temporary licences have not been returned. [19249]

Mr. Oppenheim: Export licences granted for the temporary export of goods are valid for a period of 12 months, which may be extended in certain circumstances. If notification of return of goods is not received by due date, the matter is taken up immediately with the consignor. There are occasions when goods licensed for temporary export are legitimately retained overseas on a permanent basis after due consideration by my Department.

The second part of this question could be answered only at disproportionate cost.

Medical Research

Mr. Llwyd: To ask the President of the Board of Trade how much was spent on research into *(a)* cancer, *(b)* heart disease and *(c)* stroke in each year since 1989; and if he will make a statement. [21579]

Mr. Ian Taylor: Research funding from the Medical Research Council for all three areas between 1989–90 and 1994–95, which is the latest year for which full figures are available, is summarised in the table:

£ million

	Cancer	*Heart disease*	*Stroke*
1994–95 figures using current definitions of research areas	13.2	11.4	3.4
[1]1993–94	13.3	6.1	0.9
[1]1992–93	13.5	5.4	1.0
[1]1991–92	13.6	5.3	0.6
[1]1990–91	13.5	5.9	0.4
[1]1989–90	13.3	5.5	0.4

[1] Figures using previous definitions of research areas.

There are two major qualifications to these figures. First, the basis for indexing and retrieving electronic research data at the Medical Research Council changed after 1993–94. Trends cannot, therefore, be read between the first five years on the one hand, and 1994–95 on the other.

Secondly, cancer studies are underpinned by a significant amount of basic research of some relevance to the above figures, but not included within them. Such areas include research into genetic blueprint and health—£37.7 million; molecules and cells—£64.9 million; and infections and immunity—£60.2 million.

The Scottish Office Home and Health Department's expenditure on these areas in as follows:

£ million

	Cancer	*Heart disease*	*Stroke*
1994–95	762,720	254,070	115,272
1993–94	963,910	361,404	141,835
1992–93	454,391	295,995	64,959
1991–92	181,113	140,004	90,677
1990–91	82,561	24,337	6,908
1989–90	112,862	72,308	79,975

In addition, the Department of Health—England and Wales—spent £8.3 million on cancer research in 1994–95. On heart disease and stroke, in 1993–94, the latest available figures, the Department of Health's policy research programme spent £400,000 on research into cardiovascular disease, and the NHS research and development programme on cardiovascular disease and stroke spent £49,537 in the same year. It is estimated that the NHS programme will spend £3,093,185 in 1995–96.

Figures for other years and for Northern Ireland are not readily available.

Mr. Llwyd: To ask the President of the Board of Trade if he will make a statement on his Department's funding for research into cancer. [21452]

Mr. Taylor: The Medical Research Council, which receives its funding from my Department, supports an extensive programme into cancer. For the financial year 1994–95, which is the latest year for which full figures are available, MRC expenditure was £13.2 million.

Mr. Llwyd: To ask the President of the Board of Trade if he will make a statement on his Department's funding for research into *(a)* heart disease and *(b)* stroke. [21578]

Mr. Taylor: The Medical Research Council, which receives its funding from my Department, supports an extensive programme into heart disease and stroke. For the financial year 1994–95, which is the latest year for which full figures are available, the expenditure on *(a)* heart disease was £11.4 million and for *(b)* stroke was £3.4 million.

Departmental Contractors and Suppliers

Mr. MacShane: To ask the President of the Board of Trade what measures his Department is taking to ensure that its contractors and suppliers *(a)* pay their employees a wage which ensures such employees do not need supplementary welfare payments via various state benefits and *(b)* meet workplace health and safety regulations; an if he will make a statement. [21461]

Mr. John M. Taylor: Terms and conditions of employment, including wages, are a matter between the contractor or supplier and his employees, subject of course to any relevant legal requirements. Compliance with health and safety regulations is a legal requirement for the contractor or supplier.

Genetic Information

Mr. Alton: To ask the President of the Board of Trade what participation Her Majesty's Government have had in the human genome project; and if he will make a statement. [21650]

Mr. Ian Taylor: The Government fully recognise the value of the human genome project, HGP, and in the last three years—1994–95, 1995–96 and 1996–97—have allocated additional funding, now totalling £13 million a year, to this important area. They also recognise the need to share results of the work as widely as possible. The project will provide new insights into the treatment and prevention of many diseases and could lead to more accurate diagnosis. The Government will continue to support this work in conjunction with other international sponsors.

The genome project is a global initiative that has expanded considerably over the past few years. The Medical Research Council, MRC, which is funded by my Department through the science budget, continues to play a leading role in this work. The MRC human genome mapping project, HGMP, was initiated in 1989 to support work on genome mapping and for studies of the structural arrangements and sequence within the genome, to develop and evaluate enabling technologies and to support training. In addition to funding research grants and projects in MRC establishments, the council has set up the HGMP resource centre in Cambridge to provide centralised facilities and services to UK users. More recently, the MRC has collaborated with the Wellcome Trust to establish the Sanger centre, also in Cambridge. The centre is carrying out parallel and complementary programmes funded by the two partners, and serves as a "factory" to sequence the nematode and yeast genomes, as well as selected human chromosomes, and to develop robotics and informatics.

The Biotechnology and Biological Sciences Research Council, BBSRC, also funded by my Department, currently supports an initiative in plant and animal genome analysis and in doing so liaises closely with the human genome mapping programme and the MRC's resource centre. Collaboration with the human genome resource centre has allowed important access to databases for use in comparative mapping, enabling animal mappers to acquire information about the position of candidate genes on the human genome. In future, these benefits may be reciprocal, allowing human geneticists access to information about the genetic bases for complex diseases, such as osteoporosis, for which there is a model in the chicken. There are also close links between BBSRC and MRC on the development of appropriate informatics to underpin genome research.

Taiwan

Sir Nicholas Scott: To ask the President of the Board of Trade if he will make a statement on credits extended from the United Kingdom to Taiwan; and to what extent payments on these are up to date. [22209]

Mr. Oppenheim: Since privatisation of the Export Credits Guarantee Department's short-term credit arm in 1991, medium and long-term export credit facilities have continued to be available to support UK capital goods and project exports to Taiwan.

Taiwan is only an occasional user of export credit, and ECGD's exposure is relatively modest, at £91 million as at 31 December 1995.

No delays in payment have been reported and no claims have been paid on business with Taiwan.

China

Sir Nicholas Scott: To ask the President of the Board of Trade if he will make a statement on credits extended from the United Kingdom to China; and to what extent payments on these are up to date. [22208]

Mr. Oppenheim: Since the privatisation of the Export Credits Guarantee Department's short-term credit arm in 1991, medium and long-term export credit facilities have continued to be available to support UK capital goods and project exports to China.

China was ECGD's top new business market in 1994–95 and is currently the largest market in terms of exposure which, as at 31 December 1995, stood at £2,240 million.

Occasional administrative delay in payment have been reported, but no claims have been paid on business with China.

Internet

Mr. French: To ask the President of the Board of Trade if he will commission a report on the technical and practical considerations of applying the V-chip to the Internet. [22141]

Mr. Ian Taylor: My Department is contributing to the study of the V-chip for television being conducted by the department of National Heritage. For the Internet, it is unlikely that the application of a V-chip will be feasible in a complex global network. Legislation is not an ideal means of regulating content on the Internet, which is of increasing importance in business, education and leisure. Voluntary action on the part of network service companies, coupled with personal responsibility and the use of software tools designed to enable the subscriber to limit the range of material available, would seem to be more appropriate than imposing a particular rigid technological solution. Indeed, recent attempts by other Governments to restrict the Internet have demonstrated the difficulties with imposed regulation. I am very keen that the service providers agree, as soon as possible, a voluntary code of conduct to allay public concerns. I made this clear in a speech on 22 March 1996, in which I set out my Department's attitude to the Internet generally. A copy has been placed in the Library of the House.

Employment Insecurity

Mrs. Bridget Prentice: To ask the President of the Board of Trade what plans he has to investigate the effect of employment insecurity on productivity in relation to *(a)* small and medium enterprises and *(b)* the economy. [22290]

Mr. Page: The Department has no plans for research into this topic.

Dual-use Exports

Mr. Cousins: To ask the President of the Board of Trade if he will list *(a)* the number and countries of destination of dual-use goods licenced under the Dual Use and Related Goods (Export Controls) Regulations 1995 and *(b)* the number and countries of destination of licences refused. [22655]

Mr. Oppenheim: A statistical analysis of export licences both issued and refused under the Dual Use and Related Goods (Export Controls) Regulations 1995, as amended, will shortly be placed in the Library of the House. It will cover the six-month period which followed the entry into force of the regulations on 1 July 1995.

The export control organisation's annual report, which also contains this information, is currently in preparation. It, too, will be placed in the Library of the House.

Missile Systems

Mr. Cousins: To ask the President of the Board of Trade if *(a)* a skim or cruise missile system without warheads fitted and *(b)* the parts, plans and technology for such a system are (i) a licensable export and (ii) defined as a lethal weapon; and under which heading of the export control orders such a system would be recorded. [22653]

Mr. Oppenheim: Export controls cover all missiles and their related specially designed parts, plans and technology. The controls apply equally to skim and cruise types irrespective of whether the missile is fitted with a warhead.

The relevant controls are found in the Export of Goods (Control) Order 1994, schedule 1, part III, group 1, under ML4 for the missiles and specially designed parts, and under ML18 and PL 5027 for the technology and plans.

Mr. Cousins: To ask the President of the Board of Trade which parts, plans, and technology for skim and cruise missile systems are covered by missile technology control regime restrictions; and what considerations of *(a)* range and *(b)* performance underlie this assessment. [22656]

Mr. Oppenheim: The missile technology control regime, MTCR, establishes lists of missiles equipment and technology subject to control. The lists are long and complex and I am placing a copy in the Library of the House.

The MTRC controls any missile, including skim and cruise types, which falls into either of two categories. Category I covers missiles capable of delivering a 500 kg payload to a range of 300 km or more. Category II, covers all other missiles with a range of 300 km or more, irrespective of payload. In assessing missile performance, it is necessary to take into account the ability to trade off range and payload.

EU External Tariffs

Mr. Allason: To ask the President of the Board of Trade whether the European Union imposes different levels of the common external tariff in different member states. [22709]

Mr. Oppenheim: No. Article 9 of the EC treaty provides for the adoption of a common external tariff by member states in their relations with all third countries. However, as part of transitional arrangements following their accession, new member states may apply different levels in aligning their tariffs on the common external tariff.

British Coal Pension Fund

Mrs. Clywd: To ask the President of the Board of Trade (1) what emoluments were paid to the previous fund chairmen of the British Coal staff superannuation scheme; [23024]

(2) what emoluments are paid to the current chair of the British Coal staff superannuation scheme; and by whom they are paid. [23023]

Mr. Page: As set out in my answer to the hon. Member for City of Durham (Mr. Steinberg) on 28 November 1995, *Official Report*, column *546*, the current chairman of the British Coal staff superannuation scheme receives £15,000 per annum. This forms part of the administrative costs of the scheme. Previous chairmen did not receive any remuneration.

Mrs. Clwyd: To ask the President of the Board of Trade (1) how the current chair of the British Coal staff superannuation fund was appointed; [23022]

(2) when, and by whom, the current chair of the British Coal staff superannuation fund was appointed. [23021]

Mr. Page: The current chair of the British coal staff superannuation scheme, Mrs. Sheila Gleig, was selected and appointed by the Secretary of State in accordance with article 37 of the trustee company's articles of association. She began a two-year term of office on 1 May 1995.

Contracts

Mr. Donohoe: To ask the President of the Board of Trade what guidelines are currently in force in his Department and its executive agencies relating to competitive tendering and the use of single negotiated tenders; on what grounds single negotiated tenders can be used; and what procedures are in place within his Department to ensure that the use of single negotiated tenders in competitive tendering processes is justified in all cases. [22846]

Mr. John M. Taylor: A copy of the chapters from my Department's procurement manual providing guidance on the use of competitive tendering and single negotiated tenders has been placed in the Library of the House.

Proudman Oceanic Laboratory

Mr. Frank Field: To ask the President of the Board of Trade if he will make a statement on the progress being made under the prior options review of the Centre for Coastal and Marine Sciences as they relate to the Proudman Oceanographic Laboratory in Birkenhead. [22985]

Mr. Ian Taylor: The Proudman Oceanographic Laboratory of the Centre for Coastal and Marine Sciences is being covered in the Natural Environment Research Council centres and surveys prior options review. This is scheduled to report at the end of July.

Overseas Projects Board

Mr. Bayley: To ask the President of the Board of Trade if he will update his answer to the hon. Member for Birmingham, Northfield (Mr. Burden) of 21 February 1994, *Official Report,* column *22* and list the membership of the Overseas Projects Board in each year from 1977 to 1983, and in 1994, 1995 and currently, indicating the names, occupation and employing firms of each of the members together with their terms of office. [23007]

Mr. Nelson: I have placed in the Library of the House lists of Overseas Projects Board members at December 1994, December 1995 and currently. The lists contain the members' occupations and employing firms, and their terms of service or, for current members, their appointment dates. Lists for 1977 to 1983 could be produced only at disproportionate cost.

Research Awards

Mr. Malcolm Bruce: To ask the President of the Board of Trade what is his Department's level of planned funding in 1996–97 for *(a)* the support for projects under research—SPUR—scheme and *(b)* the small firms merit award for research and technology—SMART—scheme. [22686]

Mr. Ian Taylor: My Department's planned level of funding in 1996–97 for the SPUR scheme is £8.3 million and for the SMART scheme is £10.7 million.

Nuclear Power (Research)

Mr. Malcolm Bruce: To ask the President of the Board of Trade what was departmental expenditure in support of research into nuclear power in the last year on which figures were available; and if he will make a statement. [22684]

Mr. Page: I refer the hon. Member to the reply given by my right hon. Friend the Minister for Industry and Energy on 20 March 1996, *Official Report*, columns *197–98*.

Renewable Energy (Research)

Mr. Malcolm Bruce: To ask the President of the Board of Trade what is his Department's budget for 1996–97 for expenditure in support of research into renewable energy sources. [22685]

Mr. Page: My Department's budget for the new and renewable energy programme for 1996–97 will be £14 million.

Firearms

Mr. Alex Carlile: To ask the President of the Board of Trade how many handguns were sold legally in England and Wales in each of the last five years; and if he will make a statement. [22391]

Mr. Page: The Department does not hold information concerning the level of retail sales of handguns. However, UK manufacturers' sales of revolvers and pistols amounted to £151,000 in 1994 and sales of muzzle-loading firearms for sporting use totalled approximately £1.5 million in 1994. This and other information is published in "UK markets" report No. AR59, copies of which are available in the Library of the House.

Former Yugoslavia

Mr. Wareing: To ask the President of the Board of Trade what Export Credits Guarantee Department cover is available to British companies trading with Serbia and Montenegro. [22240]

Mr. Nelson *[holding answer 22 March 1996]:* The ECGD is not on cover for Serbia and Montenegro.

Regional Assistance

Mr. Prescott: To ask the President of the Board of Trade if he will list the average annual expenditure on regional selective assistance per head of working population in *(a)* development areas and *(b)* intermediate areas in (i) Great Britain, (ii) England, (ii) Scotland, (iv) Wales and (v) each of the English regions for the years 1990–91 to 1994–95. [22247]

Mr. Oppenheim *[holding answer 22 March 1996]:* The figures are as follows.

RSA expenditure per head of working population

£

	1990–91		1991–92		1992–93		1993–94		1994–95	
	DA	*IA*	*DA*	*IA*	*DA*	*IA*	*DA*	*IA*	*DA*	*IA*
East	0	0	0	0	0	0	0	0	0	4
East Midlands	23	27	10	27	15	7	8	0	23	7
North-East	26	18	28	7	27	7	31	15	31	44
North-West and Merseyside	18	15	15	16	13	12	19	9	30	13
London and South-East	0	0	0	0	0	0	0	0	4	2
South-West	17	13	23	15	22	13	43	8	43	12
West Midlands	0	10	0	5	0	6	0	15	3	13
Yorkshire and Humberside	32	5	16	5	14	6	8	8	23	15
England	23	10	21	7	19	7	21	8	23	12
Scotland	48	27	46	25	47	12	53	23	61	19
Wales	31	24	73	32	93	27	6	45	198	26
Great Britain	32	13	34	12	36	10	33	15	41	15

1. Some expenditure in 1993–94 and 1994–95 would have resulted from offers of grant made prior to the Assisted Area map change in August 1993.
2. The definition of the development areas and intermediate areas used is:-
   1990–91 to 1992–93—assisted area map prior to the changes in August 1993
   1993–94 to 1994–95—assisted area map following the changes in August 1993
3. The figures for working population used in the calculation are derived as follows:-
   1990–91 and 1991–92—1991 figures based on the definition of the assisted areas prior to the map changes
   1990–92—1993 figures based on the definition of the assisted areas prior to the map changes
   1993–94 and 1994–95—1994 figures based on the definition of the assisted areas following the map changes
4. The figures take account of the division of certain travel-to-work areas between development areas and intermediate areas
5. London and the south-east regions and the north-west and Merseyside regions have been combined because of the difficulties in fitting travel-to-work areas to regional boundaries.

PRIME MINISTER

Cyprus

Mr. Cox: To ask the Prime Minister when he last discussed Cyprus with President Clinton; what issues were discussed; and if he will make a statement. [22821]

The Prime Minister: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs discussed Cyprus with the then Assistant Secretary of State, Mr. Holbrooke, on 14 February. We remain in close touch with the United States. We are committed to finding a settlement in Cyprus within the framework of the United Nations process, in consultation with the United States, the European Union and other partners.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Tuesday 26 March. [21171]

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Tuesday 26 March. [21172]

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall be having further meetings later today.

Ministers (City Sponsorship)

Mr. Flynn: To ask the Prime Minister what the criteria are for making appointments of sponsor Ministers for individual cities. [22025]

The Prime Minister *[holding answer 22 March 1996]:* The duties and responsibilities of sponsor Ministers are to support Government regeneration and competitiveness initiatives through publicity and contact with local civic and business leaders and to act as a channel for communicating local concerns.

Royal Palaces (Works of Art)

Mr. Flynn: To ask the Prime Minister what estimate he has made of the value of the works of art in the royal palaces that are in the ownership of Her Majesty's Government. [22812]

The Prime Minister *[holding answer 25 March 1996]:* The royal collection is not the responsibility of Government. The responsibility for works of art in the royal palaces rests with the Royal Collection Trust. Any questions concerning the royal collection should be addressed to the trust.

OVERSEAS DEVELOPMENT ADMINISTRATION

Aid and Trade Provision

Mr. Bayley: To ask the Secretary of State for Foreign and Commonwealth Affairs which *(a)* Government committees, *(b)* advisers and *(c)* experts the Overseas Development Administration consults before deciding whether to support individual applications for assistance under the aid and trade provision; and if he will list the names, occupation and employer of each person giving such advice. [22998]

Mr. Hanley: The Overseas Development Administration does not have specialist aid and trade provision advisers. Instead, as with all other ODA projects, applictions for ATP assistance are considered by the ODA's country programme managers and sectoral advisers in accordance with the relevant country strategies. The ODA monitors progress on ATP applications jointly with the Development of Trade and Industry, and consults the Export Credits Guarantee

Department on export credit aspects. ATP projects involving ODA support in excess of £5 million, like all ODA projects of similar size, must be considered by the ODA's projects and evaluation committee, which makes recommendations to the Minister on whether they should be approved. Finally, all offers of ATP support must be approved by the OECD's international export credit group.

Mrs. Anne Campbell: To ask the Secretary of State for Foreign and Commonwealth Affiars which former public sector research establishments in the Overseas Development Administration have been privatised since 1979; and which public sector research establishments in the Overseas Development Administration are currently undergoing reviews with a view to placing them in the private sector. [21940]

Mr. Hanley: From 1979 to date, no ODA research establishment has been transferred to the private sector. Over the period, a number of separate bodies were brought together to form the Natural Resources Institute, NRI. The transfer of NRI to the private sector is in progress; a preferred bidder was announced on 5 March, *Official Report*, column *166*.

FOREIGN AND COMMONWEALTH AFFAIRS

Cyprus

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government will support the internationalisation of the issue of working for a settlement on Cyprus. [22797]

Mr. David Davis: The United Nations Secretary-General's mission of good offices already offers an international framework through which to seek a solution to the Cyprus problem. It has our full and active support.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he *(a)* has had and *(b)* plans with the Secretary-General of the United Nations on the present position of the Greek Cypriots now living in the Karpas area of northern Cyprus. [22803]

Mr. Davis: The high commission in Nicosia maintains close contact with the United Nations force in Cyprus humanitarian branch which is responsible for overseeing the welfare of Greek Cypriots living in the Karpas. We support the United Nations force in Cyprus's—UNFICYP—efforts in this field.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with Mr. Rauf Denktash and the Turkish Government on the future of the town of Famagusta in Cyprus; and if he will make a statement. [22799]

Mr. Davis: We have had no recent discussions on this point. We believe, however, that the UN Secretary-General's proposed confidence-building measures for the resettlement of the closed area of Famagusta and the reopening of Nicosia international airport could make a positive contribution towards an eventual solution.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last discussed Cyprus with President Clinton; what issues were discussed; and if he will make a statement. [22822]

Mr. Davis: My right hon. and learned Friend the Foreign Secretary discussed Cyprus with the then Assistant Secretary of State, Mr. Holbrooke, on 14 February. We remain in close touch with the US. We are committed to finding a settlement in Cyprus within the framework of the UN process, in consultation with the US, the EU and other partners.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had or plans with the Turkish Government on the recent statement of Mr. Rauf Denktash regarding missing persons in Cyprus. [22801]

Mr. Davis: None. The UN committee on missing persons is best placed to investigate the fate of those missing. We have noted Mr. Denktash's recent statement on this subject and deplore the atrocities that have been committed in Cyprus. We would expect Mr. Denktash to pass on any relevant information to the UN committee.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Cyprus Government as to Cyprus's membership of the European Union; and if he will make a statement. [22820]

Mr. Davis: Cyprus's accession to the European Union is discussed regularly in our contacts with both communities in Cyprus. My right hon. and learned Friend the Foreign Secretary spoke about it with the Cypriot Foreign Minister, Mr. Michaelides, when he was in London on 1 November.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last discussed with the President of Cyprus his views on the demilitarisation of the island of Cyprus; and what is the policy of the British Government on this proposal. [22796]

Mr. Davis: Demilitarisation arises regularly in our discussions with both communities in Cyprus. My right hon. and learned Friend the Foreign Secretary discussed it with the Cypriot Foreign Minister, Mr. Michaelides, in London on 1 November. Moves to reduce deployment of troops and levels of military equipment on the island can only help to improve the climate for a settlement.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has *(a)* held and *(b)* plans to hold with the Italian presidency of the European Union regarding Cyprus; and if he will make a statement. [22800]

Mr. Davis: We discuss Cyprus's accession to the European Union regularly with the Italian presidency and other EU partners. Cyprus has frequently been on the agenda of Foreign Affairs Councils, most recently on 25 and 26 March. The prospect of Cypriot accession to the EU should act as a stimulus to all parties to redouble their efforts to find a solution to the Cyprus problem.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if the British Government will support an official inquiry into the alleged killing of

Greek Cypriots by Turkish Cypriot troops during the invasion of Cyprus by Turkey in 1974; and if he will make a statement. [22802]

Mr. Davis: The UN committee on missing persons has long been charged with investigating the fate of those Cypriots who remain unaccounted for following the tragic events of 1974. We support the work of the committee and expect both communities to co-operate fully with it.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with Mr. Rauf Denktash and the Turkish Government as to the number of Turkish settlers now living in northern Cyprus; and if he will make a statement. [22798]

Mr. Davis: There are no reliable figures for the number of Turkish settlers now living in the northern part of Cyprus. We support the call in United Nations Security Council resolution No. 789 for a Cyprus-wide census under the auspices of the United Nations.

Maastricht Treaty

Mr. Spearing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list *(a)* the names of the documents and *(b)* the date and places of the speeches made by members of Her Majesty's Government prior to 9 April 1992 which committed the current Administration to accept the content of the treaty on European Union signed at Maastricht on 7 February 1992, other than its protocol 11 concerning monetary union and protocol 14 and associated agreements on social policies. [22765]

Mr. David Davis: My right hon. Friend the Prime Minister made clear on many occasions that, having negotiated and signed the treaty on European Union at Maastricht, he would ask the House to pass the necessary legislation to give the treaty effect in UK law.

Luxembourg Compromise

Mr. Whittingdale: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the present status of the Luxembourg compromise and the circumstances on which it might be invoked by the United Kingdom. [22531]

Mr. David Davis: The status of the Luxembourg compromise and the circumstances in which it might be invoked are set out in paragraph 22 of "A Partnership of Nations", presented to the House on 12 March.

Channel Islands

Mr. Allason: To ask the Secretary of State for Foreign and Commonwealth Affairs if the citizens of the member states of the European Union have the right to work and establish in *(a)* Jersey and *(b)* Guernsey. [22712]

Mr. David Davis: No. The terms of the UK's Act of Accession do not require the Channel Islands to apply the provisions of the treaties relating to the free movement of persons.

Taiwan

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government have raised with the Government of the People's Republic of China their concerns at the recent missile testing and the missile attacks in the Taiwan straits; and if he will make a statement. [22123]

Mr. Hanley: We have made our grave concerns over China's behaviour in the Taiwan straits known to the Chinese, both directly and through our public and parliamentary statements. We have repeatedly urged China to show restraint and have called for an early resumption of the cross-straits dialogue.

Mr. Parry: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the policy of the European Union on China's threats to the USA and Taiwan; and if he will make a statement. [22125]

Mr. Davis: The EU issued a statement on 8 March calling on the People's Republic of China to exercise restraint and urged an early resumption of the cross-straits dialogue.

St. Helena

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs when the prison on St. Helena was last inspected; and if he will make a statement. [23006]

Mr. Hanley: The prison on St. Helena was last inspected by Judge Tumim in February 1996.

EDUCATION AND EMPLOYMENT

School Buildings

Mr. French: To ask the Secretary of State for Education and Employment when and for what reasons schools buildings undergo a Hunter survey. [22143]

Mrs. Gillan: It is for local education authorities and the governors of voluntary and grant-maintained schools to satisfy themselves about the condition of the school buildings for which they are responsible. It is open to them to conduct building surveys if they decide this is appropriate.

The Funding Agency for Schools commissioned a survey of all GM schools in February 1995. This was carried out on the agency's behalf by Hunter and Partners in order to assist the agency in managing the GM capital budget and in ensuring that the available resources are targeted to areas where they are needed most.

Specialist School Places (Autistic Children)

Ms Walley: To ask the Secretary of State for Education and Employment how many specialist school places there are for autistic children in *(a)* Staffordshire and *(b)* the United Kingdom. [22380]

Mrs. Gillan: The number of specialist school places provided by Staffordshire county council for autistic children is 60.

The number of specialist places for autistic children in the UK is not available centrally.

A-level Grades

Mr. Worthington: To ask the Secretary of State for Education and Employment what percentage of children

achieved grades *(a)* A to E and *(b)* below grade E at A-level in (1) England, (2) Scotland and (3) Wales in each of the past five years. [22660]

Mr. Paice: The percentage of students who achieved *(a)* at least one grade A to E and *(b)* all results below grade E at GCE A-level or AS equivalent in England are as follows:

Percentage

	(a) Grades A–E	*(b) Below grade E*
1992	78.3	21.7
1993	79.4	20.6
1994	81.0	19.0
1995	81.5	18.5

The figures are based on the number of students in schools and further education sector colleges who attempted at least one GCE A-level or AS equivalent in the relevant year. The data for 1991 are not available on a consistent basis. The figures for Scotland and Wales are the responsibility of my right hon. Friends the Secretaries of State for Scotland and for Wales respectively.

Nursery Education

Mr. Spearing: To ask the Secretary of State for Education and Employment in what form, for what purpose, and what categories of information she expects will be made available to providers of funded nursery education, their employees and directors under the powers contained in schedule 2 (1)(1)(b) to the Nursery Education and Grant-Maintained Schools Bill; and what comparable provisions are contained in any Education Act. [22766]

Mr. Robin Squire: Schedule 2 to the Nursery Education and Grant-Maintained Schools Bill will allow any staff of the Department for Education and Employment and the Welsh Office and any contractor appointed by the Secretary of State to have access to such social security information as is necessary to administer the voucher scheme. It is expected that the information will be limited to relevant information from the child benefit database. Providers of nursery education, their employees and directors will not have access to this information. There are no comparable provisions in other Education Acts. Similar provisions are, however, to be found in part VII of the Social Security Administration Act 1992.

Mathematics

Mr. Rathbone: To ask the Secretary of State for Education and Employment if she will increase Government support and encouragement for the Basic Skills Agency's work to improve school students' abilities to understand and use mathematics. [22597]

Mr. Paice: The Basic Skills Agency is one of the partners, along with the Office for Standards in Education—Ofsted, the School Curriculum and Assessment Authority and the Teacher Training Agency, in the new literacy and numeracy project announced in January this year. This will establish, among other things, 10 numeracy centres from September 1996 to raise standards and improve teaching of numeracy in primary schools. Funding for this project is in addition to the core grant which the agency receives from the Department.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Education and Employment how much her Department has spent in total in answering parliamentary questions in each parliamentary Session since 1989–90. [22879]

Mr. Robin Squire: This Department does not calculate the data requested and they could be provided only at disproportionate cost.

Surplus School Places

Mr. Spring: To ask the Secretary of State for Education and Employment what were the number and percentage of surplus places for *(a)* primary and *(b)* secondary schools for the periods ended (i) January 1994 and (ii) January 1993 in the counties of (1) Essex, (2) Cambridgeshire, (3) Norfolk and (4) Suffolk. [22909]

Mrs. Gillan: The information requested was collected for the first time in January 1994. The figures in the following table show the number of surplus places at that date in schools where capacity exceeded pupil numbers.

Surplus school places, January 1994

	Primary		*Secondary*	
	Number	*Percentage*	*Number*	*Percentage*
Essex	17,814	12	18,008	16
Cambridgeshire	7,978	13	2,837	7
Norfolk	7,383	11	4,041	9
Suffolk	4,559	10	6,000	11

Benefit Claimants (Hammersmith and Fulham)

Mr. Soley: To ask the Secretary of State for Education and Employment how many claimants have been suspended from benefit for not actively seeking work in the Hammersmith and Fulham area in the last 18 months. [21164]

Mr. Forth: Responsibility for the subject of the question has been delegated to the Employment Service under its chief executive. I have asked him to arrange for a reply to be given.

Letter from Mike Fogden to Mr. Clive Soley, dated 26 March 1996:

The Secretary of State has asked me to reply to your question about the number of claimants who have been suspended from benefit for not actively seeking work in the Hammersmith and Fulham area in the last 18 months.

We do not record statistics relating to periods of suspension for actively seeking work. However, we do publish, quarterly, half yearly and yearly reports on the volumes of adjudicated decisions both nationally and by Employment Service region.

This information is not broken down into parliamentary constituencies. Any statistical information in respect of Hammersmith and Fulham is included in the entry for London and South East. The publication, entitled "Analysis of Adjudication Officers' Decisions", details cases allowed and disqualified (or disallowed), by question type. The latest information can be obtained from the House of Commons library.

I hope this is helpful.

Assisted Places Scheme

Mr. Malcolm Bruce: To ask the Secretary of State for Education and Employment what would be the annual saving to the Exchequer for each year over the next 10 years from immediately ending the assisted places scheme for new entrants, and running the scheme down as individuals passed through the educational system. [22786]

Mrs. Gillan: The Government's expenditure plans, including those for the assisted places scheme in England published in Cm 3210, cover the period up to 1998–99 only. We do not intend to wind up the assisted places scheme.

Primary School Classes

Mr. Malcolm Bruce: To ask the Secretary of State for Education and Employment what is her estimate of the additional cost which would result from limiting primary school classes taken by one teacher to 30 or fewer pupils; and if she will make a statement. [22788]

Mr. Robin Squire: The financial implications of any policy setting arbitrary limits on class size would depend on the resulting decisions taken at school level about the deployment of teachers and pupils, and in particular how pupils in excess of 30 per class were redistributed.

Training Provider Companies

Mr. Morgan: To ask the Secretary of State for Education and Employment what guidance she has issued to training and enterprise councils on the advisability of issuing contracts to training provider companies whose principals are under investigation under section 447 of the Companies Act with respect to malfeasance and company liquidations involving training provider companies by the same principals. [22943]

Mr. Paice: None.

Mr. Morgan: To ask the Secretary of State for Education and Employment what consultations she has had with the chairman of the training and enterprise council national council concerning the status of Firland's Training of Aylesbury as a training provider in England and Wales. [22944]

Mr. Paice: My right hon. Friend has not had any discussions with the chairman of the TEC national council on this matter.

Grant-maintained Schools

Mr. Don Foster: To ask the Secretary of State for Education and Employment if she will list those schools where part of the annual maintenance grant of a grant-maintained school *(a)* is being paid and *(b)* will be paid, from departmental votes rather than solely from recoupment from the local education authority within the area of which the school lies; and if he will indicate the factors underlying this funding. [22976]

Mrs. Gillan: An element of the annual maintenance grant paid to the following grant-maintained schools in 1995–96 has not been, or will not be, recouped from the local education authority;

Alder Coppice Primary School, Dudley
Appleby Primary School, Cumbria
The Arnewood School, Hampshire
Bourne Abbey Primary School, Lincolnshire
The Burgate School, Hampshire
Chellaston School, Derbyshire
Costessey High School, Norfolk
Eaglesfield Paddle CE Primary School, Cumbria
The Ellowes Hall School, Dudley
The Greensward School, Essex
Greenwood Dale School, Nottinghamshire
Heanor Gate School, Derbyshire
Holy Trinity CE Primary School, Kent
Katherines Primary School, Essex
Merrill College, Derbyshire
Ringwood Comprehensive School, Hampshire
St. Anselm's College, Wirral
St. Peter and St. Paul RC High School, Lincolnshire
Sheringham High School, Norfolk
Upton Hall Convent School, Wirral
Wold Newton Primary School, Humberside
Woodnewton Way Infant School, Northamptonshire

We envisage that an element of the annual maintenance grant paid to the following grant-maintained schools in 1996–97 will not be recouped from the local education authority:

Alder Coppice Primary School, Dudley
Angley School, Kent
Appleby Primary School, Cumbria
The Arnewood School, Hampshire
Bay House School, Hampshire
Bourne Abbey Primary School, Lincolnshire
Broomhill Infant School, Sheffield
The Burgate School, Hampshire
Chase Lane Primary School, Essex
Chellaston School, Derbyshire
Costessey High School, Norfolk
The Curzon CE Primary School, Derbyshire
Dersingham First School, Norfolk
Eaglefield Paddle CE Primary School, Cumbria
Eastwood Infants School, Essex
The Ellowes Hall School, Dudley
The Greensward School, Essex
Greenwood Dale School, Nottinghamshire
Hardley School, Hampshire
Heanor Gate School, Derbyshire
Heathside School, Surrey
Holy Trinity CE Primary School, Kent
Katherines Primary School, Essex
La Retraite RC Girls School, Lambeth
Linton Primary School, Derbyshire
Loddon First School, Norfolk
The London Oratory School, Hammersmith and Fulham
Northwick Park Infant School, Essex
Old Leake Primary School, Lincolnshire
The Philip Morant School, Essex
Robinswood Primary School, Gloucestershire
Ringwood Comprehensive School, Hampshire
St. Augustine's RC Comprehensive School, Wiltshire
St. Peter and St. Paul RC High School, Lincolnshire

St. Thomas More High School for Boys, Essex
Sheringham High School, Norfolk
Wardle High School, Rochdale
Wold Newton Primary School, Humberside
Woodlands Community School, Derbyshire
Woodnewton Way Infant School, Northamptonshire

As a general rule, annual maintenace grant is recouped in full from the local education authority. However, we accept that there may be circumstances in which it is not reasonable to recoup the additional costs arising from the establishment of new provision in grant-maintained schools. Each case is considered on its merits.

Draft Admissions Circular

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will summarise the 218 responses to the draft admissions circular, issued for consultation on 8 January. [23002]

Mrs. Gillan: I refer the hon. Member to the reply that I gave on 19 March 1996, *Official Report*, columns *122-23*.

Comprehensive Schools (Hammersmith and Fulham)

Mr. Blunkett: To ask the Secretary of State for Education and Employment if she will list the comprehensive schools in *(a)* Hammersmith and *(b)* Fulham. [23001]

Mr. Robin Squire: In the 1995 school performance tables the following secondary schools in Hammersmith and Fulham classify themselves as comprehensive.[1]

Burlington Danes CE School
Fulham Cross Secondary School
Henry Compton School
Hurlingham and Chelsea School
Lady Margaret School
The London Oratory School
Phonenix High School
Sacred Heart High School

[1]The Education (School Performance Information) (England) Regulations 1994 as amended, define a "comprehensive" school as one which admits pupils "wholly or mainly without reference to ability or aptitude or to whether pupils have been selected for a place at a selective school".

Training and Enterprise Councils

Mr. Sumberg: To ask the Secretary of State for Education and Employment what progress Bolton Bury TEC and Cilntec are making on meeting the criteria for the award of a three-year licence. [23280]

Mr. Paice: I am pleased to announce the award of a three-year licence to Bolton Bury TEC and Cilntec which have now completed the process of meeting the rigorous standards that we set.

Activity Centres Regulations

Mr. Waterson: To ask the Secretary of State for Education and Employment what progress has been made in drawing up the regulations required by the Activity Centres (Young Persons' Safety) Act 1995; and if she will make a statement. [23281]

Mrs. Gillan: After extensive consultation, and on advice from the Health and Safety Commission, we have today laid regulations prescribing a new licensing scheme under the Activity Centres (Young Persons' Safety) Act 1995. This will improve safety for children and young people by introducing a regular and improved inspection programme for providers who sell adventure activities to schools and the public. An order designating Tourism Quality Services Ltd. as the licensing authority has also been laid today.

The scheme will cover adventure activities under the broad headings of caving, climbing, trekking and watersports, with a focus on those in hazardous areas remote from immediate help.

We have made some changes to the draft measures consulted on by the HSC, to help small providers and sole traders with robust safety measures and competent staff. For example, the burden of having to apply for licences every year has been removed and providers can apply for licences which may be valid for up to three years. However, inspection of any provider will still take place more regularly where necessary. For multi-activity centres, this is likely to be every year.

Tourism Quality Services Ltd. will be the new, independent licensing authority. Its administration of the Wales Tourist Board voluntary accreditation scheme gives it highly relevant inspection experience. It will contract a team of inspectors who are experts in the range of activities, and to suit the various geographical and climatic conditions throughout Great Britain. There will be distinctive Scottish, Welsh and English arms.

The licensing authority may begin to process licence applications from providers as soon as the regulations come into force. They will be able to take firm action against unsafe providers from 1 August 1996. By October 1997, all providers must have been inspected and licensed. From then, providers will not be able to start operating until they hold a licence.

The list of activities covered will be kept under constant review. The scheme as a whole will be reviewed after three years.

Aided Places (Music and Ballet)

Mr. Luff: To ask the Secretary of State for Education and Employment if she will place in the Library a list of the schools at which additional aided places will be offered under the music and ballet schemes. [23282]

Mrs. Gillan: My right hon. Friend announced on 29 February her intention to allocate some 100 additional aided places under the music and ballet schools scheme from September 1996, subject to parliamentary approval of the necessary regulations. I am placing a list in the Library.

Higher Education Institutions

Mr. Coe: To ask the Secretary of State for Education and Employment what plans she has to allow greater flexibility to higher education institutions in the application of the proceeds of sale of Exchequer-funded assets; and if she will make a statement. [23283]

Mr. Forth: For many years, universities and colleges of higher education have enjoyed freedom, within specified limits agreed by the Secretary of State, to retain the proceeds of sale of Exchequer-funded land or buildings, without reference to the annual appropriation procedures. The purpose of these arrangements is to help institutions to make the most economic and efficient use of their land and buildings, with the objective of rationalising and disposing of those assets which institutions consider in the light of their strategic plans no longer to be needed.

Following consultations with the Higher Education Funding Council for England, my right hon. Friend is satisfied that these arrangements have enabled higher education institutions in England to make effective use of their estates and that it would be appropriate to consolidate and extend them.

Accordingly, the conditions attached to the disposal of Exchequer-funded land and buildings have been incorporated in a revised control framework designed to allow institutions greater flexibility to manage their own estate without the need for detailed vetting of every individual project. These conditions are among those set out in a revised financial memorandum between the Department and the HEFCE. Higher education institutions will be informed of the new arrangements in a model financial memorandum between the HEFCE and individual institutions.

The Government are still considering the relationship between the private finance initiative and controls on the disposal of Exchequer-funded assets. The new provisions for reinvesting the proceeds of sale of such assets do not take into account the full range of circumstances in which institutions might wish to procure assets or capital-related services under innovative PFI schemes. In consequence, there will be a need for special flexibilities to operate in some PFI cases. The Government will consider sympathetically requests for exceptions to the disposal provisions, on a case-by-case basis, in order to ensure that there are no financial disincentives to institutions seeking value for money through PFI schemes.

Copies of the Department's financial memorandum with the HEFCE and the model financial memorandum between the HEFCE and institutions will be placed in the Library.

Access to Work Scheme

Mr. Nigel Evans: To ask the Secretary of State for Education and Employment is she will make a statement on the operation of access to work in 1996–97. [23284]

Mrs. Gillian Shephard: The Government are committed to helping people with disabilities to secure jobs and satisfying careers at work. Our Disability Discrimination Act 1995 will significantly improve opportunities for disabled people. The access to work programme also has a part to play, and the Government recognise the high regard which disabled people and employers have for the programme.

Access to work is not a demand-led programme. Although I increased the 1995 budget substantially during the year, from £13.4 million to £19 million, I had to announce on 14 December restrictions on eligibility conditions for the remainder of 1995–96 in order to prevent a major cost overrun. I also announced that, before I reached decisions on 1996–97, my Department would hold discussions with the disability and employer organisations principally concerned and I would take into account research and other data on the first year of operation of the programme.

In light of those considerations, I have decided for 1996–97 that, in addition to continuing to provide help to those who are unemployed, eligibility should be reinstated for employees and the self employed. This restores the eligibility criteria which applied before the December announcement.

As now, the Employment Service will continue to identify approved costs for the purposes of ATW with reference to the value of any wider benefit which accrues to the organisation. ATW will continue to meet 100 per cent. of the approved costs for unemployed disabled people. The ES will also pay 100 per cent. of approved costs for travel to work and for communicator support at interviews for all groups.

For disabled people in employment, ATW will meet up to 80 per cent. of approved costs above a cost threshold of £300 per year. With a view to the needs of the most severely disabled, ATW will however, provide 100 per cent. of all such costs in excess of £10,000 over three years. The Government recognise that particular factors may apply in the case of the self-employed and we shall consider this issue further.

Multi-year commitments to individuals will be made for a maximum of three years. The ES will accordingly review cases where commitments have been made for longer periods.

The new arrangements will apply from 1 April for the unemployed, as will travel to work and communication support at interviews for all groups. Other support for employed people will take effect from 1 June, so that the necessary new administrative arrangements on cost sharing can be implemented effectively by the ES, along with support for the self employed.

The ATW budget is cash limited and expenditure will be monitored closely. Should further prioritisation of ATW support prove necessary at any point, the Government will continue to give top priority to the unemployed, followed by those in work who suffer the onset of a disability or major worsening of a disability, and then those whose job circumstances change and those who seek to move to a new employer.

The ES will continue to discuss detailed implementation of the arrangements with the organisations principally concerned. On this basis, I am pleased to announce that I am increasing planned provision for ATW in 1996–97 from £12.9 million to £19 million. I shall be considering provision for ATW in future years in the course of the 1996 public expenditure round.

This significant increase in the budget for the programme will, I believe, be welcomed. In particular, I am pleased to be able to restore eligibility to the employed and the self-employed, as this will help them retain jobs and to progress at work. I believe that these new arrangements strike the appropriate balance in

helping to meet the needs of people with disabilities, particularly those who need the most expensive types of help, while putting the available resources to best use.

HOME DEPARTMENT

Research Establishments

Mrs. Anne Campbell: To ask the Secretary of State for the Home Department which former public sector research establishments in his Department have been privatised since 1979; and which public sector research establishments in his Department are currently undergoing reviews with a view to placing them in the private sector. [21942]

Mr. Howard: No research establishments in the Home Office have been privatised since 1979.

The police and scientific development branch of the Home Office is currently being reviewed as part of the programme of reviews of public sector establishments announced by my right hon. Friend the President of the Board of Trade on 26 January.

Gun Clubs

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many gun clubs there are in each county in England and in each local authority area in Scotland and Wales; and how many members each of them has. [22459]

Mr. Maclean: I refer the hon. Member to the reply given to the hon. Member for Islington, North (Mr. Corbyn) on 21 March, *Official Report*, column *295*. My right hon. Friend the Secretary of State for Scotland is responsible for gun clubs in Scotland. I refer the hon. Member to the reply given to the hon. member for Islington, North (Mr. Corbyn) on 1 March, *Official Report*, column *168*.

Equal Opportunities

Mr. David Shaw: To ask the Secretary of State for the Home Department what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22502]

Mr. Howard: There have been no payments in respect of alleged equal opportunities breaches not proceeding to tribunals or courts. Information on alleged equal opportunities breaches which proceeded to tribunals is given in the table and relates to Home Office agencies. There were no awards; all the cases were settled.

	Calendar years		
	1994	*1995*	*1996*
Total amount	£31,000	£33,500	—
Number of staff	3	9	—

Racial Discrimination

Mr. Khabra: To ask the Secretary of State for the Home Department if he will make a statement on his plans for publicising and disseminating the observations made by the United Nations committee on references to the elimination of racial discrimination in the United Kingdom's 13th periodic report. [22269]

Mr. Kirkhope: The concluding observations of the committee on the elimination of all forms of racial discrimination, following the United Kingdom's oral examination on its 13th periodic report, will be placed in the Library. The corrected summary records of the hearing will also be placed there once they have been issued by the committee. Both documents are published by the United Nations, and copies may be obtained from that source. Copies are also available from the Home Office on request and the non-governmental organisations which, to our knowledge, submitted evidence to the committee will be informed of these arrangements.

Harassment Prosecutions

Mr. Cohen: To ask the Secretary of State for the Home Department how many prosecutions have taken place under the offence of causing intentional harassment, alarm or distress under the Criminal Justice and Public Order Act 1994. [22154]

Mr. Maclean: I refer the hon. Member to the reply given to the hon. Member for Rossendale and Darwen (Ms Anderson) on 13 February, *Official Report*, column *523*.

Animal Welfare

Mr. Cohen: To ask the Secretary of State for the Home Department what action he proposes to take to ensure that the code of practice for the housing and care of animals used in scientific procedures is effectively enforced. [22195]

Mr. Sackville: The code provides guidance on best practice in the treatment and use of laboratory animals. It does not purport to set mandatory requirements which must be followed in all circumstances. I am satisfied that the code makes a valuable contribution to the effective operation of the Animals (Scientific Procedures) Act 1986. We have no present plans for further action.

Mr. Cohen: To ask the Secretary of State for the Home Department what plans he has to ensure that detailed housing requirements are included in the code of practice on the housing and care of animals used in scientific procedures for all laboratory animals to ensure appropriate environmental enrichment and social contact for each species; and if he will make a statement. [22147]

Mr. Sackville: We have no plans to amend the code of practice for the housing and care of animals used in scientific procedures. The existing code of practice is sufficiently flexible to reflect developments in scientific knowledge about the needs of particular species.

Mr. Cohen: To ask the Secretary of State for the Home Department what steps he proposes to take to ensure accountability for welfare standards for laboratory animals on the part of the designated certificate holders, the named veterinary surgeons, the named day-to-day carers and the individual Home Office inspectors; and if he will make a statement. [22148]

Mr. Sackville: No changes are necessary. Of the five categories of persons identified as holding responsibilities under the Animals (Scientific Procedures) Act 1986, three—the personal licence holder, the project licence holder and the holder of the certificate of designation—are directly accountable to the Home Office. The other two—the named day-to-day care person and the named veterinary surgeon—are accountable to the certificate holder for the maintenance of standards of husbandry and care and for the provision of advice on the health and welfare of animals, respectively.

The inspectors are accountable to the Secretary of State for checking that the specific responsibilities of these person are adequately met.

Mr. Cohen: To ask the Secretary of State for the Home Department how many exemptions he has granted in each of the last five years for the supply of animals for experimentation which have not come from a designated supplier; what were the animals concerned; and what was his reason for granting the exemption in each case. [22149]

Mr. Sackville: Schedule 2 of the Animals (Scientific Procedures) Act 1986 lists the kinds of animals which may be obtained only from designated breeding or supplying establishments, unless the Secretary of State believes that an exemption from this requirement is justified.

Comprehensive information on the number of such exemptions is not recorded centrally and could be obtained only at disproportionate cost. In almost all cases, the reason for granting the exemption would have been lack of availability of suitable animals from designated sources.

Mr. Cohen: To ask the Secretary of State for the Home Department what checks are made on non-designated supply establishments for laboratory animals prior to his granting an exemption allowing them to be used; and if he will make a statement. [22150]

Mr. Sackville: No person may breed or supply animals of the species listed in schedule 2 to the Animals (Scientific Procedures) Act 1986 for use in regulated procedures unless designated under the Act. By definition, therefore, any non-designated supplying establishment must be abroad, and outside the jurisdiction of United Kingdom law.

In respect of non-human primates, the Home Office inspectorate has taken steps to familiarise itself with conditions in the principal overseas breeding and supplying establishments. Arrangements shortly to be introduced will, in addition, require those wishing to use primates from abroad to submit to the Home Office details of the operations and facilities in the establishments from which they wish to obtain their animals.

Mr. Cohen: To ask the Secretary of State for the Home Department how many primates have been imported to the United Kingdom in each of the last five years to establishments licensed to perform procedures in animals under the Animals (Scientific Procedures) Act 1986 or to establishments designated to supply animals under that Act. [22151]

Mr. Sackville: The figures for the number of primates directly imported to establishments licensed to perform procedures on animals under the 1986 Act are as follows:

1991: 80

1992: 240

1993: 373

1994: 765

1995: 551

The figures do not include primates imported by designated breeders and suppliers under authorities which do not require notification the Home Office in respect of each consignment.

Mr. Cohen: To ask the Secretary of State for the Home Department what was his Department's response to the letter of 24 August 1994 from J. L. Frogley, laboratory superintendent to the Home Office inspector about the import of rhesus monkeys; what consideration he gave to the possibility of instructing the establishment to wait until animals became available from a designated breeding establishment; and if he will give the reasons for his decision. [22152]

Mr. Sackville: The request was handled in accordance with the current Home Office policy that primates may be acquired from non-designated sources only if suitable animals cannot be acquired from designated sources.

Racial Attacks Group

Mr. Cohen: To ask the Secretary of State for the Home Department when he expects to publish the third report of the racial attacks group; and if he will make a statement on its recommendations. [22153]

Mr. Kirkhope: The draft report is still being discussed by members of the racial attacks group. Its principal purpose will be to report upon local multi-agency work to tackle this problem, and to make recommendations as to how this work can be made more effective.

Racist Material

Mr. Cohen: To ask the Secretary of State for the Home Department how many arrests the police have made under the offence of production and distribution of racist material under the Criminal Justice and Public Order Act 1994. [22155]

Mr. Maclean: Information on the number of people arrested for specific offences is not collected centrally.

Information on cautioning and court proceedings data under section 155 of the Criminal Justice and Public Order Act 1994, which made offences under section 19 of the Public Order Act 1986 arrestable under the Police and Criminal Evidence Act 1984 on 3 February 1995, will not be available until the autumn of 1996.

Racehorses

Mr. Cohen: To ask the Secretary of State for the Home Department if he will institute an independent inquiry into the deaths of racehorses at national hunt meetings; and if he will make a statement. [22206]

Mr. Sackville: No. The safety of horses at racecourses is the responsibility of the racing authorities, and I understand that they are to hold a full inquiry into the recent events at the Cheltenham festival.

Welsh Police

Mr. Llwyd: To ask the Secretary of State for the Home Department if he will list the total number of staff for each of the Welsh police constabularies indicating *(a)* uniformed and *(b)* civilian employees for each of the last five years; and if he will make a statement. [22374]

Mr. Maclean: The information is set out in the tables:

Police and civilian strength: Welsh forces 1991 to 1995

Year	Police officers	Civilian staff[3]
Dyfed-Powys		
1991[1]	935	263
1992[1]	947	279
1993[1]	967	295
1994[1]	965	306
1995[1]	976	312
1995[2]	977	335
Gwent		
1991[1]	999	325
1992[1]	1,009	335
1993[1]	1,004	349
1994[1]	993	346
1995[1]	997	351
1995[2]	1,006	378
North Wales		
1991[1]	1,349	471
1992[1]	1,347	485
1993[1]	1,360	507
1994[1]	1,352	506
1995[1]	1,366	521
1995[2]	1,352	472
South Wales		
1991[1]	3,137	1,173
1992[1]	3,168	1,182
1993[1]	3,176	1,201
1994[1]	3,131	1,266
1995[1]	3,014	1,193
1995[2]	2,954	1,240

[1] As at 31 March.
[2] September.
[3] Includes traffic wardens.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for the Home Department what was the total cost of answering parliamentary questions in each parliamentary Session since 1989–90. [22901]

Mr. Howard: This Department does not calculate the data requested and they could be provided only at disproportionate cost.

Firearms

Mr. Alex Carlile: To ask the Secretary of State for the Home Department how many stolen or unregistered firearms have been repossessed by police in each of the last five years; and if he will make a statement. [22294]

Mr. Maclean: This information is not available centrally.

Mr. Carlile: To ask the Secretary of State for the Home Department how many *(a)* handguns and *(b)* other firearms respectively were reported missing or stolen in each of the last five years; and if he will make a statement. [22295]

Mr. Maclean: The available information relates to notifiable offences of burglary and theft recorded by the police in which firearms were reported to have been stolen by type of principal weapon.

The table shows the number of offences in England and Wales. More than one firearm may have been stolen in each offence.

Year	Pistols	Other firearms	Total
1990	187	1,358	1,545
1991	203	1,633	1,836
1992	273	1,851	2,124
1993	334	2,180	2,514
1994	266	1,950	2,216

Figures for 1995 are not yet available.

Mr. Carlile: To ask the Secretary of State for the Home Department how many lawfully held *(a)* handguns and *(b)* other firearms there are in England and Wales; and if he will make a statement. [22297]

Mr. Maclean: On 31 December 1994, the firearm certificates on issue were estimated to cover about 396,800 firearms. Figures on the breakdown between handguns and other firearms are not held centrally. Figures for 1995 are not yet available.

Mr. Carlile: To ask the Secretary of State for the Home Department what are the current guidelines for the removal of firearms licences; how many people in each of the last five years have had their licences revoked; and if he will make a statement. [22298]

Mr. Maclean: A firearm certificate may be revoked if the chief officer of police is satisfied that the holder is, by virtue of previous convictions, prohibited from possessing firearms, or is of intemperate habits or unsound mind, or is otherwise unfitted to be entrusted with a firearm. The courts also have the power to cancel certificates.

The number of firearm certificate revocations in England and Wales in the last five years for which information is available is as follows:

1990: 192

1991: 210

1992: 146

1993: 147

1994: 193

Mr. Carlile: To ask the Secretary of State for the Home Department how many people in England and Wales have a licence for *(a)* one firearm, *(b)* two firearms, *(c)* three firearms, *(d)* four firearms and *(e)* for more than four firearms; and if he will make a statement. [22299]

Mr. Maclean: This information is not available centrally.

Mr. Carlile: To ask the Secretary of State for the Home Department how many of the *(a)* prosecuted, *(b)* convicted and *(c)* cleared up homicides in each of the last five years have involved (i) handguns, (ii) shotguns and (iii) other firearms; and if he will make a statement. [22301]

Mr. Maclean: The available information is contained in the table:

Offences initially recorded as homicide in which a victim was shot with a firearm by outcome of offence[1] and type of firearm

England and Wales *Number of offences*

Year of offence	*Type of firearm*	*Total offences initially recorded*	*Offences in which; a suspect was identified*	*a suspect committed suicide or died*	*a suspect was prosecuted[2]*	*a suspect was convicted of homicide*
1990	Hand gun	21	15	—	15	12
	Shot gun	38	32	8	24	21
	Other firearm	5	4	—	3	3
	Total	64	51	8	42	36
1991	Hand gun	23	15	6	9	5
	Shot gun	28	25	8	17	16
	Other firearm	3	3	—	3	2
	Total	54	43	14	29	23
1992	Hand gun	35	23	6	17	14
	Shot gun	19	18	4	14	13
	Other firearm	1	1	—	1	1
	Total	55	42	10	32	28
1993	Hand gun	36	19	3	16	14
	Shot gun	39	36	7	29	22
	Other firearm	—	—	—	—	—
	Total	75	55	10	45	36
1994	Hand gun	28	15	1	14	1
	Shot gun	32	25	4	21	8
	Other firearm	5	5	2	3	2
	Total	65	45	7	38	11

[1] As at 4 August 1995; figures are subject to revision as cases are dealt with by the police and by the courts, or as further information becomes available.
[2] Of which, offences pending: 1990:–, 1991: 1, 1992: 1, 1993: 5, 1994: 25.

Mr. Carlile: To ask the Secretary of State for the Home Department what waiting period exists in the application process for a firearms licence; and if he will make a statement. [22302]

Mr. Maclean: There is no statutory waiting period, but a chief officer of police must first satisfy himself that the applicant has a good reason for possessing the firearm in respect of which the application is made, and can be permitted to have it in his possession without danger to the public safety or to the peace. The chief officer is precluded from issuing a certificate to anyone whom he has reason to believe to be, by virtue of previous convictions, prohibited from possessing firearms, or to be of intemperate habits or unsound mind, or to be for any reason unfitted to be entrusted with a firearm.

Mr. Carlile: To ask the Secretary of State for the Home Department what current regulations exist concerning the storage of firearms and ammunition; and if he will make a statement. [22303]

Mr. Maclean: The Firearms Rules 1989 prescribed a new safekeeping condition to appear on all firearms certificates. This requires all certificate holders to store securely the firearms and ammunition to which the certificate relates, so as to prevent, as far as is reasonably practicable, unauthorised access. Certificate holders are also required to take reasonable precautions for safekeeping in other circumstances such as when the firearm is being cleaned, used or transferred. It is an offence not to comply with the conditions of a certificate. The maximum penalty for this offence is six months imprisonment or a fine of £5,000, or both.

National Lottery

Ms Coffey: To ask the Secretary of State for the Home Department how much money the National Lottery Charities Board awarded to organisations in *(a)* October 1995, *(b)* November 1995 and *(c)* December 1995; and for each month what was the amount of money that has been transferred to those organisations at the present time. [22545]

Mr. Sackville: The National Lottery Charities Board awarded grants of approximately £40 million in October; £39 million in November 1995; and £80 million in December 1995.

Details of the amounts transferred to the organisations concerned is a matter for the National Lottery Charities Board. I have asked the chief executive to write to the hon. Member with the information requested.

Ms Coffey: To ask the Secretary of State for the Home Department if he will list the awards made to organisations in the north-west by the National Lottery Charities Board between 1 October and 31 December 1995 giving in each case *(a)* the date of the award, *(b)* the stage in the process for payments which each has currently reached and *(c)* which organisations have now received money. [22546]

Mr. Sackville: This is a matter for the National Lottery Charities Board. I have asked the board's chief executive to write to the hon. Member with the information requested.

Ms Coffey: To ask the Secretary of State for the Home Department (1) if he will make a statement on how Government policy in respect of late payments is to be applied to the National Lottery Charities Board; [22547]

(2) what charter standards apply to the National Lottery Charities Board payment targets to organisations that have been awarded grants. [22548]

Mr. Sackville: The National Lottery Charities Board aims to make payments to grant recipients when the organisation concerned has indicated that it requires the money, and as soon as the board is satisfied that the terms and conditions in the grant offer letter have been fulfilled.

The financial directions which my right hon. and learned Friend has issued to the board require the board to bear in mind the need to ensure that funds are made available without undue delay when they are due for payment to the recipient. The financial directions also require the board to have regard to the need of grant recipients to settle bills promptly in accordance with standard commercial practice.

As to payment of bills by the board itself, it aims to ensure that invoices for goods and service are paid within 30 days of receipt, subject to the goods or services having been satisfactorily supplied.

Crime Prevention

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department what is the current level of Government spending on crime prevention. [22693]

Mr. Maclean: Expenditure on crime prevention activities across Government in 1994–95—the latest period for which figures are available—was approximately £260 million, an 8 per cent. increase on the previous year.

Identity Cards

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department what is his estimate of departmental expenditure on identity card schemes in 1996–97; and if he will make a statement [22695]

Mr. Sackville: We have yet to take a final decision on whether an identity card should be introduced. Accordingly, no provision has been made in current estimates of expenditure for 1996–97 to cover the cost of such a scheme.

Police Officers

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department what is his estimate of the annual cost of providing 3,000 additional police officers. [22694]

Mr. Maclean: I refer the hon. Member to the reply given to the hon. Member for Cardiff, South and Penarth (Mr. Michael) on 5 December 1995, *Official Report*, column *205*.

The estimated additional cost of 3,000 extra police constables in 1997–98 is £60 million, which the Government have promised to make available.

Metropolitan Police

Mr. John Marshall: To ask the Secretary of State for the Home Department if he has received the Metropolitan police committee's advice on proposed objectives for the Metropolitan police in 1996–97; and if he will make a statement. [23239]

Mr. Howard: Yes. Following consultation with the chairman of the Metropolitan police committee and the commissioner, I have approved the following objectives for the Metropolitan police in 1996–97:

(i) To improve performance against robbery, in particular:

(a) to achieve a detection rate for street crime of at least 15 per cent.;

(b) to increase the detection rate for robbery of business property to 20 per cent.;

(ii) To improve performance against burglary by achieving a detection rate for burglary of at least 20 per cent.

(iii) To reduce the supply of illegal drugs and the demand for them, including a specific target to increase the number of detections for the production of, supply of, and intent to supply controlled drugs by at least 10 per cent;

(iv) To provide high visibility policing so as to reassure the public, including a specific target to recruit 800 new special constables;

(v) To deliver the standards defined in the Metropolitan police service charter;

(vi) To improve performance against crime by achieving a detection rate for notifiable offences of at least 20 per cent.

These objectives and details of how to address the Government's key objectives for policing are set out in the Metropolitan police policing plan 1996–97, which the commissioner is issuing with my approval. I am sending copies of all right hon. and hon. Members whose constituencies fall wholly or partly within the Metropolitan police district, and I am arranging for copies to be placed in the Library.

Justice and Home Affairs Council

Mr. Ian Bruce: To ask the Secretary of State for the Home Department if he will make a statement on the outcome of the Justice and Home Affairs Council held on 19 and 20 March. [23240]

Mr. Howard: I represented the United Kingdom at the Council. The main matters dealt with at the meeting were as follows.

The Council agreed as "A" points, among other things, a recommendation on football hooliganism which followed an initiative proposed by the United Kingdom, and a joint action on the exchange of liaison magistrates between member states of the European Union.

The Council reached political agreement on a joint action on racism and xenophobia. The effect of the new measure will be to strengthen judicial co-operation between the member states in combating racist or xenophobic acts committed within the European Union.

The Council agreed the financial regulation relating to the budget for Europol, and considered briefly the question of whether the European Court of Justice should be given jurisdiction to interpret the Europol convention.

The presidency reported progress in negotiations on the draft external frontiers convention, and concluded that officials should continue work on developing the draft instrument.

The Council considered a draft multi-annual work programme, providing a framework for action in the third pillar, to be taken forward by several presidencies. A further version of the programme will be prepared in the light of discussion, for adoption at the Justice and Home Affairs Council in June.

The Council discussed proposals for areas of activity in the third pillar, which should be funded from the 1996 Community budget, and agreed that the issue should be examined further by officials.

The Council discussed a number of outstanding issues arising from negotiations on the draft convention on simplified extradition procedures. The presidency hoped that a final text of the contention would be ready to be adopted by the Council in June.

The Council noted progress on the draft convention on corruption, and agreed that work on the text should continue with a view to its being submitted for adoption by the Council in June.

The Council agreed that work should proceed on a draft convention on service of judicial documents within the European Union. The purpose of the convention would be to relieve delays in some member states in effecting service of process under the 1965 Hague convention on the service abroad of judicial and extra-judicial documents.

The presidency reported on a recent European Union seminar in Rome on fundamentalist terrorism. The Council reaffirmed its commitment to co-operation between the member states in the fight against terrorism.

The presidency reported to the Council on recent discussions in Oslo between the European Union and the United Nations High Commissioner for Refugees on the repatriation of refugees form the former Yugoslavia, and on a meeting in Rome with Andean pact countries which considered issues relating to illegal trafficking in drugs.

On the second day of the Council, member states' representatives met their counterparts from the central and eastern European states and Cyprus and Malta to continue the pre-accession structure dialogue with those countries on justice and home affairs.

Mr. Omar al Hassan

Miss Emma Nicholson: To ask the Secretary of State for the Home Department (1) what consultation he has had with ministerial colleagues about the activities of Mr. Omar al Hassan; and if he will make a statement; [17858]

(2) what investigations have been carried out into the activities of Mr. Omar al Hassan in respect of financial transfers from Iraq; and if he will make a statement. [17859]

Mr. Howard *[holding answers 28 February 1996]:* It is not the practice to comment on discussions which may or may not have taken place with ministerial colleagues and I am not prepared to comment on speculative inquiries about the alleged activities of individuals.

Parish Special Constables

Mr. David Nicholson: To ask the Secretary of State for the Home Department how many parish special constables are now in place, and in which counties or police areas; how many he expects to be in place by 30 June 1996; and if he will make a statement. [9710]

Mr. Maclean *[pursuant to his reply, 18 January 1996, c. 710-11]:* The figure for the number of neighbourhood special constables attached to Norfolk constabulary should be 16, not 324 as reported. The total for all forces should therefore read 1,295. I apologise for the error, which occurred as a result of a misunderstanding between Norfolk constabulary and the Home Office.

DUCHY OF LANCASTER

Equal Opportunities

Mr. David Shaw: To ask the Chancellor of the Duchy of Lancaster what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22517]

Mr. Willetts: The Departments, agencies and other bodies for which my right hon. Friend is responsible paid £51,000 in 1996 in out-of-court settlements of two cases of alleged breaches involving former members of staff.

Equipment and Furniture Losses

Mr. Ian McCartney: To ask the Deputy Prime Minister if he will list the cost and number of items of equipment and furniture that *(a)* have been stolen and *(b)* are otherwise unaccounted for from the Office of Public Service and its agencies in each of the past five years, listing by name any such items valued at £5,000 or more, and showing information technology material separately. [21704]

Mr. Willetts: Details of the cost and, where known, the number of items of equipment and furniture recorded as having being stolen or otherwise unaccounted for from the Cabinet Office, including the Office of Public Service, and its agencies are as follows:

	1990–91				*1991–92*				*1992–93*				*1993–94*			
	IT material		*Other items*		*IT material*		*Other items*		*IT material*		*Other items*		*IT material*		*Other items*	
Financial year accounting	*No.*	*£*	*No.*	*£*	*No.*	*£*	*No.*	*£*	*No.*	*£*	*No.*	*£*	*No.*	*£*	*No.*	*£*
(a) Stolen																
Cabinet Office (incl OPS)	—	—	—	—	—	—	—	—	4	11,000	—	—	6	4,021	—	—
RAS	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
OHSA	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
CSCollege	—	—	—	—	—	—	5	2,250	22	36,362	5	2,769	—	—	5	781
Chessington	1	126	—	—	—	—	—	—	—	—	—	—	—	—	—	—
SAFE[1]	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
TBA	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
COI	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total (stolen)	1	126	0	0	0	0	5	2,250	26	47,362	5	2,769	6	4,021	5	781

[1] The stolen IT items relating to each year for both SAFE and HMSO relate to stolen computer chips, the exact number of which is not available from current records.

	1994–95				*1995–96*				*Total*			
	IT material		*Other items*		*IT material*		*Other items*		*IT material*		*Other items*	
Financial year accounting	*No.*	*£*	*No.*	*£*	*No.*	*£*	*No.*	*£*	*No.*	*£*	*No.*	*£*
(a) Stolen Cabinet Office (including OPS)	5	6,975	6	525	—	—	7	2,029	15	21,996	13	2,554
RAS	—	—	—	—	1	1,845	—	—	1	1,845	—	—
OHSA	2	3,000	1	200	1	500	—	—	3	3,500	1	200
CS College	—	—	—	—	21	6,188	—	—	43	42,550	15	5,800
Chessington	2	1,680	—	—	—	—	—	—	2	1,680	—	—
SAFE[1]	—	7,000	—	—	—	8,000	—	—	—	15,000	—	—
TBA	—	—	—	—	1	1,000	—	—	1	1,000	—	—
COI	3	5,000	—	—	33	9,690	—	—	36	14,690	—	—
Total (stolen)	12	23,655	7	725	57	27,223	7	2,029	101	102,261	29	8,554

[1] The stolen IT items relating to each year for both SAFE and HMSO relate to stolen computer chips, the exact number of which is not available from current records.

	1990–91				1991–92				1992–93				1993–94			
	IT material		Other items		IT material		Other items		IT material		Other items		IT material		Other items	
	No.	£	No.	£	No.	£	No.	£	No.	£	No.	£	No.	£	No.	£
(b) Unaccounted for Cabinet Office (incl OPS)	—	—	—	—	—	—	1	20	—	—	1	800	—	—	—	—
RAS	—	—	—	—	—	—	—	—	—	—	—	—	10	15,509	—	—
OHSA	—	—	1	686	—	—	—	—	—	—	—	—	—	—	—	—
CSCollege	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Chessington	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
SAFE	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
TBA	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
COI	—	—	—	—	12	864	—	—	1	1,441	—	—	3	276	—	—
Total (stolen)	0	0	1	686	12	864	1	20	1	1,441	1	800	13	15,785	0	0

	1994–95				1995–96				Total			
	IT Material		Other items		IT material		Other items		IT Material		Other items	
Total (stolen)	Number	£	Number	£	Number	£	Number	£	Number	£	Number	£
(b) Unaccounted for Cabinet Office (incl OPS)	—	—	2	210	—	—	1	90	—	—	5	1,120
RAS	4	1,597	—	—	4	3,265	—	—	18	20,371	—	—
OHSA	—	—	—	—	—	—	—	—	—	—	—	—
CS College	—	—	—	—	6	4,089	—	—	6	4,089	—	—
Chessington	—	—	—	—	—	—	—	—	—	—	—	—
SAFE	—	—	—	—	—	—	—	—	—	—	—	—
TBA	—	—	—	—	—	—	—	—	—	—	—	—
COI	4	1,549	—	—	11	386	—	—	31	4,516	—	—
Total (unaccounted)	8	3,146	2	210	21	7,740	1	90	55	28,976	5	1,120

£

	1993		1994		1995		Total	
	IT material	Other items	IT Material	Other items	IT material	Other items	IT material	Other items
Calender year accounting								
HMSO[1,2]								
(a) Stolen	9,500	0	6,050	0	51,000	0	66,550	0

[1] The stolen IT items relating to each year for both SAFE and HMSO relate to stolen computer chips, the exact number of which is not available from current records.
[2] HMSO have no items otherwise unaccounted for.

Within this period, the only item valued at £5,000 or more stolen or otherwise unaccounted for was a Compaq Systempro file server valued at £10,000, which was stolen from the information technology system branch, ITSB, in the Horse Guards road building during 1991 to 1993.

Deregulation

Mr. Denham: To ask the Deputy Prime Minister what plans he has to deregulate employment in small businesses. [20686]

The Deputy Prime Minister: Small businesses themselves have put forward suggestions on the areas of concern to them. Naturally, while safeguarding essential employment protection rights, we need to give careful consideration to all proposals for removing unnecessary burdens and promoting growth and flexibility.

As announced by the President of the Board of Trade on 11 March, the Government intend to publish, for consultation, a draft Bill on industrial tribunals.

NORTHERN IRELAND

Water Supplies (Asbestos)

Mr. William Ross: To ask the Secretary of State for Northern Ireland what methods are employed by his Department to remove asbestos fibre from water supplies. [21984]

Mr. Moss: The normal water treatment processes, which are based on coagulation and filtration, remove the bulk of any suspended material.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Northern Ireland what was the average cost of answering an *(a)* oral and *(b)* written parliamentary question from (i) Opposition and (ii) Conservation hon. Members in each Session since 1989–90. [21788]

Sir John Wheeler: The Northern Ireland Office and Northern Ireland Departments do not collect the information in the form requested.

Amusement Industry

Miss Hoey: To ask the Secretary of State for Northern Ireland what plans he has to help the amusement industry in Northern Ireland cope with the effects of the national lottery. [22097]

Mr. Moss: On matters of interest to the amusement industry in the Deregulation (Gaming Machines and Betting Office Facilities) Order 1995, I refer the hon. Member to the answer I gave to the hon. Member for East Londonderry (Mr. Ross) on 14 March 1996, *Official Report*, column *739*. These matters are part of the Government's ongoing deregulation initiative to remove unnecessary restrictions on businesses and are not linked to the effects of the national lottery.

Miss Hoey: To ask the Secretary of State for Northern Ireland when the Deregulation (Gaming Machines and Betting Office Facilities) Order 1995 will be extended to Northern Ireland. [22096]

Mr. Moss: I refer the hon. Member to the answer I gave to the hon. Member for East Londonderry (Mr. Ross) on 14 March 1996, *Official Report*, column *739*.

Research Establishments

Mrs. Anne Campbell: To ask the Secretary of State for Northern Ireland which former public sector research establishments in his Department have been privatised since 1979; and which public sector research establishments in his Department are currently undergoing reviews with a view to placing them in the private sector. [21945]

Sir John Wheeler: The Northern Ireland Office and Northern Ireland Departments have not privatised any public sector research establishments since 1979.

A prior options study on the Department of Agriculture's scientific services has recently been completed, and its findings are currently under consideration. Prior options studies consider, among other things, the potential for privatisation or rationalisation.

Housing Executive

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will list the number of persons employed in each office of the Housing Executive, the travel-to-work areas from which they are drawn, and the number of (i) Roman Catholics, (ii) Protestants and (iii) others *(a)* between the ages of 18 and 64 years in each area and *(b)* in the population served by each office. [21981]

Mr. Moss: The information is not available in the format requested and could be provided only at disproportionate cost.

Department of the Environment

Mr. Nigel Evans: To ask the Secretary of State for Northern Ireland what progress has been made in establishing new next steps agencies in the Department of the Environment for Northern Ireland. [23320]

Mr. Moss: I am pleased to announce that six new agencies will be established within the Department of the Environment for Northern Ireland with effect from 1 April 1996.

The Construction Service will be responsible for the provision of good quality and cost-effective professional design, maintenance and advisory services to Government Departments, agencies and other public bodies on construction-related matters. The following targets have been set for the agency for 1996–97:

- To achieve 3 per cent. efficiency gains on running costs expenditure.
- To maintain expenditure within cash limits and to approved budget plans.
- To achieve an 85 per cent. positive response in customer assessments of agency performance against service level agreements.
- To place 75 per cent. of orders within seven days of receipt of customer requests in the maintenance and supplies business areas.
- To achieve an 85 per cent. positive response in customer assessments in project evaluation reports.
- To respond to 75 per cent. of customer advisory inquiries within six weeks and 100 per cent. within 10 weeks.
- To ensure that overhead costs as a percentage of chargeable time value does not exceed 120 per cent.
- To ensure that staff time charged to customers is not less than 72 per cent. of total staff time.
- To recover the full cost of agency operations from customers.
- To ensure that actual costs as a percentage of approved target costs in project work does not exceed 105 per cent.
- To ensure that staff costs as a percentage of construction spend in the maintenance and supplies business areas does not exceed 18 per cent.

The Environment and Heritage Service will be responsible for implementation of the Government's environmental strategy and policies in Northern Ireland. Its main activities include the control of air, water and land pollution, the management of sites of nature conservation value, country parks, countryside centres and historic monuments and the protection and recording of historic monuments and buildings. The following targets have been set for the agency for 1996–97.

- To achieve 3 per cent. efficiency gains on running costs expenditure.
- To maintain expenditure within cash limits and to approved budget plans.
- To prepare effluent standards for 140 Water Service sewage treatment works with a current estimated population fo over 21,000 and place on a public register.
- To arrange an independent audit of 10 municipal waste landfill sites and produce recommendations for compliance with new controls.
- To submit proposals for the designation of four special protection areas under the EC birds directive and declare 25 areas of special scientific interest.
- To bring the basic habitat survey up to 80 per cent. completion by area.
- To schedule 60 historic monuments to bring the total to 1,225.
- To develop and produce 48 new information/education products.
- To provide a round-the-clock response service for all water pollution incidents reported to the agency and commence investigation of such incidents within 24 hours.
- To respond to 90 per cent of written inquiries or requests for information within 15 working days.

To issue 80 per cent. of licences, registrations, authorisations and consents within the time scale quoted in customer service guides.

To develop unit cost measures for appropriate activities.

The Planning Service will be responsible for the operation of the planning system and will plan and manage development in ways which contribute to a quality environment. The following targets have been set for the agency for 1996–97:

To achieve 3 per cent. efficiency gains on running costs expenditure.

To maintain expenditure within cash limits and to approved budget plans.

To complete a strategic planning review of the Belfast sub-region and present findings by 31 March 1997.

To adopt the following plans and studies by 31 March 1997:

Larne area plan;

Fermanagh area plan;

Derry area plan;

Belfast Urban area housing review;

North-east area plan alteration;

Armagh countryside proposals.

To deliver an agreed programme in support of urban affairs projects.

To establish a measure of customer satisfaction.

To take 75 per cent. of minor planning applications to district councils within eight weeks and 95 per cent. within 17 weeks.

To take 60 per cent. of major planning applications to district councils within eight weeks and 90 per cent. within 17 weeks.

To issue 45 per cent. of planning decisions within seven days of final district council consultation and 75 per cent. within 28 days.

To reduce the proportion of invalid planning applications received by 10 per cent.

To issue responses to 90 per cent. of property inquiries within 10 working days.

To establish accurate unit cost measures by 31 March 1997.

To recover 83 per cent. of the costs of determining planning applications.

To maintain full recovery of the costs of responding to property inquiries.

The Roads Service will be responsible for ensuring that the public network is managed, maintained, developed and improved; that appropriate road safety and traffic management measures are implemented; and that street lighting and public car parks are provided, operated and maintained. The following targets have been set for the agency for 1996–97:

To achieve 2 per cent. efficiency gains on running costs expenditure.

To maintain expenditure within cash limits and to approved budget plans.

To maintain the motorway network so that the proportion with a residual life of more than five years exceeds 85 per cent.

To maintain the regional route network so that the proportion with a residual life of more than five years exceeds 75 per cent.

To maintain the condition of other roads so that the overall road condition index does not exceed 70, plus or minus the 90 per cent. confidence limits.

To develop a new system to assess the extent of, and the trends in, structural maintenance priorities. System to be developed and tested by end March 1997.

To reduce the total number of injury accidents occurring at all treated sites in the three years prior to remedial works by 40 per cent. over the three years following the works.

To conduct a customer care survey, establish base line customer operations for future surveys and identify areas for improvement by September 1996.

To achieve consistently the key standards of service set out in the road user's charter statement.

To reduce the unit cost—£/km—of managing the road system, including all client activity associated with forward planning and structural, routine and winter maintenance, by 1.5 per cent. in real terms, compared with the 1995–96 outturn figure.

To reduce the ration of full input costs of contract design, management and supervision, to total contract payments by 2 per cent. compared with the 1995–96 outturn figure. Cumulative payments made in respect of contracts, excluding fee and term contracts, to be within 5 per cent. of total tender value.

To reduce the full cost of professional, advisory and other services to external customers by 2 per cent., in real terms, compared with the 1995–96 outturn figure.

The Water Service will be responsible for the supply and distribution of water in Northern Ireland, and for the collection and treatment of domestic sewage, surface water and trade effluent. The targets set for the agency in 1996–97 are as follows:

To achieve 3 per cent. efficiency gains on running costs expenditure.

To maintain expenditure within cash limits and to approved budget plans.

To achieve 98 per cent. compliance with drinking water standards set in the Water Quality Regulations (Northern Ireland) 1994.

To achieve 67 per cent. compliance with the sewage treatment works discharge standards.

To ensure that fewer than 1 per cent of properties experience unplanned interruptions to water supplies lasting more than 12 hours.

To issue substantive replies to 85 per cent. of written complaints within 15 working days of receipt.

To deliver water at a unit cost of 54p per cubic metre.

To treat sewage at a unit cost of 50p per cubic metre.

The Land Registers of Northern Ireland will be responsible for administering the land registry, the registry of deeds and the statutory charges registry. The main functions of the agency will be guaranteeing title to registered land, supplying accurate land information and providing a forum for the resolution of disputes regarding registered land. The following performance targets have been set for the agency for 1996–97:

To process applications for registration at the following rates per member of staff per month: land registry, 16.8; registry of deeds, 254; and statutory charges registry, 43.

To achieve the following average turnaround, in working days, for regular applications for registration: land registry, 20; registry of deeds three; and statutory charges registry, 15.

To achieve an average turnaround time of 10 working days for pre-completion land information services.

To achieve unit costs of £46.50 for agency registrations and £6 for agency pre-completion services.

To maintain expenditure within cash limits and to approved budget plans.

To increase overall productivity by at least 3 per cent.

To cover the agency's costs of its fee income.

To ensure that the number of customer complaints does not exceed Two per cent. of the number of applications received.

To achieve an accuracy rate of at least 98 per cent. in processing applications for registration.

I am confident that the new status as next steps agencies will lead to a significant and sustained improvement in the delivery of these important public services. I am delegating full managerial authority for day-to-day operations to the chief executive of each agency. The policy and resources framework for the new agencies is set out in their framework documents, and I shall arrange for copies of each to be placed in the Library of the House.

HEALTH

Child Supervision

Mr. Chris Davies: To ask the Secretary of State for Health (1) if he will list those organisations which responded *(a)* favourably and *(b)* unfavourably to the proposal made in his Department's consultation paper to remove the Children Act 1989 registration and inspection requirement from certain people providing supervised activities used by children aged under eight years of age; and if he will make a statement; [20905]

(2) if he will list those organisations which *(a)* responded favourably, *(b)* responded unfavourably and *(c)* made an alternative proposal in response to proposals in his Department's consultation paper to make changes to the regulation in the Children Act 1989 which restrict the exemptions for holiday play schemes for children under eight years of age; and if he will make a statement. [20904]

Mr. Bowis: There were 309 responses to the consultation paper. Because of the difficulty of representing accurately complex views which were favourable in some aspects but unfavourable in other aspects, a simple list would not reliably reflect respondents' views.

A summary will be placed in the Library as soon as it has been prepared.

Research Establishments

Mrs. Anne Campbell: To ask the Secretary of State for Health which former public sector research establishments in his Department have been privatised since 1979; and which public sector research establishments in his Department are currently undergoing reviews with a view to placing them in the private sector. [21941]

Mr. Malone: No former public sector research establishments under Department of Health control have been privatised since 1979.

I refer the hon. Member to the reply that my right hon. Friend the President of the Board of Trade gave to my hon. Friend the Member for Taunton (Mr. Nicholson) on 26 January at columns *421–23* which announced that prior options reviews of the following establishments are due for completion by December 1996:

Public Health Laboratory Service

National Radiological Protection Board

National Biological Standards Board.

Hospital Admissions

Mr. French: To ask the Secretary of State for Health if he will estimate the average time taken to complete the paperwork required on the admission of a patient to hospital; and if he will make a statement on his proposals on how it might be reduced. [22142]

Mr. Horam: The information to provide such an estimate is not available centrally. However, opportunities to streamline the admission process are provided by the information management and technology infrastructure. In particular, the new NHS number and the NHS administrative register enable quick reference to essential patient administrative information.

Out-of-School Activities

Sir Harold Walker: To ask the Secretary of State for Health what proposals he has to deregulate organised out-of-school activities for children between five and eight years; and if he will make a statement. [22381]

Mr. Bowis: I refer the right hon. Member to the reply that I gave to the hon. Member for Darlington (Mr. Milburn) on 18 March at column *82*.

Accident and Emergency Departments

Mr. Nicholas Winterton: To ask the Secretary of State for Health if he will make a statement on the Audit Commission's report on accident and emergency departments with specific reference to *(a)* the north-west and *(b)* Macclesfield district general hospital. [22289]

Mr. Horam: Accident and emergency services in the north-west and Macclesfield are matters for the North West regional health authority and South Cheshire health authority respectively. My hon. Friend may wish to contact Sir Donald Wilson, regional chairman, and Mr. Simon Cussons, chairman of South Cheshire health authority, for details.

Dental Services

Mr. Gordon Prentice: To ask the Secretary of State for Health what factors underlay his decision to increase from £300 to £325 the maximum charge payable by an NHS patient for dental treatment and appliances from 1 April 1996. [22464]

Mr. Malone: Since 1951, successive Governments have thought it right that those who can afford to do so should pay national health service charges. In a full year, the increased maximum patient charge will bring in £1.5 million while still retaining a cap on the patient's contribution. However, more than 99 per cent. of courses of treatment do not attract the maximum charge. The average charge paid in 1994–95 by an adult liable for charges was approximately £21. Extensive exemption and remission arrangements protect those who are vulnerable or on low incomes and all NHS dental treatment is free for those under 18 years.

Mr. Malcolm Bruce: To ask the Secretary of State for Health what estimate he has made of *(a)* the annual cost of abolishing all charges for dental checks and *(b)* the annual number of people who currently make some payment for such checks. [22836]

Mr. Malone: The annual cost of abolishing charges for dental examinations, based on 1994–95 prices and charges, is £60 million. This assumes that abolishing the charge for examination does not lead to an increase in demand. The number of courses of treatment where patients pay some charge for dental examinations is estimated to have been approximately 14.5 million in 1994–95.

Blood Transfusion Centre, Liverpool

Mr. Alton: To ask the Secretary of State for Health what are the staffing levels now at the Liverpool blood transfusion centre; what cover will be available if members of staff are off sick or on annual leave; and when the Manchester facility will come into operation. [22220]

Mr. Horam: The staffing of blood centres is a matter for the National Blood Authority.

The Manchester centre will take over the bulk processing and testing work currently performed by the Liverpool centre by December 1997.

Organophosphate Poisoning

Mr. Llwyd: To ask the Secretary of State for Health how many referrals there have been over the past five years to Guy's hospital poison unit concerning organophosphate poisoning; and if he will make a statement. [22372]

Mr. Horam: Between January 1991 and December 1995, the London centre of the national poisons information service received 1,708 inquiries about organophosphorus compounds. This number cannot be assumed to be equivalent to confirmed cases of poisoning.

Mr. Llwyd: To ask the Secretary of State for Health what plans his Department has to fund a medical centre for the south-west and Wales, to carry out assessment of suspected organophosphate poisoning sufferers; and if he will make a statement. [22366]

Mr. Horam: There are no plans to fund such a centre for the south-west. Any plans for Wales are a matter for my right hon. Friend the Secretary of State for Wales.

The assessment of suspected organophosphate poisoning sufferers can be carried out by general practitioners, who are able to obtain advice on diagnosis and treatment from any one of the seven United Kingdom national poisons information service centres. Furthermore, if they need to, they can refer patients to any hospital consultant including professors of occupational medicine and toxicology at a number of university departments.

NHS Authorities (Cars)

Mr. Barron: To ask the Secretary of State for Health (1) which chairmen of which health service bodies have been provided with a car in contravention of the regulations in each of the last five years; [22739]

(2) how many chairmen of health service bodies are currently in receipt of a leased car; what has been the number in each of the last five years; and if he will estimate the annual cost of such vehicles to the NHS. [22745]

Mr. Malone: This information is not available centrally.

Equal Opportunities

Mr. David Shaw: To ask the Secretary of State for Health what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22501]

Mr. Horam: In the current year, the Department paid out a total of £10,032.88 following two cases of alleged equal opportunities breaches. One case involved a former member of departmental staff which proceeded to an industrial tribunal where it was settled in the sum of £9,032,88 before the case concluded. The second case involved a former member of staff in an executive agency. This case was settled in the sum of £1,000 prior to proceeding to an industrial tribunal.

There are no cases recorded in the Department and its executive agencies in the previous two years. Comprehensive figures are not readily available for the non-departmental public bodies.

Leeds Health Authority

Mr. Gunnell: To ask the Secretary of State for Health, pursuant to his oral statement of 6 March, *Official Report*, column 356, what will be the amount of grant money allocated for services covered by the Leeds health authority; and what is his estimate of the number of *(a)* bids and *(b)* additional staff this will provide if it is all used for this purpose. [22499]

Mr. Horam: In 1996–97 Leeds health authority is planned to receive £310,704,000 for sending on hospital and community health services.

I refer the hon. Member to the reply that I gave him on 18 March at column 79.

NHS Expenditure

Sir Terence Higgins: To ask the Secretary of State for Health if he will list for each year since 1966 the annual expenditure on the national health service in real terms. [22668]

Mr. Horam: A consistent series of figures is available only from 1973–74. The information is shown in the table.

NHS total gross expenditure for England

Year	*Gross Expenditure (adjusted by gross domestic product deflator to 1994–95 prices) in £ million*
1973–74	16,266
1974–75	17,969
1975–76	18,899
1976–77	18,966
1977–78	18,447
1978–79	19,031
1979–80	19,380
1980–81	21,338
1981–82	21,817
1982–83	22,207
1983–84	22,530

NHS total gross expenditure for England

Year	*Gross Expenditure (adjusted by gross domestic product deflator to 1994–95 prices) in £ million*
1984–85	23,068
1985–86	23,124
1986–87	24,138
1987–88	25,216
1988–89	26,279
1989–90	26,462
1990–91	27,421
1991–92	29,230
1992–93	30,798
1993–94	30,975
1994–95	31,983
1995–96[1]	33,032

[1] Estimated.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Health what was the total cost of answering parliamentary questions in each parliamentary Session since 1989–90. [22898]

Mr. Horam: This Department does not calculate the data requested, and they could be provided only at disproportionate cost.

Chiropodists

Mr. Alfred Morris: To ask the Secretary of State for Health, pursuant to his answer of 6 December 1995, *Official Report*, column *225*, about the proposals to extend to state registered chiropodists access to a restricted group of prescription only medicines; what progress has been made; when a final report will be published; and if he will make a statement. [21318]

Mr. Bowis: This proposal is still being considered.

Prescription Charges

Mr. Malcolm Bruce: To ask the Secretary of State for Health what estimate he has made of the annual cost of cutting NHS prescription charges by *(a)* 1 per cent., *(b)* 2 per cent. and *(c)* 5 per cent. in (i) 1996–97 and (ii) 1997–98. [22837]

Mr. Malone: For 1996–97, a 1 per cent. reduction in the prescription charge would cost the national health service approximately £3 million in lost revenue, 2 per cent. would cost £6 million and 5 per cent. would cost £15 million. The costs for 1997–98 would be similar.

Eye Tests

Mr. Malcolm Bruce: To ask the Secretary of State for Health what estimate he has made of *(a)* the annual cost of abolishing all charges for eye tests and *(b)* the annual number of people who presently make some payment for such tests. [22835]

Mr. Malone: I refer the hon. Member to the reply given to the hon. Member for Pendle (Mr. Prentice) on 7 June 1995 at column *187*.

Information is not available centrally on the number of people who currently make some payment for eye tests.

Suicide

Mr. Alex Carlile: To ask the Secretary of State for Health how many people have committed suicide or attempted suicide in each of the last five years; how many involved *(a)* firearms and *(b)* stolen firearms; and if he will make a statement. [22300]

Mr. Bowis: Data are not available centrally on whether firearms used in the commission of suicide are stolen.

The following list shows the number of suicides—ICD[1] E950–E959, E980–E989 excluding E988.8—in England and Wales for each of the last five years for which data are available:

1990: 5,544

1991: 5,486

1992: 5,486

1993: 5,154

1994: 4,787.

[1] International Classification of Diseases, 9th revision.

The following list shows the number of deaths in England and Wales from suicide by means of firearms—ICD[1] E955.0-4 and E985.0-4—for each of the last five years for which data are available:

1990: 189

1991: 175

1992: 190

1993: 165

1994: 174.

[1] International Classification on Diseases, 9th revision.

The only centrally available information on attempted suicides is for those cases subsequently admitted to hospital.

The following list shows estimates—based on the recorded number of emergency admissions taken from hospital episodes statistics—of cases of suicide or self-inflicted injury caused by firearms or explosives in the last five financial years.

1990–91: 23

1991–92: 32

1992–93: 23

1993–94: 33

1994–95: 30 (provisional figures).

We are pursuing a wide range of initiatives towards the "Health of the Nation" target of reducing the rate of suicide by 15 per cent. between 1990 and 2000. These include improving mental health services, increasing public awareness of mental health issues, targeting demographic and occupational groups at particular risk of suicide and reducing access to means.

Bovine Serum (Vaccines)

Mr. Austin-Walker: To ask the Secretary of State for Health what is his Department's policy in relation to the use of bovine serum in vaccines. [22914]

Mr. Horam: Currently licensed vaccines do not contain any bovine material sourced from the United Kingdom. Bovine serum albumin, used in the manufacture of some vaccines, is covered by the European Committee on Proprietary Medicinal Products

guideline on bovine spongiform encephalopathy and medicines entitled "Minimising the risk of transmission of agents causing spongiform encephalopathies via medical products". All UK licensed vaccines comply with this guidance.

Mr. Austin-Walker: To ask the Secretary of State for Health if he will list the countries from which bovine serum for vaccine is banned for use in the United Kingdom and the date on which the prohibitions took effect. [22915]

Mr. Horam: There is no list of banned countries, but bovine serum albumin is not obtained from United Kingdom sources, or areas where bovine spongiform encephalopathy is endemic. Bovine serum albumin used in vaccine manufacture must comply with the European Committee on Proprietary Medicinal Products guideline on BSE and medicines, entitled "Minimising the risk of transmission of agents causing spongiform encephalopathies via medical products".

Drinking Water (Lead Levels)

Mrs. Helen Jackson: To ask the Secretary of State for Health (1) what assessment he has made of the safe level of lead in drinking water for *(a)* babies, *(b)* children under three years of age, *(c)* expectant mothers and their unborn babies and *(d)* adults suffering from osteoporosis; [22973]

(2) when the Chief Medical Officer of Health last made a statement on the health dangers of lead in drinking water. [22975]

Mr. Horam: In 1989 the Chief Medical Officer accepted and endorsed advice on lead in drinking water from the Department of Health's expert advisory committee on the medical aspects of contamination of air, soil and water, that

> "the aim in the long term should be to achieve compatibility both with the criterion that in not more than 2 per cent. of the population of interest should the blood lead concentration exceed 25 micrograms per decilitre, and with a weekly intake of not more than 25 micrograms lead per kilogram body weight in infants and children."

The advice was published in the Department of the Environment/Welsh Office "Guidance on safeguarding the quality of public water supplies", copies of which are available in the Library. Calculations published by the Ministry of Agriculture, Fisheries and Food in food surveillance paper No. 27, copies of which are also available in the Library, indicate that the criteria would be met for adults by water with an average lead concentration of 30 micrograms per litre or less, and for bottle-fed babies by water with an average lead concentration of 10 micrograms per litre or less.

Mrs. Jackson: To ask the Secretary of State for Health what research his Department has undertaken and when into the health dangers of lead in drinking water. [22974]

Mr. Horam: Through the health survey for England, the Department is supporting research into the relationship between blood pressure and blood lead levels. Studies on lead and human health have been supported by the Medical Research Council, which is the main agency through which the Government support biomedical and clinical research, and which receives its grant in aid from the office of my right hon. Friend the President of the Board of Trade.

NATIONAL HERITAGE

Hotel Accommodation Prices (Display)

Mr. Gordon Prentice: To ask the Secretary of State for National Heritage what plans she has to revoke the requirement to display accommodation prices in hotels. [13678]

Mr. Sproat: My Department has considered the case for revocation or amendment of the Tourism (Sleeping Accommodation Price Display) Order 1977, and has sought the views of the tourism industry and other interested parties. Future policy remains under consideration.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for National Heritage how many questions were tabled to her Department in each Session since 1987–88; how many were not answered on the grounds of disproportionate cost; what percentage of the total number of questions this represented; how many were not answered on the grounds that the information was not centrally available; and what percentage of the total number of questions this represented. [21151]

Mr. Sproat: The Department of National Heritage was established in April 1992.

The available figures for the number of questions tabled to my Department in each parliamentary Session are as follows:

Session	*Number of questions tabled*
1992–93	1,281
1993–94	1,099
1994–95	1,226
1995–96[1]	516

[1] To 20 March 1996.

These figures have been produced from POLIS database the—the parliamentary online information system.

The rest of the information could be provided only at disproportionate cost.

Sport (Business Sponsorship)

Mr. Nicholas Winterton: To ask the Secretary of State for National Heritage what are the latest figures on business sponsorship of sport. [22092]

Mr. Sproat: Estimates suggest that the size of the United Kingdom sports sponsorship markets in 1995 has increased from £265 million in 1994 to £285 million. Market surveys point to a welcome increase at grass roots level, with the Government's sportsmatch scheme having a significant effect on sponsorship of youth and school sport.

National Lottery

Mr. Chris Smith: To ask the Secretary of State for National Heritage what plans she has to set lower partnership funding requirements under lottery rules of those arts institutions that are bound by charitable rules to provide access for people at low prices. [22012]

Mr. Sproat: There are no plans to change the current required levels of partnership funding. The arts, sports and heritage distributors are required to take into account the need for significant levels of partnership funding in applications. It is a matter for the distributing bodies themselves to determine the precise levels required for different types of awards.

Mr. Tipping: To ask the Secretary of State for National Heritage how many applications to each distributing body from organisations in Nottinghamshire have been received for lottery funding. [20379]

Mr. Sproat *[holding answer 14 March 1996]:* The National Heritage Memorial Fund has received 19 applications from organisations in Nottinghamshire, the Sports Council has received 65 applications; the Arts Council of England has received 35 applications; the Millennium Commission has received 25 applications; and the National Lottery Charities Board has received 1,558 applications from the east midlands region—this includes Derbyshire, Nottinghamshire, Lincolnshire, Leicestershire and Northamptonshire.

Mr. Soley: To ask the Secretary of State for National Heritage (1) in how many cases lottery funds have been paid to an organisation that had not at the time received planning permission for the building on which the funds were to be spent; [20492]

(2) in what circumstances lottery funds are made available to organisations which have not received planning permission on a relevant building; and what conditions are placed on the use of the funds. [20493]

Mr. Sproat *[holding answer 18 March 1996]:* There have been four cases in which lottery funds have been paid out to organisations which at the time had not received planning permission.

The planning statutes of the four projects, funded by the Millennium Commission, are as follows:

the Earth centre—outline planning permission for an ecological park and detailed planning permission is being sought;

the Millennium forests in Scotland—planning permission is not required;

Sustrans, the nationwide cycle network—a rolling programme for which councils apply and then give details to Sustrans, and Rights of Way and public access in perpetuity are sought for cycle paths once the route has been agreed;

the Groundwork projects—another rolling programme, comprising 21 sites. All have outline planning permission. Detailed planning permission is awaited on 10 sites and no problems are foreseen by Groundwork.

The Millennium Commission has not made any grants to projects which have not had outline planning consent where that consent was required. The commission, along with its professional advisers makes contact with local planning authorities to verify the status of planning applications and obtains assurance that detailed planning permission will be granted. The commission's stance is to avoid funding projects where full planning permission may not be granted, looks problematic or could result in or necessitate a public inquiry, and or compulsory purchase orders in view of the limited life of the commission.

Autistic Children

Ms Walley: To ask the Secretary of State for National Heritage how much of the lottery proceeds have been distributed to charities or organisations specifically helping autistic children. [22446]

Mr. Sproat: To date, three awards totalling £150,070 have been made to organisations which support autism sufferers of all ages.

Equal Opportunities

Mr. David Shaw: To ask the Secretary of State for National Heritage what amounts of money have been paid out by *(a)* her Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which she is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22504]

Mr. Sproat: No member of staff or former member of staff in my Department has received money for alleged equal opportunities breaches in the current year or in the previous two years. The Department is responsible for two agencies: The Historic Royal Palaces Agency and the Royal Parks Agency. No member of staff or former member of staff in the Historic Royal Palaces Agency has received money for alleged equal opportunities breaches in the period stated. One former member of staff in the Royal Parks Agency was paid £3,000 in February this year, for an alleged equal opportunities breach, in a case which was settled out of court.

Library Funding

Mr. Malcolm Bruce: To ask the Secretary of State for National Heritage what public spending was spent on libraries in 1995–96; and what was the figure in 1980–81. [22722]

Mr. Sproat: It is estimated that total expenditure on public libraries in England in 1995–96 will be £640.94 million. The figure in 1980–81 was £263.02 million.

Museums and Galleries (Admission Charges)

Mr. Malcolm Bruce: To ask the Secretary of State for National Heritage what was the annual revenue obtained from charges for entry to public museums and galleries in the last year for which figures are available; and what proportion of it came from school parties. [22721]

Mr. Sproat: Information on annual revenue from charges for entry to public museums and galleries is not held centrally and could be obtained only at disproportionate cost. However, of the 17 museums and

galleries directly sponsored by my Department the total revenue from admissions, including admissions to special exhibitions, in 1994–95 was £15,481,852, of which £243,569 came from school parties. No data for the Royal Armouries exist as entry at that time was by a combined ticket to the Tower of London.

Television Licences

Mr. Steinberg: To ask the Secretary of State for National Heritage what would be the cost of making television licences available at *(a)* no cost, *(b)* £5, *(c)* £10, *(d)* £15 and *(e)* £20 for (i) all pensioners, (ii) pensioners over 75 years and (iii) pensioners over 80 years. [22481]

Mr. Sproat *[holding answer 22 March 1996]:* The information requested is contained in the following table. The estimates assume that the current number of pensioner households with television remains unchanged.

Estimated licence fee revenue loss under different levels of licence fee for pensioners

Cost of TV licence	*(i) For all pensioners (£ million)*	*(ii) For pensioners over 75 years (£ million)*	*(iii) For pensioners over 80 years (£ million)*
(a) no cost	540	190	80
(b) £5	510	175	75
(c) £10	480	165	70
(d) £15	445	155	65
(e) £20	415	145	60

Figures are rounded to the nearest £5 million.

WALES

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Wales how many questions were tabled to his Department in each Session since 1987–88; how many were not answered on grounds of disproportionate cost; what percentage of the total number of questions this represented; how many were not answered on the grounds that the information was not centrally available; and what percentage of the total number of questions this represented. [21141]

Mr. Hague: Parliamentary questions tabled to this Department in each Session since 1987–88 were as follows:

	Written	*Oral*
1987–88	1,881	470
1988–89	1,550	258
1989–90	2,354	242
1990–91	1,945	219
1991–92	1,022	78
1992–93	3,867	323
1993–94	2,112	178
1994–95	2,527	213
1995–96	[1]891	[1]97

[1] Figures for 1995–96 Session as at 20 March.

These figures have been produced from the POLIS database—the parliamentary online information system. The figures reflect the number of questions answered and should be treated as indicative only. Because of certain factors, complete accuracy on departmental activity cannot be provided.

The number of questions not answered on grounds of disproportionate cost or the information not being held centrally could itself be obtained only at disproportionate cost.

Mr. Donohoe: To ask the Secretary of State for Wales what was the total cost of answering parliamentary questions in each Session since 1989–90. [22906]

Mr. Hague: This Department does not calculate the data requested, and they could be provided only at disproportionate cost.

Research Establishments

Mrs. Anne Campbell: To ask the Secretary of State for Wales which former public sector research establishments in his Department have been privatised since 1979; and which public sector research establishments in his Department are currently undergoing reviews with a view to placing them in the private sector. [21950]

Mr. Hague: No former public sector research establishments in my Department have been privatised since 1979. The research and development activities of ADAS, an executive agency owned jointly by MAFF and the Welsh Office, are currently undergoing a prior options review to determine their future status.

Village Shops and Post Offices

Mr. Wigley: To ask the Secretary of State for Wales if he will clarify the definition of *(a)* a village and *(b)* a shop for the purposes of the new initiative outlined by him in the White Paper, "A Working Countryside for Wales", for a new rate relief scheme targeted at village shops and post offices. [22197]

Mr. Hague: As the White Paper makes clear, I shall consult shortly on the detail of my proposals for this scheme.

Mr. Wigley: To ask the Secretary of State for Wales what is the earliest date proposed for the coming into force of new provisions to relieve village shops and post offices in rural Wales from the burden of business rates; and if he will make a statement. [22196]

Mr. Hague: The White Paper "A Working Countryside for Wales" proposes a rate relief scheme for village shops and post offices, details of which will be subject to public consultation shortly. Inclusion in the Government's future legislative programme will depend upon a number of factors, including the outcome of the consultation.

Multi-storey Housing Blocks

Mr. Llwyd: To ask the Secretary of State for Wales (1) what is his estimate of the total number of people living in multi-storey blocks of flats in Wales; and if he will make a statement; [22369]

(2) what is the total number of blocks of multi-storey flats over 10 floors high in Wales; and where they are located. [22397]

Mr. Gwilym Jones: The information requested is not collected centrally.

Pupils with Hearing Difficulties

Mr. Wigley: To ask the Secretary of State for Wales if he will draw up guidelines for the new unitary authorities in Wales for the provision within each county of education in mainstream schools for pupils with hearing difficulties. [22286]

Mr. Hague: Each new authority is responsible for deciding how to deliver particular services, including those for pupils with special educational needs. Authorities and schools have to provide appropriate education for children with special educational needs and to have regard to the code of practice on the identification and assessment of special educational needs. All unitary authorities have been sent copies of Welsh Office circular guidance and associated regulations.

Marine Pollution

Mr. Dafis: To ask the Secretary of State for Wales if he will publish details of the measures taken in Wales following the recommendations of the 1995 world government meeting on land-based sources of marine pollution; and if he will make a statement. [22230]

Mr. Gwilym Jones: The UK delegation took a leading part in the conference organised by the UN environment programme in Washington DC on 23 October to 3 November 1995, which adopted the global programme of action for the protection of the marine environment from land-based activities. This programme of action reflects the approach being adopted throughout the United Kingdom, and by other states in north-west Europe, to this task. Implementation in Wales will therefore be achieved by continuing our present policies.

Bridges

Mr. Wigley: To ask the Secretary of State for Wales what estimate he has made of the cost of upgrading bridges in Wales to meet the weight requirement of EU regulations for heavy lorries; and what estimate he has made of the proportion of this cost likely to fall on *(a)* the Welsh Office and *(b)* local highway authorities. [22594]

Mr. Hague: I refer the hon. Member to the reply I gave him on 1 March, *Official Report,* column *783.*

Home Insulation Grants

Mr. Dafis: To ask the Secretary of State for Wales how many disabled applicants have received home insulation grants in each of the last three available years in Wales; and what was, in each year, the percentage change over the previous year. [22234]

Mr. Gwilym Jones: Home insulation grants have been superseded by grants available under the home renovation and home energy efficiency schemes. Information is not available on the number of disabled people receiving help with insulation under these schemes.

Council Tax

Sir Wyn Roberts: To ask the Secretary of State for Wales when he will pay council tax reduction scheme grant to Welsh local authorities. [23295]

Mr. Hague: Council tax reduction scheme grant will be paid under section 88A of the Local Government Finance Act 1988, in three equal instalments in April, July and October 1996.

Parliamentary approval of this new expenditure is being sought in the 1996–97 main supply estimate for the local government, Wales vote—class XIV, vote 5. Pending that approval, urgent expenditure of £29.945 million on the first two instalments of grant to eligible authorities will be met by a repayable advance from the Contingencies Fund.

Departmental Cash Limits

Sir Wyn Roberts: To ask the Secretary of State for Wales what changes he is proposing to make to the cash limits for his Department for the current financial year. [23296]

Mr. Hague: The cash limit for class XV, vote 6 will be reduced by £330,000 from £2,264,342,000 to £2,264,012,000; the cash limit for the Welsh Office/LACAP will be reduced by £5,857,000 from £515,533,000 to £509,676,000, and the cash limit for Welsh Office/Housing for Wales will be increased by £6,187,000 from £105,510,000 to £111,697,000. The changes take account of two transfers.

A sum of £330,000 will be transferred from an underspend on the budget of the Valuation Office in vote 6 to the local authority capital cash limit—WO/LACAP partly to finance mandatory compensation costs.

Also, a sum of £6,187,000 will be transferred from local authorities to Housing for Wales, which will enable housing associations to provide additional housing units.

These proposed changes will not add to the overall level of public expenditure.

Wilprint

Mr. Morgan: To ask the Secretary of State for Wales what instructions have been issued and on what date to non-departmental public bodies concerning the inclusion of Wilprint on the tender lists for public sector printing work. [21429]

Mr. Hague *[holding answer 19 March 1996]:* No instructions were given to non-departmental public bodies either to include, or to exclude, Wilprint from tendering for public sector printing work.

However, non-departmental public bodies were notified on 8 June 1992 that, as a result of relationships between an ex-official of my Department and Wilprint, the company would not be invited to tender for Welsh Office contracts while the matter was investigated by the police. The decision would be reviewed when the investigations were concluded.

My Department informed NDPBs on 13 November 1995 that it had decided to continue its policy of not

inviting Wilprint to tender following the conviction of the ex-official and the managing director of Wilprint.

AGRICULTURE, FISHERIES AND FOOD

Departmental Equipment and Furniture

Mr. Ian McCartney: To ask the Minister of Agriculture, Fisheries and Food if he will list the cost and number of items of equipment and furniture that *(a)* have been stolen and *(b)* are otherwise unaccounted for from his Department and its agencies in each of the past five years, listing by name any such items valued at £5,000 or more, and showing information technology material separately. [19032]

Mr. Boswell: The table details the cost and number of items of equipment and furniture which have been *(a)* stolen or *(b)* unaccounted for from the Department during the financial years 1991–92, 1992–93, 1993–94, 1994–95 and the first 11 months of 1995–96.

Unfortunately, without incurring disproportionate cost, it is not possible to split IT equipment from other losses for the first three years, owing to the way in which the manual records were held.

The chief executives of ADAS, the Meat Hygiene Service, the Pesticides Safety Directorate, the Veterinary Laboratories Agency, the Central Science Laboratory and the Veterinary Medicines Directorate will be writing to the hon. Member separately.

Theft, fraud and arson	*Number of items*	*Other causes*	*Number of items*	*Items at £5000.00 or more*	
				Amount	*Details*
£		£		£	
1991–92					
30,234.15	61	55,729.96	26	10,980.00	4 current meters—lost at sea
				10,250.01	Nosette sampler—lost at sea
				8,224.80	8 sampling bottles—lost at sea
				14,250.00	Guideline probe assembly—lost at sea
				13,500.00	Stolen Landrover and trailer
1992–93					
90,356.54	98	3,427.71	22	10,000.00	Stolen 4 x 4 diesel pick-up
1993–94					
22,885.91	45	22,669.44	8	8,273.89	Vehicle involved in accident
				7,492.25	Theft of vehicle
				10,315.55	Theft of vehicle
1994–95					
7,364.13	12	—	0	—	
1995–96					
8,960.50	4	—	0	7,700.00	Theft of 3x computers, 2x printers, 1x fax machine

Letter from G. K. Bruce to Mr. Ian McCartney, dated 26 March 1996:

The Minister of Agriculture, Fisheries and Food has asked me to reply, in respect of the Pesticides Safety Directorate (PSD), to your question concerning stolen or unaccounted for items.

The Directorate was launched as an executive agency on 1 April 1993. Since that time there have been no instances of equipment or furniture that have been stolen or otherwise unaccounted for.

Letter from Johnston McNeill to Mr. Ian McCartney, dated 26 March 1996:

As Chief Executive of the Meat Hygiene Service (HMS), your question regarding items stolen or otherwise unaccounted for has been passed to me for reply with regard to this Executive Agency. (19032)

As you may know, the MHS was established on 1 April last year. Therefore, we only have data covering the period since then. In that time, we have encountered the theft of two items of computer equipment valued at a total of £2190. We have no other items unaccounted for in any way.

Letter from T. W. A. Little to Mr. Ian McCartney, dated 26 March 1996:

The Minister has asked me to reply to your question on items of equipment and furniture which have been stolen or are otherwise unaccounted for in the Veterinary Laboratories Agency (VLA).

The VLA was established on 1 October 1995, from the merger of the existing Central Veterinary Laboratory with the Veterinary Investigation Service, which was part of the State Veterinary Service.

The figures are as follows:-

	1996 (to date)	*1995*	*1994*	*1993*	*1992*
Number of items stolen	9	12	—	—	6
Cost of items stolen	£3,073	£3,000	—	—	£1,660

No items of IT equipment have been stolen.

Letter from Professor P. I. Stanley to Mr. Ian McCartney, dated 26 March 1996:

The Minister of Agriculture, Fisheries and Food has asked me to reply to your question about the cost and number of items stolen or unaccounted for in the past five years in respect of his Central Science Laboratory (CSL) Agency, as this is an operational matter for which I am responsible.

In terms of non-IT equipment or furniture, items with a total value of £330 were otherwise unaccounted for. In addition a CSL vehicle was stolen, but because of its age and condition its asset value was zero.

In terms of Information Technology, approximately £10,000 worth of IT equipment was stolen during a recent burglary. No individual item had a value of £5,000 or more.

Letter from J. M. Rutter to Mr. Ian McCartney, dated 26 March 1996:

The Minister has asked me to reply to your question about stolen and unaccounted for items of furniture and equipment from the Veterinary Medicines Directorate as this is an operational matter for which I am responsible.

The only item of VMD equipment lost in the last five years has been a Tandon PC valued at approximately £250, which was stolen recently from the Veterinary Investigation Centre, Newcastle. The theft has been reported to the local constabulary.

Letter from Phillip Needham to Mr. Ian McCartney, dated 26 March 1996:

The Minister of Agriculture, Fisheries and Food has asked me to reply to your Parliamentary Question concerning the cost and number of items stolen or unaccounted for in the past five years in ADAS. (19032)

ADAS was formed as an Executive Agency of MAFF and the Welsh Office in 1992. Any detail relating to items stolen prior to that date would be available from the Ministry of Agriculture, Fisheries and Food.

The figures are as follows:

	1992	*1993*	*1994*	*1995*
IT equipment				
Number of items	18	4	12	50
Cost of items	£17,000	£3,400	£10,527	£42,300
Other equipment				
Number of items	33	6	3	51
Cost of items	£13,654	£1,610	£1,250	£80,350
Items over £5,000				
Number of items	1	—	—	—
Cost of item	£6,955	—	—	—
Description	Landrover	—	—	—

There are no figures currently available for 1996.

Quarantine Kennels

Mr. Gale: To ask the Minister of Agriculture, Fisheries and Food if he will review the standards of animal care in quarantine kennels; and if he will make a statement. [21673]

Mrs. Browning: I have recently invited representatives of the two trade associations, the Quarantine Kennels Owners Association and the Quarantine Kennels Professional Association to a meeting to discuss animal welfare standards in quarantine kennels.

Equal Opportunities

Mr. David Shaw: To ask the Minister of Agriculture, Fisheries and Food what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22516]

Mr. Boswell: Neither the Ministry, its executive agencies and non-departmental public bodies, nor the Intervention Board has made any payment to any current or former member of staff in relation to alleged equal opportunities breaches, whether or not they have proceeded to tribunal or court, in the current year or the two preceding ones.

Fishing

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what EC fund is used to buy fishing opportunities in non-EC waters. [22795]

Mr. Baldry: Funding for the third country fishing agreements comes under chapter B7-80 of the Community budget, covering international fisheries agreements.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food which countries benefit from EC agreements with non-EC countries regarding fishing opportunities. [22771]

Mr. Baldry: I refer my hon. Friend to the reply given to the hon. Member for Newham, South (Mr. Spearing) on 15 January 1996, *Official Report*, columns *444–50.*

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what financial contribution the EC has made to non-EC countries in order to obtain fishing opportunities; and if he will list the amounts paid to each such non-EC country. [22794]

Mr. Baldry: Details of the financial contributions under current fisheries agreements are set out in the table. The contributions cover fishing opportunities as well as providing funds for scientific and technical programmes and for study and training grants for nationals of the third country.

Third country agreements involving financial compensation

Country	*Duration*	*Total cost (ecu)*	*Annual cost (ecu)*
Angola	3 May 1994 to 2 May 1996	18,500,000	9,250,000
Cape Verde	6 September 1994 to 5 September 1997	1,500,000	500,000
Republic of Comoros	20 July 1994 to 19 June 1997	1,080,000	360,000
Equatorial Guinea	1 July 1994 to 30 June 1997	660,000	220,000

Third country agreements involving financial compensation

Country	*Duration*	*Total cost (ecu)*	*Annual cost (ecu)*
Gambia	1 July 1993 to 30 June 1996	1,400,000	466,667
Greenland	1 January 1995 to 31 December 2000	232,200,200	38,700,000
Guinea Bissau	16 June 1995 to 15 June 1997	12,700,000	6,350,000
Ivory Coast	1 July 1994 to 30 June 1997	2,500,000	833,333
Madagascar	21 May 1995 to 20 May 1998	2,175,000	725,000
Mauritania	1 August 1993 to 31 July 1996	33,259,000	11,086,333
Mauritius	1 December 1993 to 30 November 1996	1,455,000	485,000
Morocco	1 December 1995 to 30 November 1999	500,000,000	125,000,000
Senegal	2 October 1994 to 1 October 1996	18,000.000	9,000,000
Sao Tome e Principe	1 June 1993 to 31 May 1996	2,175,000	725,000

Approximate exchange rate at March 1996: £1 = 1.1899 ecu.

Alcohol

Mr. Nigel Griffiths: To ask the Minister of Agriculture, Fisheries and Food what discussions he has held on the presentation of information on units of alcohol on the labels of alcohol containers; and what plans the Government have for the introduction of information on units of alcohol on the labels of alcohol containers. [22449]

Mrs. Browning: The 1992 White Paper "Health of the Nation" said that there would be discussions with trade bodies on a possible format for voluntary display of alcohol units at point of sale. A working party of officials and the interests concerned made some progress, but decided to await the report of the inter-departmental working party on sensible drinking. That report was published in December 1995. Discussions are now taking place with the interests to see what further progress can be made on display of alcohol units.

Live Animal Transport

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food (1) how many notices under paragraphs 15 and 16 of the Welfare of Animals During Transport Order 1994 have been issued during the last 12 months by local veterinary inspectors in the area of Dover when they have identified sheep or calves which are unfit to travel; [22077]

(2) which policy or guidelines he has issued to local veterinary inspectors to assist them in deciding whether to issue a notice under the Welfare of Animals During Transport Order 1994 when they find an animal which is unfit to travel; and if he will make a statement. [22078]

Mrs. Browning *[holding answer 21 March 1996]:* No article 15 or article 16 notices have been issued by local veterinary inspectors in the area of Dover. It is the responsibility of the local veterinary inspector to ensure that he or she does not provide unfit animals with export health certification. Training and guidance on the procedures for this is provided for LVIs by the divisional veterinary manager.

ENVIRONMENT

Capital Challenge

15. **Mr. John Evans:** To ask the Secretary of State for the Environment what discussions he has had with the local authority associations concerning capital challenge. [20951]

Mr. Gummer: The Minister for Local Government, Housing and Urban Regeneration met them on Monday 18 March.

Housing Need

18. **Mrs. Jane Kennedy:** To ask the Secretary of State for the Environment what is his estimate of the backlog of unmet housing need. [20954]

Mr. Clappison: The number of people in severe housing need is small in absolute terms, and we are taking steps to drive the figure lower. The number of people who are in overcrowded or bed-and-breakfast accommodation, or are sleeping rough has all fallen substantially in recent years. The Environment Committee's report on housing need did not endorse suggestions of a large backlog of unmet need, but did ask us to do further work, and we are considering this as part of our response to its report.

Pollution

19. **Mr. Bennett:** To ask the Secretary of State for the Environment if he will make a statement about volatile organic compound emissions. [20955]

Mr. Clappison: We have a strategy in place to deliver the 30 per cent. reduction in volatile organic compounds—VOC—emissions to which we are committed under the United Nations economic commission for Europe VOC protocol. We are well on course to achieve this reduction. We shall address the need for further reductions and the means by which they may be achieved in our forthcoming air quality strategy.

Opencast Mining

20. **Mr. Mike O'Brien:** To ask the Secretary of State for the Environment what plans he has to amend the mineral planning guidance on opencast mining. [20956]

Sir Paul Beresford: None. Revised guidance was published in mineral planning guidance 3 in July 1994 after extensive consultation and is working well.

Local Government Finance

21. **Mr. Congdon:** To ask the Secretary of State for the Environment if he will make a statement about the methodology used to distribute central Government grant to local authorities. [20957]

Sir Paul Beresford: The methodology used to distribute revenue support grant for 1996–97 is set out in "The Local Government Finance Report (England) 1996–97" approved by this House on 31 January 1996.

22. **Mr. Touhig:** To ask the Secretary of State for the Environment when he will next meet local government leaders to discuss financial management practices. [20959]

Mr. Curry: My right hon. Friend the Secretary of State meets the leaders of the local authority associations regularly throughout the year to discuss a range of issues affecting local government finance, but financial management is a matter for local authorities and their appointed external auditor.

Construction Industry

23. **Mr. Bill Michie:** To ask the Secretary of State for the Environment what submissions he has received from the construction industry concerning local authority capital investment. [20960]

Mr. Robert B. Jones: My right hon. Friend the Secretary of State and I have regular meetings with the construction industry to discuss a range of issues of mutual concern.

Regional Assembly, Yorkshire

24. **Mr. Riddick:** To ask the Secretary of State for the Environment what representations he has received from local authorities in Yorkshire in respect of the establishment of a regional assembly. [20961]

Mr. Curry: Local authorities in Yorkshire and Humberside publicised their proposals to establish a regional assembly of local councils in December 1995. Some information about these proposals has been passed to the Government office in the region, but I have received no formal representations on the matter.

Marine Oil Pollution

25. **Mr. Ainger:** To ask the Secretary of State for the Environment what duties the new Environment Agency will have in relation to marine oil pollution. [20962]

Mr. Clappison: The new Environment Agency will continue to exercise the same controls over oil pollution of the sea from land-based sources as are currently exercised by the existing regulatory bodies. Operational matters on board ships at sea relating to pollution will continue to be overseen by the Marine Safety Agency. The marine pollution control unit—MPCU—remains the competent national authority for dealing with marine pollution from ships. In a major spill, MPCU is responsible both for directing at-sea operations and co-ordinating the shoreline response.

Air Quality

26. **Mr. Miller:** To ask the Secretary of State for the Environment what plans he has to increase resources available to local authorities to measure air quality. [20963]

Mr. Clappison: The Government have provided £2 million in 1996–97 to help local authorities develop guidance in advance of their new duties to review and assess air quality next year. In addition, the Government aim to integrate around 35 local authority air quality monitoring stations into the national network by providing support for quality assurance and control by the end of 1996.

27. **Mr. MacShane:** To ask the Secretary of State for the Environment what steps he is taking to improve the quality of air in cities and towns. [20964]

Mr. Clappison: The Environment Act 1995 set up the legislative framework for a national air quality strategy and for action by local authorities to assess and manage air quality. The strategy, which will be published for full public consultation during the summer, will set out air quality standards and objectives, and will outline the measures which will be taken at international, national and local level in order to meet those objectives.

Urban Environment

28. **Mr. Evennett:** To ask the Secretary of State for the Environment what plans he has to improve the urban environment; and if he will make a statement. [20965]

Sir Paul Beresford: The Government are promoting the improvement of the urban environment through a wide range of policies and programmes.

Chief among these is the single regeneration budget, SRB, which has brought together 20 separate programmes previously operated by five different Government Departments into a single flexible fund for local regeneration. The SRB challenge fund encourages local partnerships to produce comprehensive packages for regeneration, including the improvement of the environment and quality of life in their area.

The SRB also incorporates English Partnerships, the main public body facilitating the regeneration of brown-field sites throughout England, in partnership with the private sector, local authorities and communities, and the urban development corporations, which are tackling successfully the major problems of dereliction in their areas.

The Government's quality initiative continues to raise awareness of the importance of good design both in individual buildings and in the built environment as a whole, stimulating ideas on how to achieve quality in the future for all those involved. A key element is our national urban design campaign, sponsoring local partnerships in 21 urban design projects in cities, towns and villages across the country.

Our greening the city initiative, launched last October, will promote discussion and ideas about the opportunities for creating or enhancing the landscaping of urban areas. An important step is the publication today of my Department's good practice guide "People, Parks and Cities", which will help local authorities and other agencies develop future strategies for their parks and adopt good practice in their management and funding.

Taken together, these measures will contribute substantially to the sustainable improvement of our urban environment, for the benefit of all those who live, work and visit our towns and cities.

Mining and Quarrying Waste

Mr. Sheerman: To ask the Secretary of State for the Environment how many tons of *(a)* mining and

(b) quarrying waste is produced in the United Kingdom every year. [21734]

Mr. Clappison: The best available estimates of production of waste materials from mineral extraction in the United Kingdom between 1985 and 1994 are summarised below. Wastes produced by deep mining of coal have fallen steadily since 1985 and in 1994 amounted to only 40 per cent. of the weight produced in 1985. Wastes from other mining and quarrying activity rose by 38 per cent. between 1985 and 1988 and then fell back to 1985 levels by 1992. Since 1992 they have risen again.

Production of waste materials from mineral extraction in the United Kingdom, 1985–1994

thousand tonnes

Year	*Wastes from deep mined coal*	*Wastes from other mining and quarrying*	*Total*
1985	41,360	57,641	99,001
1986	49,701	60,767	110,468
1987	47,276	66,384	113,660
1988	46,069	79,818	125,887
1989	43,795	77,247	121,043
1990	40,094	69,292	109,386
1991	40,346	64,943	105,289
1992	32,528	59,051	91,579
1993	28,050	63,013	91,063
1994	16,500	62,450	78,950

Contaminated Land

Mr. Sheerman: To ask the Secretary of State for the Environment what progress has been made by English Partnerships on the clearing and redevelopment of contaminated land. [21736]

Sir Paul Beresford: The remediation of contaminated land is one of English Partnerships' key objectives and high priority is given to the regeneration of sites suffering from contamination. In 1994–95, English Partnerships regenerated 1,700 hectares of vacant, derelict or contaminated land.

Waste Incinerators (Fires)

Mr. Jim Cunningham: To ask the Secretary of State for the Environment what investigations have been conducted by Her Majesty's inspectorate into the recent fire at Whitley incinerator, Coventry, and what measures have been taken to reassure the local residents over the question of public health safety. [22279]

Mr. Clappison: Her Majesty's inspectorate of pollution, HMIP, is investigating the fire which occurred on 8 March at the Whitley incinerator.

It has asked for a report of the incident from the company. Initial investigations suggest that the fire may have started as a result of a power failure causing the extraction fans to stop. This led to the combustion chambers in the incinerators becoming pressurised, causing hot material such as sparks to be thrown out of the combustion chamber which set light to unincinerated refuse in the main bunker.

The investigation is targeted at identifying the causes of the incident in order that a recurrence can be prevented. HMIP is also co-operating with the local council and the public health department in their investigations into the possible health effect of the fire, and will consider these findings in relation to any further action.

Mr Cunningham: To ask the Secretary of State for the Environment how many fires at waste incinerators there have been in the past five years. [22284]

Mr. Clappison: Fires at waste incinerators are infrequent, but records of the number of such incidents are not kept either locally or centrally by Her Majesty's inspectorate of pollution.

Housing Corporation Grants

Mr. Steinberg: To ask the Secretary of State for the Environment to what extent grants from the Housing Corporation are based on the rent calculations provided by the housing associations; and if he will list the *(a)* bids from and *(b)* grants to housing associations in the northern region. [22221]

Mr. Clappison: In considering bids for the allocation of approved development programme resources in 1996–97 the Housing Corporation took into account prospective rents alongside other relevant factors in assessing value for money. The process is explained in the Housing Corporation's "Guide to the Allocations Process" published last year. The Housing Corporation will shortly be publishing details of 1996–97 allocations for each of its regions, including the northern region. I have asked that a copy be sent to the hon. Member. The Housing Corporation does not publish information about individual bids which are not successful, but its regional offices are always prepared to discuss them with the applicant.

Organic Pollutants

Mr. Dafis: To ask the Secretary of State for the Enviornment if he will make it his policy *(a)* to impose a ban on all identified persistent organic pollutants and *(b)* to support the development of safer alternatives. [22225]

Mr. Clappison: The UK has played a major role in developing a proposed protocol on persistent organic pollutants under the United Nations economic commission for Europe convention on long-range transboundary air pollution. The development of such a protocol involves the careful identification of potential persistent organic pollutants, their assessment and a consideration of the most appropriate action to control the identified risks. This will not always result in a total ban. In some cases, there may be an essential use of a substance which should be preserved. Each substance identified as a persistent organic pollutant will have to be judged on its own merit.

An expert working group of the intergovernmental forum on chemical safety will meet on 17 to 19 June 1996 to evaluate the availability, including costs and effectiveness, of safer substitutes. The Government will be taking an active role in developing the way forward.

Mr. Dafis: To ask the Secretary of State for the Environment if he will make it his policy to phase out the disposal of raw sewage and industrial waste in rivers and oceans. [22226]

Mr. Clappison: Currently, 96 per cent. of the UK population is connected to a sewage system and 83 per cent. of sewage is treated. In line with the requirements of the urban waste water treatment directive, an implementation programme, which includes the provision of treatment for all significant discharges of sewage, has been established. A copy of this programme is in the Library of the House.

The discharge of industrial waste from prescribed processes is controlled by Her Majesty's inspectorate of pollution. In issuing permits, it requires dischargers to apply the best available techniques not entailing excessive costs.

Marine Pollution

Mr. Dafis: To ask the Secretary of State for the Environment if he will publish details of the measures taken in England following the recommendations of the 1995 world Government meeting on land-based sources of marine pollution; and if he will make a statement. [22229]

Mr. Clappison: The UK delegation took a leading part in the conference organised by the UN environment programme in Washington DC on 23 October to 3 November 1995, which adopted the global programme of action for the protection of the marine environment from land-based activities. This programme of action reflects the approach being adopted throughout the United Kingdom, and by the other states in north-west Europe, to this task. Implementation in England will therefore be achieved by continuing our present policies.

Environmental Marketing

Mrs. Bridget Prentice: To ask the Secretary of State for the Environment what plans he has to impose stricter controls in respect of marketing claims that products are environmentally friendly. [22264]

Mr. Clappison: The Government are at present considering a report on the existing controls, including an assessment of possible changes, which was commissioned from the National Consumer Council and published by the council earlier this month. My Department has at the same time produced a document outlining the Government's intended strategy across the whole area of information for consumers about the environmental properties of products. This strategy paper addresses the question of controls over marketing claims made by manufacturers and has been circulated to interested organisations for comment. I am placing copies of the paper in the Libraries of the House.

The Government believe that it would be in the interests both of consumers and of manufacturers for there to be clear ground rules about the terms in which environmental claims on products are expressed. We therefore plan to encourage the formulation of a code of practice for the making of such claims. The Government's preference is to make progress in this area by stimulating the market to work better, rather than by adding to regulation. We will nevertheless consider the case put forward by the National Consumer Council for forms of statutory backing to support a code of practice.

Unitary Authorities (Council Tax)

Mr. Michael Brown: To ask the Secretary of State for the Environment what is the average change in the council tax between 1995–96 and 1996–97 for council tax payers in each of the unitary authorities which come into existence this year. [22214]

Sir Paul Beresford: I refer the hon. Member to the answer given by my hon. Friend the Minister for Local Government, Housing and Urban Regeneration to my hon. Friend the Member for Eastbourne (Mr. Waterson) on 20 March 1996, *Official Report*, column *213*.

Right to Buy

Mr. Harry Greenway: To ask the Secretary of State for the Environment how many people have exercised the right to buy their council house since May 1979; what number of *(a)* council and *(b)* housing association properties remain; and if he will make a statement. [21170]

Mr. Clappison: In the period between the introduction of the legislation in October 1980 and the end of September 1995, the latest date for which information is available, local authorities in England reported total right-to-buy sales of 1.235 million homes. In the same period, housing associations and new towns reported right-to-buy sales of 28,000 and 10,000 respectively.

The stock of local authority dwellings in England at 1 April 1995 was 3.565 million. The corresponding figure for housing associations is 856,000.

Homelessness

Mr. Alfred Morris: To ask the Secretary of State for the Environment how many homeless households were accepted by local authorities in 1995; and what were the figures for 1979. [21286]

Mr. Curry: In 1995, local authorities in England accepted responsibility to secure accommodation for 120,810 households under the homelessness provisions of the Housing Act 1985. The corresponding figure for 1979, adjusted to exclude intentionally homeless households which were no longer included after the first quarter of 1991, was 55,530. These figures are not strictly comparable because of changes made to reporting arrangements in 1980, for non-metropolitan districts, and 1982, for London boroughs and metropolitan districts.

Lambeth

Mr. Dunn: To ask the Secretary of State for the Environment if he will list the domestic rates, community charge and council tax arrears owed to the London borough of Lambeth. [22129]

Sir Paul Beresford: I refer my hon. Friend to the answer I gave him on Wednesday 20 March 1996, *Official Report*, column *214*.

Countryside Commission

Mr. Dunn: To ask the Secretary of State for the Environment when each member of the Countryside

Commission was appointed; what were the number of meetings held since that appointment and the number of meetings attended; and when each term of office is to be completed. [22126]

Mr. Clappison: Dates of first appointment, the end of the current term of appointment, and the number of commission meetings held and attended are listed below for each member of the Countryside Commission.

Member	*Date appointed*	*Term ends*	*Number of meetings held*	*Meetings attended*
Richard Simmonds (Chairman from 1 October 1995)	1 August 1995	30 September 1998	4	4
Sir John Johnson (Chairman to 30 September 1995)	1 April 1991	31 March 1996	30	29
Rachel Thomas	1 October 1987	30 June 1996	52	52
David Fletcher MBE	1 July 1988	31 March 1996	46	43
Sarah Ward	1 August 1991	31 March 1998	28	28
Sir Richard Carew Pole	26 September 1991	31 March 1996	28	26
Prof. Allan Patmore CBE	28 September 1992	30 June 1998	22	21
Rodney Swarbrick CBE	1 August 1993	30 June 1996	16	13
Lord Denham	1 August 1993	30 June 1996	16	11
Right Rev. Alan Chesters	1 October 1995	30 September 1998	4	3
David Barker MBE	1 October 1995	30 September 1998	4	4

Mr. Dunn: To ask the Secretary of State for the Environment if he will publish the fees and expenses paid to each member of the Countryside Commission since they were appointed. [22127]

Mr. Clappison: As chairman of the Countryside Commission, Richard Simmonds' remuneration is £37,990 for a three-day week. The other commissioners each receive remuneration of £5,455 based on a time input of two days per month. Total payments to 31 March 1996 are shown in the table.

Commissioners' expenses are paid in line with standard civil service terms and conditions. Total expenses claimed by each commissioner from 1 April 1993 to 19 March 1996 are also shown below. Earlier figures are not readily available.

£

Member	*Remuneration*	*Expenses*
Richard Simmonds (Chairman from 1 October 1995)	24,796.10	3,460.12
Sir John Johnson (Chairman to 30 September 1995)	161,323.52	14,787.65
Rachel Thomas	20,734.96	19,046.94
David Fletcher, MBE	20,734.96	8,257.07
Sarah Ward	20,734.96	3,161.02
Sir Richard Carew Pole	20,734.96	3,178.16
Prof. Allan Patmore CBE	18,320.96	5,693.88
Rodney Swarbrick CBE	14,141.96	3,356.78
Lord Denham	14,141.96	2,573.70

£

Member	*Remuneration*	*Expenses*
Right Rev. Alan Chesters	2,724.48	630.42
David Barker MBE	2,724.48	706.62

Brown-field Sites

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment what steps he is taking to promote the development of brown-field and contaminated sites in preference to green-field sites. [20958]

Mr. Robert B. Jones: Through our planning and environmental policies, we are encouraging the use of recycled urban sites and are increasing market confidence in them. For example, the housing White Paper proposes that 50 per cent. of all new housing should be built on such sites, assisting regeneration as well as protecting the countryside.

Council Tax (London)

Mr. Dunn: To ask the Secretary of State for the Environment if he will list the 10 London boroughs with the lowest record on collecting council tax, the cash and percentage owed and the political control of each authority. [22128]

Sir Paul Beresford: The information requested is as follows:

	1994–95 council taxes received as a percentage of annual net collectable debit April 1994–March 1995	*Uncollected 1994–95 council taxes during the period April 1994 –March 1994*[1] *£000*	*Political control as at February 1996*
Lambeth	56.4	21,846	Noc
Newham	72.8	7,254	Lab
Hackney	75.5	5,389	Lab
Southwark	79.9	5,924	Lab
Lewisham	81.2	6,439	Lab
Islington	81.2	4,958	Lab
Haringey	81.9	6,612	Lab
Camden	82.0	7,627	Lab
Tower Hamlets	84.6	2,531	Lab
Hammersmith and Fulham	85.7	4,083	Lab

[1] Based on information supplied to the Department in May 1995. NB. £23 million of council tax arrears in respect of the years 1993–94 and 1994–95 has been collected in the period April 1995 to December 1995 by these 10 authorities. This figure cannot be broken down between the two years.

Compulsory Competitive Tendering

Mr. Leigh: To ask the Secretary of State for the Environment when he expects to publish the annual report for 1995 on compulsory competitive tendering in local authorities in England. [22716]

Sir Paul Beresford: My Department has published today the compulsory competitive tendering annual report for 1995. The report charts the progress made during 1995 in establishing the new framework for competition for local authority white collar professional services. It also takes a wider look at what local authorities have achieved through voluntary competition and partnership with the private sector, and at what research tells us about the impact of competition and on costs and service standards.

Last year saw local authorities in London boroughs and metropolitan authorities preparing to let contracts for construction and property related services and legal services. Last year also saw information technology, finance and personnel services, as well as the cleaning of police buildings, being added to the list of defined activities subject to CCT and many authorities will be preparing to let contracts for these activities during the coming year.

During 1995, my Department investigated 66 cases of alleged anti-competitive behaviour. Frequently, a satisfactory resolution of complaints was achieved without statutory action, but in seven cases directions were given to authorities. Most of the directions required authorities to re-tender work early and to seek the Secretary of State's consent if they wished to reassign work to the direct services organisation, DSO. My right hon. Friend also gave 49 directions to authorities where activities had failed to meet the specified financial objective; some of these prevented the local authority from carrying out the work in-house.

Copies of the report will be sent to all local authorities in England, and to the main trade associations and others involved with CCT. Copies have also been placed in the House Library.

Water Byelaws

Mrs. Helen Jackson: To ask the Secretary of State for the Environment when he will issue guidelines relating to the revision of water byelaws. [23008]

Mr. Clappison: My Department issued a consultation paper on the format, scope, enforcement and administration of measures to replace the water byelaws in January 1995. We will establish shortly a water regulations advisory committee to consider proposals for inclusion within regulations under section 74 of the Water Industry Act 1991.

Sewerage and Water Services

Mrs. Helen Jackson: To ask the Secretary of State for the Environment what assessment he has made of the optimum size for the most efficient delivery of *(a)* sewerage services and *(b)* water services. [23010]

Mr. Clappison: The optimum size for the most efficient delivery of water and sewerage services will be determined by market forces, subject to satisfying the requirements of the competition and regulatory authorities.

Mrs. Jackson: To ask the Secretary of State for the Environment if he will list the total population covered by each of the water and sewerage companies in order of size, in respect of *(a)* water supply and *(b)* sewerage service. [23009]

Mr. Clappison: Information on the resident connected population for water supply and for sewerage services for each of the water and sewerage companies is given in table 1.7 in "Waterfacts 1995" published by the Water Services Association. A copy of this report is available in the Library.

Mrs. Jackson: To ask the Secretary of State for the Environment by what criteria he will judge whether the long-term public interest is served by mergers of the large water and sewerage undertakings. [23011]

Mr. Clappison: Mergers involving two or more water enterprises, each with assets of over £30 million, are referred automatically by my right hon. Friend the President of the Board of Trade to the Monopolies and Mergers Commission. If the MMC concludes that a merger would be against the public interest, it is for the president to decide what action, if any, should be taken to remedy or prevent any adverse effects arising from the merger.

Drinking Water

Mrs. Helen Jackson: To ask the Secretary of State for the Environment what assessment he has made of the treatment necessary to make safe drinking water contaminated by run-off from land fertilised with abattoir waste. [22979]

Mr. Clappison: The location of abattoir waste disposal sites is included in the National Rivers Authority's catchment control plans and run-off from farmland is carefully monitored to prevent pollution of watercourses.

Drinking water treatment processes offer multiple barrier protection against harmful organisms that might be present in abattoir and other polluting organic wastes.

As a primary barrier the water abstracted for treatment is monitored, often on a continuous basis, so that abstraction can be suspended in the event of pollution.

The secondary barriers are the clarification and filtration stages which remove suspended matter and greatly reduce the concentrations of harmful organisms.

As a tertiary barrier, disinfection of the treated drinking water, using chlorine or ozone, ensures that harmful organisms are either absent or present in such low concentrations that they do not present an identifiable risk to the health of consumers.

London Pensions Fund Authority

Mr. Waterson: To ask the Secretary of State for the Environment if he will make a statement about the management statement agreed between his Department and the London pensions fund authority. [23321]

Sir Paul Beresford: The statement agreed between my Department and the authority sets out in detail the responsibilities of the parties towards each other. The statement is due to come into operation on 1 April 1996. I have placed a copy in the Library.

Water Bills

Mr. Jim Cunningham: To ask the Secretary of State for the Environment what was the average water bill *(a)* in the United Kingdom and *(b)* for customers of Severn Trent Water for each of the last six years in (i) real terms and (ii) as a percentage change on the previous year. [21280]

Mr. Clappison *[holding answer 21 March 1996]:* This information is not kept on a United Kingdom basis. The information for England and Wales and for Severn Trent Water is as follows:

Average unmeasured household water and sewerage bills

1995–96 prices

	England and Wales		*Severn Trent*	
Year	*Average water and sewerage charges (£)*	*Annual real percentage change*	*Average water and sewerage charges (£)*	*Annual real percentage change*
1990–91	171	4.5	149	5.9
1991–92	181	5.6	155	4.3
1992–93	189	4.4	163	5.2
1993–94	199	5.6	170	4.2
1994–95	211	5.7	184	8.6
1995–96[1]	207	–2.0	186	0.9

[1] 1995–96 figures take into account rebates provided by five water and sewerage companies, including Severn Trent Water.

LORD CHANCELLOR'S DEPARTMENT

Libel Claims (Legal Aid)

Mr. Malcolm Bruce: To ask the Parliamentary Secretary, Lord Chancellor's Department what is his estimate of the cost of extending legal aid to libel claims; and if he will make a statement. [22692]

Mr. Jonathan Evans: No estimate of the cost of extending the scope of legal aid to libel claims has been made; nor is it the Government's intention at the present time to extend the scope of legal aid to libel cases. However, following consultation, the Lord Chancellor introduced on 8 February 1996 the Defamation Bill which is designed to bring the law of defamation up to date and to improve and simplify the procedures for litigants.

Judges (Retirement)

Sir Ivan Lawrence: To ask the Parliamentary Secretary, Lord Chancellor's Deaprtment on how many occasions the Lord Chancellor has used his powers under section 26 of the Judicial Pensions and Retirement Act 1993 to extend a judge's period in office beyond his or her statutory retirement age; and if he will list the names of those judges whose period in office has been extended. [23042]

Mr. Jonathan Evans: The Lord Chancellor has exercised his powers under this section twice, in relation to his honour Judge Paul Baker QC and his honour Judge Robin David QC. The Lord Chancellor has exercised his power to extend the judges' service in the public interest to meet specific requirements for their assistance in the disposal of court business.

TRANSPORT

Aircraft Safety Standards

Mrs. Dunwoody: To ask the Secretary of State for Transport, pursuant to his answer of 8 March 1996, *Official Report*, column *397*, if he will list the countries whose aircraft are listed by the Federal Aviation Administration as being unsafe to fly into the United States of America. [21377]

Mr. Norris: The Federal Aviation Administration is carrying out an international aviation safety assessment programme of foreign countries' aviation safety regulatory procedures, as a result of which they have listed countries in various categories according to the FAA's judgment of how fully the requirements of the International Civil Aviation Organisation are being met. The assessments do not relate to individual aircraft or airlines.

Details of this programme, the precise meaning and effect of the categories used and the latest country listings should be sought from the FAA office at the United States of America embassy in London.

Airport Development

Mrs. Dunwoody: To ask the Secretary of State for Transport what assessment the Civil Aviation Authority has made of the current terminal capacity for each of the major United Kingdom airports. [21289]

Mr. Norris: The CAA does not itself carry out assessments of terminal capacity. However, when producing assessments of overall airport capacity, it requests and takes into account data on terminal capacity provided by airport operators. The most recent CAA work in this area—an assessment of capacity for some London airports—was presented to the Heathrow terminal 5 public inquiry in November 1995 in supplementary proof of evidence.

Mrs. Dunwoody: To ask the Secretary of State for Transport, pursuant to his answer of 6 March 1996, *Official Report*, column *212*, what sites the Civil Aviation Authority has identified in the south-east of England and for airport development. [21363]

Mr. Norris: The Civil Aviation Authority, in its advice to the Government in July 1990—in civil aviation publication No. 570—identified seven airport sites in the south-east of England which appeared, on initial examination of airspace and air traffic considerations, to be able to handle additional traffic, but it concluded that further detailed assessments would be needed to confirm these findings. The sites identified by the CAA were as follows:

Heathrow

Gatwick

Stansted

Luton

Southampton

Manston

Lydd.

Airport Development

Mrs. Dunwoody: To ask the Secretary of State for Transport what information the Civil Aviation Authority collates in respect of the current terminal capacity for each of the major United Kingdom airports. [21875]

Mr. Norris: The CAA does not collate information in respect of the terminal capacity for each of the major Untied Kingdom airports. However, it may request such information when carrying out specific studies.

RAF Northolt

Mrs. Dunwoody: To ask the Secretary of State for Transport, pursuant to his answer of 6 March 1996, *Official Report*, column *211*, if he will make a statement on the assessment he has made on possible improvements to RAF Northolt. [21365]

Mr. Norris: I hope to make an announcement shortly.

Maintenance Mechanics

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the training and qualification requirements for mechanics undertaking maintenance work *(a)* on railway rolling stock and *(b)* aircraft. [21773]

Mr. Watts: The Railway (Safety Critical Work) Regulations 1994 underpin general health and safety duties and require employers to ensure that employees are fit and competent to carry out maintenance work. The detailed training and qualification requirements necessary for undertaking maintenance work on railway rolling stock are a matter for the railway operator to decide.

Details of the training, qualifications and licensing requirements for aircraft maintenance engineers are given in civil aviation publication No. 468, "British Civil Airworthiness Requirements, Section L—Aircraft Engineers". I will arrange for a copy to be placed in the Library of the House.

Railtrack (Assets)

Ms Short: To ask the Secretary of State for Transport, pursuant to his answer of 13 March, *Official Report*, column *609*, if the figure of £3,250 million was the total estimated by W. S. Atkins as required for maintenance of Railtrack's assets over 10 years. [22463]

Mr. Watts: As I said in my answer of 13 March, *Official Report*, columns *609–10*, the figure of £3,250 million is W. S. Atkins' central estimate of Railtrack's required expenditure under its asset maintenance plan for maintenance and renewals work on its track and route structures only in the 10 years from 1 April 1994. This estimate does not include day to day maintenance carried out under contract by the infrastructure maintenance companies on these assets or maintenance work on any other category of Railtrack asset.

Overcrowded Trains

Mr. French: To ask the Secretary of State for Transport what assessment he has made of the safety implications of overcrowded trains. [22444]

Mr. Watts: Following the Clapham and Cannon Street accident inquiries, the Health and Safety Executive's railway inspectorate commissioned a study into the effects of rapid train deceleration on both standing and seated passengers. It concluded that there was no need to prohibit passengers from standing in trains, but recommended that vehicle interiors should be designed to minimise the likelihood of injury from flying luggage, hard surfaces and sharp corners.

All rolling stock is designed to run safely when fully loaded.

London Underground Northern Line

Mr. John Marshall: To ask the Secretary of State for Transport which Northern line stations are being or will be improved or rebuilt as part of the modernisation of the Northern line. [22431]

Mr. Norris: London Underground Ltd. has plans to modernise or refurbish all the stations on the Northern line; most of this work would be undertaken as part of the Northern line modernisation project.

High-Speed Train (Fire)

Mr. Gapes: To ask the Secretary of State for Transport (1) what factors underlay the decision of the Health and Safety Executive not to publish a detailed account of the accident on a high-speed train at Maidenhead on 8 September 1995; [22146]

(2) if he will order a full report into the fire on a high-speed train at Maidenhead on 8 September 1995. [22145]

Mr. Watts: The Health and Safety Executive acknowledged the seriousness of the accident and the level of public interest by announcing on 11 September 1995 that it would make public the findings of its investigation into the fire on a high-speed train at Maidenhead on 8 September 1995. The findings, with recommendations, were published by the HSE on 16 January 1996.

A fully detailed report supporting those findings and recommendations was not prepared for publication because in the HSE's view it would have delayed publication of the findings and recommendations, it was not considered necessary, given the public nature of the associated inquest, and it would have diverted the inspectors concerned from work more directly related to accident prevention.

Equal Opportunities

Mr. David Shaw: To ask the Secretary of State for Transport what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodes and other organisations for which he is accountable to parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22509]

Mr. Norris: The only such payment was by the Driving Standards Agency, which made an ex gratia payment of £11,000 to a former member of staff earlier this year.

Rail Privatisation

Ms Short: To ask the Secretary of State for Transport what proportion of Railtrack he now proposes to sell in the forthcoming flotation. [22539]

Mr. Watts: No decision on the precise figure has been taken. We expect to offer at least 51 per cent. of the equity of Railtrack.

Office of Passenger Rail Franchising

Mr. Wilson: To ask the Secretary of State for Transport what are the leasing costs *(a)* paid and *(b)* expected to be paid for properties occupied by Opraf. [22657]

Mr. Watts: In 1995–96 Opraf has paid £447,000 to Property Holdings to cover the lease costs of property it occupied. In 1996–97 Opraf has budgeted £530,000 to cover leasing costs.

Heavy Goods Vehicle Licences

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the main medical conditions which lead to the loss of a heavy goods vehicle driving licence. [22753]

Mr. Norris: The main types of medical condition which must or may lead to refusal or revocation of a group 2 driving licence are:

neurological disorders, including epilepsy

neurosurgical disorders

cardiovascular disorders

diabetes mellitus

psychiatric disorders or severe mental handicap

alcohol misuse or dependency

illicit drug misuse or dependency

visual disorders.

Other miscellaneous conditions may also in certain cases lead to refusal or revocation of a licence.

Mrs. Dunwoody: To ask the Secretary of State for Transport how many drivers of heavy goods vehicles have lost their licences, for each of the last five years, for reportable medical conditions. [22754]

Mr. Norris: The information requested is shown in the table.

	Applications refused[1]	*Entitlement revoked*
1991[2]	824	360
1992	1,856	2,164
1993	1,062	1,400
1994	946	1,363
1995	691	1,435

[1] The figures do not differentiate between refusal to grant heavy goods entitlement on a first application and refusal to renew existing entitlements.

[2] Figures available for five months only.

Transport Research Laboratory

Mr. Allen: To ask the Secretary of State for Transport when he expects to complete the sale of the Transport Research Laboratory; and what is the expected price. [22770]

Mr. Norris: I expect to announce completion of the sale and the price paid shortly.

Rail Network Computer System

Mr. Bayley: To ask the Secretary of State for Transport if he will make a statement on the objectives and purpose of the A-Plan computer system to co-ordinate access to the rail network by passenger train operating companies and rail freight companies purchased by Railtrack; which companies provided this system; what it cost; and when it will come into operation. [22993]

Mr. Watts: The development of this system is entirely a matter for Railtrack.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Transport how much his Department has spent in total in answering parliamentary questions in each parliamentary Session since 1989–90. [22892]

Mr. Norris: This Department does not calculate the data requested, which could be provided only at disproportionate cost.

Roads (Expenditure)

Mr. Malcolm Bruce: To ask the Secretary of State for Transport what has been the actual or planned annual expenditure in 1995 prices on *(a)* road maintenance and repair, *(b)* new roads and *(c)* other roads expenditure, for each year from 1979–80 to 1998–99. [22772]

Mr. Watts: The following table gives the expenditure on trunk roads in England from 1979–80 to 1994–95, provision for 1995–96 and plans for 1996–97 to 1998–99. The columns represent new construction, maintenance, both capital and current, and other expenditure, including research and development from 1989–90 and design, build, finance and operate shadow tolls from 1996–97. All figures are at 1993–94 prices; figures at the later price base requested are not yet available.

£ million

	New construction	*Maintenance*	*Other*	*Total roads*
1979–80	829	264	—	1,093
1980–81	838	246	—	1,084
1981–82	844	340	—	1,184
1982–83	925	368	—	1,293
1983–84	863	326	—	1,189
1984–85	907	373	—	1,280
1985–86	866	369	—	1,235
1986–87	810	459	—	1,269
1987–88	853	490	—	1,343
1988–89	885	382	—	1,267
1989–90	1,087	531	13	1,631
1990–91	1,439	592	13	2,044
1991–92	1,363	616	14	1,993
1992–93	1,333	675	13	2,021
1993–94	1,336	708	12	2,056
1994–95	1,288	704	12	2,004

£ million

	New construction	Maintenance	Other	Total roads
1995–96	1,110	570	12	1,692
1996–97	902	501	50	1,453
1997–98	637	617	100	1,354
1998–99	618	581	121	1,320

Buses (Fuel Duty Rebate)

Mr. Malcolm Bruce: To ask the Secretary of State for Transport what would be the cost of restoring the full value of the fuel duty rebate for United Kingdom buses. [22774]

Mr. Norris: Approximately £80 million per year on the basis of current mileage claimed.

Rail Network (Investment)

Mr. Malcolm Bruce: To ask the Secretary of State for Transport what has been the actual, or planned, annual investment, in 1995 prices, in the United Kingdom rail network in each year from 1979–80 to 1998–99. [22773]

Mr. Watts: The table shows annual investment in the rail network between 1980 and 1994–95.

£ million

	1994–95 prices
1980	951
1981	810
1982	695
1983	767
1984–85[1]	786
1985–86	860
1986–87	822
1987–88	995
1988–89	975
1989–90	1,122
1990–91	1,238
1991–92	1,454
1992–93	1,633
1993–94	1,276
1994–95	1,022

[1] 1984-85 was a 15-month year. The figure given is the 12 month equivalent.

Investment in 1995–96 is expected to be around £1 billion. Investment in 1996–97 and later years is expected to increase, following the privatisation of Railtrack and other businesses.

Cones Hotline

Mr. Flynn: To ask the Secretary of State for Transport what was the total cost throughout its existence of the cones hotline; and how many calls to it led to action being taken. [22809]

Mr. Watts *[holding answer 25 March 1996]:* I refer the hon. Member to the reply that I gave him on 10 July 1995 at column *403*. This gives information about follow-up action after calls to the cones hotline, and about costs in the financial year 1994–95. The cost of establishing and running the cones hotline prior to March 1994 is not available as, until then, calls were routed through the Department of Transport's general inquiry number. The cost of running the cones hotline from April 1995 until September 1995 inclusive, when it was replaced by the Highways Agency information line, is estimated at £20,000, including staff and call charges.

Organophosphate Dips

Mr. Llwyd: To ask the Secretary of State for Transport if he will make a statement on the transportation of organophosphate dips. [22367]

Mr. Norris: The transport of organophosphorus dips by road and rail in Great Britain is controlled, like other goods classified as dangerous for transport, through a number of regulations made under the Health and Safety at Work, etc. Act 1974. These regulations place a wide range of duties for health and safety mainly on those consigning dangerous goods for transport or on the operators of the transport being used. There are also duties placed on drivers of road vehicles carrying dangerous goods.

Similar provisions apply to transport by sea and air.

Inquests

Mr. Allen: To ask the Secretary of State for Transport how many road death inquests involving accidental verdicts are followed by criminal prosecution of the responsible drivers in each of the last 10 years. [22212]

Mr. Sackville: I have been asked to reply.

The information requested is not available.

Amey Construction Ltd.

Mr. Key: To ask the Secretary of State for Transport, if he will list projects in which Amey Construction Ltd. was employed by his Department as contractors, by subject and by value, in the financial years 1994–95 and 1995–96. [22029]

Mr. Watts *[holding answer 25 March 1996]:* The information requested is listed. The contracts are divided into two groups; those contracts which started before 1 April 1994, but which reached completion within the time period specified; and those contracts which were awarded to the company in its own right, or in joint venture with another firm during the two financial years in question.

Contracts

	Award price £
Contract awards financial year 1994–95	
M40 between junctions 5–7, Oxfordshire	8,370,833
A40 Witney bypass—A4095 Overbridge, Asthall Barrow	2,582,447
A3 South of Burpham A3100 and A31	7,932,264
M26 between Dunton and Noah's Ark	3,551,824
A50 Blythe Bridge—Queensway, phase 2	21,307,483
A428 Bedford southern bypass (JV with Wimpey)	38,737,200
Contract awards financial year 1995–96	
M1 Junctions 38–42, communications upgrade	1,539,959
A40 Old Oak Common lane—Wood lane, west London	3,517,434
Term maintenance, west London 1996–2000	18,494,302
Term maintenance, Humberside CC 1996–1998	10,397,602

Contracts

	Award price £
Contracts reaching completion financial year 1994–95	
M4 junctions 4–4A Heathrow airport link road	2,755,299
A17 Leadenham bypass improvement	8,370,833
A40 between Long lane and West End road, Hillingdon	3,095,002
A650 Park road, Bingley, west Yorkshire	4,054,039
Contracts reaching completion financial year 1995–96	
A27 Patching between Worthing and Arundel	6,402,673

Marine Environment

Ms Walley: To ask the Secretary of State for Transport what plans he has to designate areas of risk to the marine environment; and what protection these areas will receive. [20908]

Mr. Norris: The Government are considering recommendation 59 of Lord Donaldson's report, "Safer Ships, Cleaner Seas", that marine environmental high risk areas should be established. We are supporting the work of the EC in establishing criteria for environmentally sensitive areas; any such designations need to be agreed internationally if they are to be effective. In addition, we are conducting surveys of maritime traffic to monitor the effectiveness of current routing arrangements. Surveys to date indicate that those arrangements are working; we will be consulting on the results.

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will list the recommendations of the Donaldson report together with the date that the recommendations were implemented. [21877]

Mr. Norris: Lord Donaldson's report, "Safer Ships, Cleaner Seas", CM 2560, contains 103 recommendations, which are listed in chapter 23. The position on each recommendation is summarised in my reply to the hon. Member for Pembroke (Mr. Ainger) on 14 March 1996, *Official Report*, column 722. Where recommendations have been implemented in full, this was often phased over several months, so a precise implementation date cannot be given.

M11 Link Road

Mr. Cohen: To ask the Secretary of State for Transport (1) what is the estimated completion date of the M11 link road *(a)* from Redbridge roundabout to Hackney and *(b)* through Wanstead to the Green Man; [22466]

(2) if he will recalculate the cost benefit analysis used to justify the M11 link road, taking into account the costs of constructing sections of the road but not achieving the expected benefits for several years due to the whole scheme being uncompleted; [22476]

(3) what estimate he has made of the cost to Tesco of delaying the opening of the superstore on the site of Leytonstone house due to the decision to put back the completion of the whole of the M11 link road; what assessment he has made of the risk of reduced planning benefit to the London borough of Waltham Forest from its agreement with Tesco; and if he proposes to compensate them both; [22477]

(4) if he will compensate those residents living within the vicinity of the M11 link road in Leyton and Leytonstone who wish to sell their property within the period of the delay in the completion of the road and who are unable to realise the full value of their home due to the extended period of blight on the area; and if he will make a statement; [22471]

(5) what security measures to avoid vandalism and theft, and at what estimated cost, will be in place when the section of the M11 link road through Leyton and Leytonstone is completed and vacated by the construction contractor until the road is in operation; what arrangements will be made, and by whom, to *(a)* clear rubbish dumped on this section of road, *(b)* stop young children gaining access to it, *(c)* stop car or drag races occurring on it and *(d)* stop access to this section of road by would-be squatters and anti-road protesters; and if he will make a statement; [22470]

(6) what assessment *(a)* he and *(b)* the Highways Agency have made of the effects, with special reference to catering for the volume of through traffic, of the severing important traffic routes and their proposed replacement in Leyton and Leytonstone prior to the completion of the link road; and what measures are planned to ameliorate the negative effects; [22468]

(7) what is the financial saving to Her Majesty's Government of delaying completion of the two phases of the M11 link road; [22479]

(8) if he will keep Leyton way open for through traffic until the M11 link road is completed; [22472]

(9) what cost benefit analysis he has *(a)* commissioned and *(b)* evaluated of leaving 2.4 km of newly constructed three-lane dual carriageway road through Leyton and Leytonstone vacant for a period of two years; [22469]

(10) what is the estimated completion date for contract 2 (Temple Mills to the Green Man) of the M11 link road; [22465]

(11) if he will provide compensation in the form of additional resources for recreational park and green space in Leyton and Leytonstone in recompense for the adverse environmental effect upon the area of delaying the completion of the M11 link road; and if he will make a statement; [22473]

(12) what is the estimated completion date of the Green Man replacement phase of the M11 link road; [22467]

(13) what is his assessment of the effect upon *(a)* the work at Leyton Yard, *(b)* the plans for Leyton relief road and *(c)* the single regeneration budget activity in this area of the delay in completing the relevant phase of the M11 link road. [22478]

Mr. Norris: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Harry Cohen, dated 26 March 1996:

As you know I have been asked by the Secretary of State for Transport to reply to your Parliamentary Questions about the A12 Hackney to M11 Link Road; I have taken them in the order they were asked.

The programme announced in November 1995 envisaged completion of the A12 Hackney to M11 Link Road in 1999. We hope to open the section from Redbridge, through Wanstead to just east of the Green Man roundabout early in 1998.

We will not be undertaking a further cost benefit analysis. Cost benefit analyses are carried out as part of the decision making process for road schemes. We do not carry out further analysis once the scheme is under construction.

We have not made any estimate of the cost to Tesco of delaying the opening of their store nor of the risk of reduced planning benefit to the London Borough of Waltham Forest. All our programmes are subject to change and to the availability of funding, this is a known risk which developers and local authorities must take into account in their planning.

Part 1 of the Land Compensation Act 1973 provides a right for people to claim compensation if they consider their property has suffered depreciation in value due to specified physical factors—including noise, smell, fumes, smoke and artificial lighting arising as a direct result of the use of a new or altered road.

Claims may normally be made one year after the road first opens to public traffic and public notices are placed in the local press at the appropriate time. But if any of your constituents need to sell before then, there is scope for claims to be made earlier.

The question of security and measures to prevent vandalism is still under consideration and we will be having discussions with the police, local authorities and others in the run up to the completion of this section. I shall let you know the outcome nearer the time.

The construction of new roads inevitably has a disruptive effect on the local road network, particularly so in urban areas. We are discussing with the London Borough of Waltham Forest what can be done for road users in Leyton and Leytonstone.

There are no savings over the life of the scheme. All we are doing is managing the roads programme within the budget available.

We are in discussion with the London Borough of Waltham Forest about traffic management measures for road users in Leyton and Leytonstone. However, any measures identified would require the co-operation of the local authority in making the orders for the local roads.

We have not undertaken any further cost benefit analysis for the reasons I mentioned earlier.

The estimated completion date for Contract 2 is Summer 1997, assuming that we can resolve with the London Borough of Waltham Forest the acquisition of the necessary land.

We do not plan to provide compensation in the form of additional resources for recreational park and green space in recompense for the delay in completing the Link Road.

Replacement of the Green Man roundabout will determine the completion of the whole of the Link Road; it is currently estimated to be in the Autumn of 1999.

The delay to the overall scheme will have knock-on effects for some regeneration projects in the area. The Stratford Development Partnership have already made representations to officials about this and we will be responding to them shortly. Officials from the Government Office for London will be happy to discuss with the Partnership and others what effect these delays will have on their programme.

Railway Station Staff

Ms Jowell: To ask the Secretary of State for Transport what was the total number of staff employed at rail stations in London in *(a)* 1994 and *(b)* 1995; and what is the estimated number for 1996. [22403]

Mr. Norris: The information requested can be provided only at disproportionate cost.

Coastguard (Display Screen Equipment)

Mrs. Dunwoody: To ask the Secretary of State for Transport, pursuant to his answer of 12 February 1996 *Official Report*, column *417*, if he will list separately for each Coastguard office the date when the last risk assessment was undertaken of the Display Screen Equipment Regulations and the Workplace Regulations. [21821]

Mr. Norris: I have asked the chief executive of the Coastguard Agency to write to the hon. Member.

Letter from C. J. Harris to Mrs. Gwyneth Dunwoody, dated 26 March 1996:

The Secretary of State for Transport has asked me to reply to your recent question about risk assessments of display screen equipment in the Coastguard Agency.

The dates of the last completed risk assessment in each office is as follows:

Office	*Date*
Headquarters	1 June 1995
Training Centre	8 November 1995
West Scotland and Northern Ireland Region MRCC	19 March 1996
Belfast MRSC	15 March 1996
Stornoway MRSC	13 March 1996
Oban MRSC	22 February 1996
North and East Scotland Regional MRCC	5 March 1996
Shetland MRSC	12 April 1995
Pentland MRSC	20 December 1994
Forth MRSC	1 February 1995
Western Region MRCC	19 March 1996
Milford Haven MRSC	4 October 1995
Holyhead MRSC	1 April 1995
Liverpool MRSC	8 January 1996
Eastern Region MRCC	9 March 1995
Humber MRSC	3 March 1995
Tyne Tees MRSC	2 March 1995
South Western Region MRCC	Not completed
Portland MRSC	Not completed
Brixham MRSC	Not completed
South Eastern Region MRCC	20 March 1996
Thames MRSC	19 May 1995
Solent MRSC	5 April 1995

MRCC—Maritime rescue co-ordination centre MRSC—Maritime rescue sub-centre

Traffic and Economic Growth

Dr. Lynne Jones: To ask the Secretary of State for Transport if he will make a statement on the relationship of economic growth and traffic growth and its impact on the environment; and what assessment he has made of future trends. [22361]

Mr. Norris: I refer to the answer that I gave to the hon. Member on 18 March 1996, *Official Report*, column *44*. Forecasts of a number of environmental impacts are already prepared—for example, of vehicle emissions—which take into account the impacts from traffic growth.

Child Car Seats

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) how many fatalities or injuries have occurred in each of the last five years as a result of the improper fitting of a child car seat; [22755]

(2) how many fatalities or injuries have occurred in each of the last five years as a result of a front passenger seat airbag hitting a child car seat. [22752]

Mr. Norris: The information requested is not available.

Contracts

Mr. Donohoe: To ask the Secretary of State for Transport how many contracts for goods or services have been awarded by his Department and its executive agencies on the basis of single negotiated contracts in each of the last three years; if he will list the companies involved and the value of the contract in each case; what percentage this represented of contracts awarded by his Department and its agencies after competitive tendering; and, in each case, why the contracts were awarded on the basis of a single negotiated tender. [22865]

Mr. Norris: The information requested is not held centrally and could be obtained only at disproportionate cost.

Mr. Donohoe: To ask the Secretary of State for Transport what guidelines are currently in force in his Department and its executive agencies relating to competitive tendering and the use of single negotiated tenders; on what grounds single negotiated tenders can be used; and what procedures are in place within his Department to ensure that the use of single negotiated tenders in competitive tendering processes is justified in all cases. [22849]

Mr. Norris: General guidance on procurement is contained in the Department of Transport's procurement manual. Goods, works and services are acquired by competition unless there are convincing reasons to the contrary. Single tender action may be justified where the proposed supplier was successful in a competitive exercise within the previous 12 months by tendering the best price and is prepared to offer the same or lower prices; it is known that goods or services can be provided only by one supplier; repairs to specialist equipment is required which can be carried out only by the original supplier; specialist spares are required which may be obtained only from the original supplier; essential compatibility with existing equipment or previous service is required. Single tender cases which exceed the relevant EC threshold are dealt with under the negotiated procedure. All procurement takes place within a framework of contractual delegations. Delegation holders are responsible for the proper exercise of delegations within their areas of responsibility and ensuring that delegation limits are not breached. Delegations are set lower for single tender cases than for competition.

M25 Widening Scheme (Exhibition)

Mr. Mackinlay: To ask the Secretary of State for Transport (1) at what hours it is proposed that the exhibition relating to the widening of the M25 between junctions 12 and 15 to be held at Egham sports centre will be open to the public; and if he will extend the duration of the exhibition to three days; [23035]

(2) what advance publicity it is proposed to give to the exhibition relating to the services for widening the M25 between junctions 12 and 15 due to be held at Egham sports centre on 9 May; [23034]

(3) if he will make a further statement on the proposed widening of the M25 between junctions 12 and 15 in advance of the exhibition on 9 May to be held at Egham sports centre. [23036]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Andrew Mackinlay dated 26 March 1996:

As you know John Watts, the Minister for Railways and Roads, has asked me to reply to your recent Questions about the proposed widening of the M25 between Junctions 12 and 15 and the proposed public exhibitions.

We hope to publish an Environmental Statement on this scheme shortly. We shall provide details of the dates of the public exhibitions at that time, but expect them to be held over a number of days at a number of local venues.

We would expect to provide full advance publicity about the exhibitions, which would include a press notice, a public notice and advertisements in local papers, and leaflets explaining the proposals will be distributed to local residents. We will also be writing to all those who commented on the previous Link Road proposals.

Ministers will make an announcement when the proposals are published.

Railway Industries

Mr. Riddick: To ask the Secretary of State for Transport if he has set revised figures for external finance limits and contributions for the railway industries; and what estimates he has made of proceeds form the sales of businesses and the external finance contributions lost when those businesses were sold. [23238]

Mr. Watts: The revised figures for 1995–96 are as follows:

	£ million
Grants	1,805
BR EFC	–730
Railtrack EFC	–114
BR/Railtrack EFL	961
Privatisation effects	–980
Total national rail	–19
EPS + Union Railways	317
Total rail	298

1. EFC means external financing contribution. EFL means external financing limit.
2. Grants include support to passenger rail services paid by the Franchising Director and metropolitan railway grant, including approximately £70 million of grant paid by the Scottish Office in support of passenger transport executive services in Scotland.
3. Privatisation effects is an estimate of the proceeds from sales of rail businesses less their EFCs. Proceeds are forecast to be some £1,280 million, of which some £740 million is attributable to sale of the rolling stock lease companies, some £133 million to the sale of British Rail Telecommunications Ltd and some £30 million to the sale of British Rail Maintenance Ltd. Proceeds may be subject to adjustments when completion accounts are agreed. Lost EFCs in 1995–96 are forecast to be approximately, £300 million. Total of proceeds from the sale of the rolling stock lease companies will comprise approximately a further £1 billion in 1996–97 and a deferred consideration of up to £80 million.
4. The EPS and Union Railways EFL was increased in year by calls on the Reserve of £197 million. The EFL set at the beginning of the current financial year covered only the period 1 April 1995 to 30 September 1995.

SOCIAL SECURITY

Underpayments

Mr. Mudie: To ask the Secretary of State for Social Security how much of the £182.7 million underpaid to

claimants by the Benefits Agency in 1994–95 was subsequently paid. [22577]

Mr. Roger Evans: The administration of income support is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. George Mudie, dated 25 March 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how much of the £182.7 million underpaid to claimants by the Benefits Agency in 1994–95 was subsequently paid.

The information requested is not available as statistics on the amount of benefit paid retrospectively are not maintained. The National Audit Office's report of 1994–95 reported that £182.7 million of Income Support (IS) was underpaid. This includes non-cash underpayments concerning the apportionment of IS and other benefits.

When an underpayment of benefit is identified in a particular case, payment of arrears will normally be made.

I hope you find this reply helpful.

Benefits Agency

Mr Mudie: To ask the Secretary of State for Social Security if he will list the number of Benefits Agency employees earning between (i) £30,000 and £40,000 and (ii) 40,000 and £50,000 in *(a)* 1993–94 and *(b)* 1994–95. [22678]

Mr. Roger Evans: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. George Mudie, dated 25 March 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking if he will list the number of Benefits Agency employees earning between (i) £30,000 and £40,000 and (ii) £40,000 and £50,000 in *(a)* 1993–94 and *(b)* 1994–95.

The information requested is shown below:

	1993–94	*1994–95*
£30,000—£40,000	315	294
£40,000—£50,000	149	134

Figures are provisional and subject to change.

I hope you find this reply helpful.

Income Support

Mr. Mudie: To ask the Secretary of State for Social Security (1) if he will list the number of staff and cost of the quality support team in 1994–95; [22679]

(2) if he will list the financial savings made as a result of the work of the quality support team in 1994–95; [22681]

(3) if he will list the target figures and the achievement figures set for the Benefits Agency in respect of accuracy of income support for *(a)* 1993–94 and *(b)* 1994–95; [22576]

(4) if he will list the gross total errors in income support for 1994–95 *(a)* recorded by and *(b)* notified to his Department indicating the amount attributed to mortgage interest payments. [22578]

Mr. Roger Evans: The administration of income support is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. George Mudie, dated 25 March 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking: if he will list the numbers of staff and cost of the Quality Support Team (QST) in 1994–95; if he will list the financial savings made as a result of the work of the QST in 1994–95; if he will list the target figures and the achievement figures set for the Benefits Agency (BA) in respect of accuracy of Income Support (IS) for (a) 1993–94 and (b) 1994–95; and if he will list the gross total of errors in IS for 1994–95 (a) recorded by and (b) notified to his Department indicating the amount attributed to mortgage interest payments.

In 1994–95 there were 46 members of staff in the QST. The total running cost, which includes staff salary costs and goods and services, was £1,419,602. Although the QST do not generate financial savings they do provide the BA with an objective and reliable internal measurement of performance on an ongoing basis, they estimate the likely cost to the public account of all errors and they identify key areas of weakness and offer potential solutions. The QST also inform the BA's improvement programme investment appraisal and strategic process and they monitor the impact of newly introduced national and local initiatives.

The Secretary of State target for accuracy of IS payments in 1993–94 and 1994–95 was 92 per cent. The BA achieved an accuracy rate of 90.7 per cent. in 1993–94 and 86.3 per cent. in 1994–95.

The information is not available in the format requested because it is not possible to identify mortgage interest payments separately from other housing costs. The gross monetary value of the errors for 1994–95 recorded by the BA was £514 m, which includes both under and overpayments. £112M was attributable to housing costs which includes mortgage interest.

The National Audit Office notified an error rate of 16.1 per cent. for 1994–95. The gross monetary value was £848.2 m. Of this £108.6 m was attributable to housing costs which includes mortgage interest.

I hope you find this reply helpful.

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what would be the annual cost of restoring the full rate of income support to those people in the 18 to 25 years age group. [22784]

Mr. Evans: The estimated annual cost in 1996–97 of raising the income support rate for 18 to 24-year-olds to that payable for people aged 25 and above is £360 million.

1. Estimates are based upon the 1994 Income Support Quarterly Statistical Enquiry and the 1991, 1992, and 1993 Family Expenditure Surveys uprated to 1996–97 levels.

2. The estimated figure includes the cost of linked increases in Housing Benefit and Council Tax Benefit thresholds and has been rounded to the nearest £5 million.

Mr. Mudie: To ask the Secretary of State for Social Security how much of the £546.1 million estimated to have been paid in error by the Benefits Agency in 1994–95 was recovered. [22575]

Mr. Evans: This is a matter for Peter Mathison, the chief executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. George Mudie, dated 25 March 1996:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking how much of the £546.1 million estimated to have been paid in error by the Benefits Agency (BA) in 1994–95 was recovered.

This information is not available because the figure quoted is based on a small sample of cases checked by the National Audit Office which estimated that £546.1 million of benefit was overpaid during 1994–95.

However the BA will seek recovery in any individual cases where a recoverable overpayment is identified.

I hope you find this reply helpful.

Year	*Expenditure (£000's)*
1990–91	8,600
1991–92	23,000
1992–93	15,000
1993–94	12,400
1994–95	77
1995–96[1]	63,000

[1] Up to and including 19 March 1996.

Social Fund

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is his estimate of expenditure on the social fund for each of *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98. [22783]

Mr. Roger Evans: The information is set out in the table.

Social Fund Estimated Expenditure at time provision was voted

£ million

Expenditure met from	*1995–96 estimated out-turn*	*1996–97 plans*	*[3]1997–98 plans*
Regulated Social Fund[2]	[1]86	83	100
Discretionary Social Fund	140	143	150
Total	226	226	250

[1] Care is needed in the interpretation of expenditure on the regulated fund as cold weather payments are demand led. The 1995–96 outturn for cold weather payments, including a spring supplementary estimate of £24 million, is now expected to be about £55 million higher than the original estimate of £8 million included in the figure given.

[2] Projections in the regulated fund include a reduction in funeral payment expenditure as a result of reforms introduced during 1995–96.

[3] 1997–98 figures are rounded to the nearest £50 million.

Pensions Uprating

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what would be the annual cost of giving non-resident pensioners the same pensions uprating as for resident pensioners. [22778]

Mr. Heald: The estimated cost of paying fully indexed benefits to all state retirement and widow pensioners living abroad whose benefits are not uprated is £235 million a year—latest available figure based on April 1994 rates of benefit. The estimated cost of paying just the April 1994 uprating to these pensioners is estimated to be £16 million.

Child Benefit

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what would be the annual cost of raising the level of child benefit by £5 per week for each first child only. [22782]

Mr. Andrew Mitchell: It is estimated that the net cost would be £1.35 billion in 1996–97 prices, after taking account of the effect on income-related benefit expenditure.

Christmas Bonus

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what would be the cost of replacing the Christmas pensioners bonus with a double payment of state pension in the first week of December. [22780]

Mr. Heald: The £10 Christmas bonus is paid to all those who are entitled to receive a qualifying benefit in the first week in December. To replace the bonus with an extra week's entitlement of basic state pension for the recipients of retirement pension alone would cost [1]£440 million at December 1996.

[1] 1996–97 prices rounded to nearest £10 million.

Source:

Government Actuary's Department's report on Social Security Uprating Order 1996—Cm3149.

Indian Sub-continent

Mr. Marlow: To ask the Secretary of State for Social Security if he will break down by categories and amounts, the money form the social security budget sent to the Indian subcontinent over the last year for which figures are available. [22838]

Mr. Heald: The information is in the table:

	£ Amount
Retirement pension	15,634,083
Widow's benefit	2,079,196
War pension	9,067
Total	17,722,346

1. The information relates to 1995.
2. Figures are provisional and subject to change.
3. Figures have been rounded to nearest £.

Disability Living Allowance

Mr. Tipping: To ask the Secretary of State for Social Security what recommendation he has received from the Social Security Advisory Committee about the proposal to remove the disability living allowance mobility component from long-term hospital patients; and if he will place a copy of the Social Security Advisory Committee's comments in the Library. [22581]

Mr. Andrew Mitchell: The Social Security Advisory Committee has recently submitted its report, which we are studying carefully. A command paper containing the committee's recommendations and the Government's response will be laid before Parliament with the draft regulations in due course.

National Insurance

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is his estimate of the annual cost of raising the starting rate for the payment of employee national insurance contributions to the same level as the personal income tax allowance; and how many people would cease to pay employee national insurance contributions as a consequence. [22718]

Mr. Heald: The estimated loss in revenue from employee national insurance contributions would be some £650 million in a full year. On average, about 0.7 million employees in any week would no longer be liable to pay contributions.

Source:

Government Actuary's Department.

Mr. Bruce: To ask the Secretary of State for Social Security what is his estimate of the additional annual revenue which would accrue to the Exchequer from extending employer national insurance contributions to all benefits in kind. [22719]

Mr. Heald: The estimate is £250 million based on 1995–96 figures.

Note:

The information available relates only to extending employer national insurance contributions to taxable benefits in kind.

State Pensions

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what would be the cost of abolishing the contributory principle for state pensions. [22777]

Mr. Heald: The additional cost in 1996–97 of paying the basic state retirement pension at the full rate of £61.15 to all individuals over state pension age in Great Britain is estimated at £4 billion.

Notes:

1. A gross cost of £5.5 billion is estimated by calculating the total cost of a Pension of £61.15 per week for everybody over state pension age in the GB population and deducting the estimated cost of the contributory benefits currently payable to those people. The net cost of £4 billion takes account of the effects on income-related benefits.

2. The estimated cost assumes that additions to basic retirement pension (adult dependency increases, increments, graduated pensions, age addition and invalidity addition) will continue to be paid and that overseas pensioners continue to get all benefits under the current rules.

3. It is not possible to estimate the costs of making the state earnings-related pension scheme (SERPS) non-contributory as it is an earnings-related scheme.

4. All costs are in 1996–97 prices, rounded to the nearest £0.1 billion and are based on the September 1995 public expenditure settlement.

Source:

Government Actuary's Department.

Unemployment (21-hour Rule)

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what would be the annual cost of abolishing the 21-hour rule for unemployed people studying or being trained for more than 21 hours per week. [22781]

Mr. Roger Evans: The 21-hour rule is a concession to help unemployed people who have left full-time education but who wish to take up part-time study or training while they are unemployed. There are insufficient data on which to base a reliable estimate of the cost of abolishing this rule.

Jobseeker's Allowance

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is his estimate of the annual cost savings from the introduction of the jobseeker's allowance. [22785]

Mr. Roger Evans: The current estimates for the savings from the introduction of the jobseeker's allowance are £60 million in 1996–97 and £240 million in 1997–98. These figures are lower than the estimates given in the financial memorandum to the Jobseekers Bill. This is due to the deferral of introduction from April 1996 to October 1996, revised forecasts of unemployment, changes to the transitional arrangements for those in receipt of unemployment benefit when jobseeker's allowance is introduced and the use of more recent data.

Benefit Restriction (Young People)

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what has been the annual saving from restricting income support and other benefits to people between the ages of 16 and 18 years. [22717]

Mr. Roger Evans: Young people aged 18 years are entitled to income support under the normal rules; 16 and 17-year-olds not required to be available for work are similarly entitled. There is no restriction on access to any other benefit.

Since 1988, the Government have further encouraged unemployed 16 and 17-year-olds to take the more positive option of youth training in place of dependence on benefit. Reliable estimates of the number of claims that would have been made by this group under the previous arrangements are not practicable. They would be dependent on a variety of economic and other assumptions.

Departmental Performance Targets

Mr. Leigh: To ask the Secretary of State for Social Security what performance targets he has set his Department's agencies for 1996–97; and if he will make a statement. [23285]

Mr. Lilley: The targets I have set the Department's executive agencies for 1996–97 are as follows.

The targets represent a significant challenge to each agency, and focus effort on the key elements of their individual businesses.

The resettlement agency will have fulfilled its overall objectives by completing its disengagement programme by 31 March 1996, and will have transferred all its residual functions to this Department's headquarters by that date.

Further information on the agencies' plans for 1996–97 is contained in their individual business plans which have been published today. Copies have been placed in the Library.

The targets for 1996–97 are:

BENEFITS AGENCY

1. *Benefit claims clearance times*

Social Fund Crisis Loans—the day the need arises.

Income Support claims—63 per cent. in 5 days and 87 per cent. in 13 days.

Incapacity Benefit claims—65 per cent. in 10 days and 85 per cent. in 30 days.

Child Benefit claims—68 per cent. in 10 days and 94 per cent. in 30 days.

Disability Living Allowance claims—65 per cent. in 30 days and 85 per cent. in 53 days.

Faster Family Credit claims—90 per cent. in 5 days.

2. *Benefit accuracy*

Income Support accuracy—to pay the correct amount in 87 per cent. of cases.

Incapacity Benefit accuracy—to pay the correct amount in 94 per cent. of cases.

Family Credit accuracy—to pay the correct amount in 91 per cent. of cases.

Disability Living Allowance accuracy—to pay the correct amount in 96 per cent. of cases.

3. *Financial recovery and financial control*

156,700 claims of those obtaining benefit by deception to be withdrawn within 10 days of fraud investigation, and 189,000 within 28 days.

Security Savings—£1,500 million.

Overpayment Recovery—£91.5 million.

Social Fund Loans Recovery—£278 million.

4. *Resource management*

To manage the Agency's resources to deliver its Business Plan within gross allocation.

To keep to the cash limited agreement with Treasury for the discretionary Social Fund budget approved by Parliament.

5. *Customer satisfaction*

Customer Satisfaction—85 per cent. to regard the Agency's service as satisfactory or better.

CONTRIBUTIONS AGENCY

1. *Performance: Compliance*

Collection of contributions arrears (excluding Central Payments Section) of £220 million.

Identification of £150 million Class 1 arrears as a result of compliance work.

Actively identify 40,000 persons with Class 2 liability who have an immediate requirement to pay contributions.

2. *Performance: Records maintenance*

Process 98 per cent. of available employers' end of year returns by 31 December 1996.

Correct 94 per cent. of rejects from employers' end of year returns by 31 March 1997.

3. *Performance: Information provision/customer service*

Clear 99 per cent. of benefit enquiries handled clerically in two working days to 98 per cent. accuracy.

Despatch either a full reply, or an informative response, to 95 per cent. of customer enquiries within ten working days of receipt.

To register Appropriate Personal Pension (APP) cases and process 95 per cent. of straightforward APP termination notices within 22 working days.

4. *Resource management*

To manage the Agency's resources to deliver its Business Plan within a total budget of £228.775 million.

5. *Customer satisfaction*

Provide a level of public services considered to be satisfactory by at least 80 per cent. of customers surveyed.

CHILD SUPPORT AGENCY

1. *Performance*

Sixty per cent. of new maintenance applications to be cleared within 26 weeks and as at 31 March 1997 no more than 10 per cent. of all maintenance applications received by Agency to be over 52 weeks old.

To achieve a continuing improvement in accuracy so that in at least 85 per cent. of cases checked during March 1997 the cash value of the assessment will be correct.

Where a client is dissatisfied with a Child Support Officer's decision and requests a review, 55 per cent. to be cleared within 13 weeks; 80 per cent. within 26 weeks; and no more than 15 per cent. to be older than 26 weeks at 31 March 1997.

A band of £380–£400 million of maintenance to be collected or arranged for direct payment from the absent parent to the parent with care in 1996–97.

Ninety five per cent. of payments to parent with care to be made within 10 working days of receipt from an absent parent.

WAR PENSIONS AGENCY

1. *Performance*

Disablement First Claims (UK)—60 per cent. cleared in 145 days.

Disablement Second and Subsequent Claims—60 per cent. cleared in 135 days.

War Widows' Claims (UK)—80 per cent. cleared in 70 days.

Claims accuracy—95 per cent.

All appeals—60 per cent. in 260 days.

As at 31 March 1997, to have no more than 30 per cent. of outstanding appeals more than 260 days old.

To clear 12,000 appeals during 1996–97.

2. *Resource management*

To manage the Agency's administration resources so as to deliver the Business Plan within a total budget of £34.14 million.

3. *Customer satisfaction*

To achieve a level of 85 per cent. of war pensioners sampled who regard the Agency's service as satisfactory or better, as determined by an independent survey.

INFORMATION TECHNOLOGY SERVICES AGENCY

1. *Performance*

Deliver an overall business efficiency improvement of 13.5 per cent.

Deliver 92 per cent. of services to customers to service levels for time, budget and quality as agreed in contracts.

To develop, test and deliver, to agreed timescales and with agreed functionality the Jobseeker's Allowance Payment System (JSAPS) to enable JSA implementation from 7 October 1996.

To develop, test and deliver, to agreed timescales for the Customer Accounting and Payment System (CAPS) programme, the necessary facilities to support payment by card and improved programme accounting.

Define and develop, to agreed timescales, an approach to customer satisfaction measurement which is consistent with industry standards.

Define and develop ITSA's business strategy, to agreed timescales, according to the needs of the Departmental Change Programme and the Agency's customers.

2. *Resource management*

Manage ITSA's resources within the Agency's Funding Regime.

Savings

Lady Olga Maitland: To ask the Secretary of State for Social Security what estimate he has made of the annual savings from his social security reforms *(a)* at the end of the century and *(b)* in 2030. [19721]

Mr. Lilley: The reforms I have announced to date are expected to reduce public spending by £5 billion a year in today's prices by the turn of the century. By 2030 this will rise to £15 billion a year.

TREASURY

ECOFIN

Mr. Matthew Banks: To ask the Chancellor of the Exchequer if he will make a statement on the recent Council meeting of the Economic and Finance Ministers of the European Union. [20892]

Mr. Kenneth Clarke: I represented the UK at the Economic and Finance Council of the European Union in Brussels on 11 March.

ECOFIN adopted the Council's recommendation to the European Parliament for the discharge of the 1994 budget and considered the European Court of Auditors' annual report and the first statement of assurance on the 1994 budget. I noted that although the court's reports showed that there were still unacceptable levels of error, poor management and lack of financial control there were significant improvements in comparison with the previous year. In particular, I was encouraged by the steps taken by the Commission to address criticisms in earlier reports and to improve its internal financial management through the SEM 2000 programme. I announced that the UK would shortly be writing to the court responding to its detailed observations on UK management of Community funds, in line with the Madrid European Council conclusions, and that I hoped other member states would do the same. I also underlined the importance of the Madrid European Council's request that the Council and Commission should consider extending the system of fines for the misapplication of funds in the agriculture sector to other sectors of the budget and hoped that this would be taken forward as quickly as possible.

The Council endorsed the Commission's 1996 work programme for the fight against fraud and expressed support for its four major themes, stronger presence on the ground, strengthening the partnership between the Community and member states, improving the Community's legislative framework and compatibility between national laws.

In accordance with the June 1995 ECOFIN conclusions, the Commission gave its biannual presentation on the situation in categories 3 and 4 of the financial perspective. Germany tabled a declaration that any proposal to amend the financial perspective would be unacceptable. This was supported by France, Netherlands, Sweden and Austria as well as by the UK.

The Council took note of my reservations as well as those expressed by Denmark, Germany and the Netherlands on the Commission proposals for the creation of an audiovisual guarantee fund to be managed by the European investment fund.

The Council agreed a proposal for up to 15 mecu of macro-financial lending to Moldova. The Council did not reach agreement on the proposal for extending the mandate for European investment bank—EIB—lending to Asia and Latin America, which expired at the end of 1995.

The Council mandated COREPER to continue work on the Commission proposals to allow member states to apply a reduced VAT rate to flowers and other horticultural and forestry products. The Council also invited the Commission to come forward with new proposals for common parameters within which member states which wished to do so could introduce carbon/energy taxes.

In the afternoon, ECOFIN had its fifth meeting with the central and east European Finance Ministers and discussed the macro-economic challenges faced by the countries preparing for accession.

Department Staff (Working Hours)

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21586]

Mrs. Angela Knight: The number of staff recorded as being paid for overtime which took their hours worked to over 48 hours in a week is 278, which represents 24 per cent. of the Department's staff.

No records are held centrally of the hours worked either by senior staff not eligible for paid overtime or by those on flexible working schemes.

Earnings

Ms Rachel Squire: To ask the Chancellor of the Exchequer what are the average weekly earnings (i) including and (ii) excluding overtime for part-time workers in *(a)* Great Britain, *(b)* Scotland and *(c)* each region of Scotland, broken down for men and women (1) in manual employment, (2) in non-manual employment and (3) in other employment. [22059]

Mrs. Angela Knight: Available information from the New Earnings Survey, April 1995, is shown in the table.

Average weekly earnings, of part-time employees on adult rates, whose pay for the survey period was not affected by absence[1]

£

	Including overtime			*Excluding overtime*		
	Manual	*Non-manual*	*All*	*Manual*	*Non-manual*	*All*
Great Britain						
Males	98.09	149.75	126.29	86.35	143.99	117.82
Females	76.60	114.19	101.63	72.24	109.33	96.95

Average weekly earnings, of part-time employees on adult rates, whose pay for the survey period was not affected by absence[1]

£

	Including overtime			Excluding overtime		
	Manual	*Non-manual*	*All*	*Manual*	*Non-manual*	*All*
Scotland						
Males	—	—	—	—	—	—
Females	78.17	116.60	101.41	72.88	111.18	96.04
Grampian						
Males	—	—	—	—	—	—
Females	—	120.61	102.64	72.97	—	98.10
Lothian						
Males	—	—	—	—	—	—
Females	—	120.19	107.32	74.97	114.25	101.58
Strathclyde						
Males	—	—	—	—	—	—
Females	81.42	121.05	105.05	74.55	115.43	98.93

[1] Data are not available for Borders, Central, Dunfries and Galloway, Fife, Highlands and Tayside due to limited sample sizes.
[2] Result not available due to limited sample size.
Source:
New Earnings Survey, April 1995 (GB).

Mr. Prescott: To ask the Chancellor of the Exchequer what are the average hourly earnings of *(a)* full-time and *(b)* part-time employees in England (i) including and (ii) excluding employees covered by national agreements. [22248]

Mrs. Knight *[holding answer 22 March 1996]:* Information available from the new earnings survey, April 1995 shows that the average hourly earnings of full-time employees in England were £8.42 and £8.32 including and excluding employees covered by national agreements respectively. Corresponding figures for part-time employees were £5.62 and £5.19.

Parliamentary Questions

Mr. Donohoe: To ask the Chancellor of the Exchequer what was the average cost of answering an *(a)* oral and *(b)* written parliamentary question from (i) Opposition and (ii) Conservative hon. Members in each Session since 1989–90. [21814]

Mrs. Angela Knight: The Treasury calculates the annual average cost of answering written and oral questions. These are Government-wide averages and the party allegiance of questioners is not recorded. The figures for April of each year since 1989—data are not maintained by parliamentary Session—are given in the table.

£

	Written PQ	*Oral*
1989	75	174
1990	81	188
1991	87	202
1992	94	218
1993	97	225
1994	99	230
1995	105	244

Unemployment-related Benefits

Mr. Robert Ainsworth: To ask the Chancellor of Exchequer what was the average duration of claims for unemployment-related benefits in *(a)* each standard region of England, *(b)* Wales and *(c)* Scotland for each major group of the standard occupational classification for each year since 1982; and what proportion each represents of that section of the work force. [21870]

Mrs. Angela Knight: The available information in contained in the following table. Occupational data for the claimant unemployed are not available prior to January 1995. In addition, no information is available on the proportion of the work force that these figures represent.

Average duration of claims for unemployment-related benefits by occupation 1995

Usual occupation	*Mean duration of claims (weeks) All*
SOC Major Group 1—Managers and administrators	
South East	31
East Anglia	28
South West	26
West Midlands	29
East Midlands	25
Yorkshire and Humberside	26
North West	25
North	24
Wales	26
Scotland	28
SOC Major Group 2—Professional occupations	
South East	27
East Anglia	24
South West	26
West Midlands	26
East Midlands	20
Yorkshire and Humberside	25
North West	21
North	23
Wales	24
Scotland	20

Average duration of claims for unemployment-related benefits by occupation 1995

Usual occupation	Mean duration of claims (weeks) All
SOC Major Group 3—Associate professional and technical occupations	
South East	32
East Anglia	25
South West	33
West Midlands	35
East Midlands	30
Yorkshire and Humberside	27
North West	29
North	27
Wales	27
Scotland	25
SOC Major Group 4—Clerical and secretarial occupations	
South East	31
East Anglia	25
South West	27
West Midlands	32
East Midlands	26
Yorkshire and Humberside	27
North West	28
North	33
Wales	30
Scotland	27
SOC Major Group 5—Craft and related occupations	
South East	43
East Anglia	29
South West	33
West Midlands	44
East Midlands	35
Yorkshire and Humberside	30
North West	33
North	25
Wales	32
Scotland	27
SOC Major Group 6—Personal and protective service occupations	
South East	31
East Anglia	24
South West	25
West Midlands	33
East Midlands	27
Yorkshire and Humberside	25
North West	29
North	28
Wales	25
Scotland	26
SOC Major Group 7—Sales occupations	
South East	34
East Anglia	27
South West	28
West Midlands	32
East Midlands	31
Yorkshire and Humberside	31
North West	31
North	35
Wales	28
Scotland	29
SOC Major Group 8—Plant and machine operatives	
South East	45
East Anglia	32
South West	33
West Midlands	43
East Midlands	36
Yorkshire and Humberside	34
North West	41
North	32
Wales	34
Scotland	32
SOC Major Group 9—Other occupations	
South East	45
East Anglia	34
South West	38
West Midlands	50
East Midlands	45
Yorkshire and Humberside	41
North West	52
North	46
Wales	44
Scotland	47
No previous occupation	
South East	31
East Anglia	26
South West	24
West Midlands	33
East Midlands	27
Yorkshire and Humberside	25
North West	27
North	28
Wales	25
Scotland	25

Mr. Ainsworth: To ask the Chancellor of the Exchequer what was the average duration of claims for unemployment-related benefits for *(a)* men aged 20 years and over and *(b)* women aged 20 years and over in (i) each standard region of England, (ii) Wales and (iii) Scotland for each year since 1982. [21872]

Mrs. Knight: The information requested is contained in the following table. No information is available prior to 1983.

Average duration of claims for unemployment-related benefits by region: 1983–95

Standard region	Claimants aged 20 and over at end of claim Mean duration of claims (weeks) Men	Women
1983		
South East	28	23
East Anglia	29	24
South West	29	26
West Midlands	40	34
East Midlands	33	27
Yorkshire and Humberside	33	29
North West	36	29
Northern	34	32
Wales	34	28
Scotland	32	28
1984		
South East	30	25
East Anglia	28	25
South West	29	27
West Midlands	40	34
East Midlands	32	27
Yorkshire and Humberside	32	30
North West	37	30
Northern	32	31

Average duration of claims for unemployment-related benefits by region: 1983–95

Standard region	Claimants aged 20 and over at end of claim Mean duration of claims (weeks) Men	Women
Wales	33	29
Scotland	32	29
1985		
South East	30	26
East Anglia	26	24
South West	28	27
West Midlands	40	34
East Midlands	32	28
Yorkshire and Humberside	32	29
North West	38	29
Northern	34	30
Wales	36	29
Scotland	31	27
1986		
South East	31	27
East Anglia	28	28
South West	29	27
West Midlands	43	35
East Midlands	36	28
Yorkshire and Humberside	35	30
North West	41	31
Northern	36	34
Wales	41	30
Scotland	33	28
1987		
South East	34	28
East Anglia	31	27
South West	31	28
West Midlands	48	36
East Midlands	40	31
Yorkshire and Humberside	40	31
North West	45	33
Northern	40	33
Wales	43	30
Scotland	37	29
1988		
South East	39	30
East Anglia	34	29
South West	32	28
West Midlands	56	38
East Midlands	41	31
Yorkshire and Humberside	43	31
North West	47	32
Northern	45	33
Wales	45	29
Scotland	41	30
1989		
South East	42	32
East Anglia	36	28
South West	35	30
West Midlands	65	43
East Midlands	45	32
Yorkshire and Humberside	47	35
North West	57	35
Northern	55	40
Wales	51	33
Scotland	56	35
1990		
South East	24	18
East Anglia	18	16
South West	19	17
West Midlands	31	23

Average duration of claims for unemployment-related benefits by region: 1983–95

Standard region	Claimants aged 20 and over at end of claim Mean duration of claims (weeks) Men	Women
East Midlands	24	19
Yorkshire and Humberside	27	21
North West	33	22
Northern	32	22
Wales	25	17
Scotland	35	22
1991		
South East	20	16
East Anglia	19	16
South West	18	17
West Midlands	25	19
East Midlands	22	18
Yorkshire and Humberside	24	21
North West	30	21
Northern	28	22
Wales	23	18
Scotland	29	21
1992		
South East	26	22
East Anglia	24	21
South West	25	21
West Midlands	30	25
East Midlands	27	23
Yorkshire and Humberside	28	21
North West	32	23
Northern	28	24
Wales	29	19
Scotland	30	21
1993		
South East	34	26
East Anglia	30	24
South West	33	25
West Midlands	37	28
East Midlands	33	26
Yorkshire and Humberside	32	25
North West	37	26
Northern	32	26
Wales	34	24
Scotland	33	23
1994		
South East	41	30
East Anglia	34	27
South West	38	28
West Midlands	44	31
East Midlands	38	30
Yorkshire and Humberside	36	26
North West	41	28
Northern	38	27
Wales	38	25
Scotland	37	26
1995		
South East	42	30
East Anglia	34	23
South West	35	27
West Midlands	45	31
East Midlands	38	28
Yorkshire and Humberside	35	26
North West	41	27
Northern	35	29
Wales	38	26
Scotland	37	24

Mr. Ainsworth: To ask the Chancellor of the Exchequer how many *(a)* men and *(b)* women have made (i) one, (ii) two, (iii) three, (iv) four and (v) five or more claims for unemployment-related benefits in (1) each standard region of England, (2) Wales and (3) Scotland since April 1992; and what proportion each represents of the work force. [21432]

Mrs. Knight *[holding answer 19 March 1996]:* The information requested is contained in the following table. It is not possible to calculate at this level of detail what proportions these figures represent of the respective parts of the work force.

Number of claimants in Great Britain making one, two, three, four, and more than four claims since April 92

Number of claimants (000s)

	1	*2*	*3*	*4*	*5+*	*Total*
Men						
South East	963	433	184	78	57	1,716
East Anglia	94	43	22	11	11	180
South West	230	106	53	27	24	440
West Midlands	275	125	56	24	19	499
East Midlands	194	88	43	21	17	362
Yorkshire and Humberside	242	120	65	32	33	492
North West	321	161	78	37	35	632
North	150	81	44	22	25	322
Wales	132	69	34	16	15	266
Scotland	244	128	67	35	35	509
Women						
South East	574	206	75	28	19	902
East Anglia	58	22	8	4	3	94
South West	145	52	21	9	6	232
West Midlands	165	56	21	7	5	255
East Midlands	119	41	15	6	4	185
Yorkshire and Humberside	152	56	21	9	8	246
North West	197	72	28	12	9	318
North	91	35	14	5	5	149
Wales	81	31	11	5	4	132
Scotland	164	60	26	11	9	271

Mr. Ainsworth: To ask the Chancellor of the Exchequer what was the mean interval, excluding those with no previous claims, between claims for unemployment-related benefits for *(a)* men, *(b)* women and *(c)* all claimants in (i) each standard region of England, (ii) Wales and (iii) Scotland for each year since 1982. [21434]

Mrs. Knight *[holding answer 19 March 1996]:* The following tables contain information on the mean interval between the latest claim and the previous claim, by gender and region, for claims starting in each year between 1993, 1994 and 1995 respectively. Information is not available for earlier years.

Mean interval between latest claim and previous claim

	Mean interval between claims (weeks)		
	Men	*Women*	*All*
1993			
South East	73	84	76
East Anglia	67	88	73
South West	65	87	71
West Midlands	70	90	75
East Midlands	70	90	76
Yorkshire and Humberside	62	81	67
North West	62	83	68
Northern	60	81	65
Wales	66	81	70
Scotland	65	84	70
1994			
South East	65	79	69
East Anglia	60	80	66
South West	60	84	67
West Midlands	62	85	68
East Midlands	62	91	70
Yorkshire and Humberside	57	84	64
North West	59	82	65
Northern	55	82	61
Wales	60	86	67
Scotland	60	80	66
1995			
South East	63	80	68
East Anglia	61	82	67
South West	60	82	66
West Midlands	62	85	68
East Midlands	59	85	66
Yorkshire and Humberside	57	82	63
North West	60	79	65
Northern	52	78	59
Wales	61	84	67
Scotland	57	83	64

Mr. Ainsworth: To ask the Chancellor of the Exchequer how many *(a)* men and *(b)* women have made (i) one, (ii) two, (iii) three, (iv) four and (v) five or more claims for unemployment-related benefits in the three year period ended for each year from 1982 to 1995 in Great Britain; and what proportion each represents of the work force. [21433]

Mrs. Knight *[holding answer 19 March 1996]:* The table shows the number of men and women in Great Britain making one, two, three, four or more than four claims for unemployment-related benefits in each three-year period since 1983, together with the proportion that these represent of the total population of working age over the same time period. No information is available prior to 1983 and no information is available on the corresponding total of the work force.

Number of claims starting within the three-year period

Number of claimants (000s)

	1	*2*	*3*	*4*	*5+*	*Total*
Men						
1983–85	2,592	962	403	171	138	4,268
1984–86	2,669	988	413	176	142	4,388
1985–87	'2,523	'993	'422	'176	'150	'4,264
1986–88	2,365	932	381	155	119	3,953
1987–89	2,162	789	298	114	81	3,444
1988–90	2,117	777	293	111	74	3,371
1989–91	2,450	955	367	135	86	3,994
1990–92	2,829	1,177	480	186	124	4,796
1991–93	2,926	1,249	512	204	141	5,033
1992–94	2,787	1,213	498	197	143	4,838
1993–95	2,596	1,120	468	186	142	4,512
Women						
1983-85	1,679	541	196	69	52	2,537
1984–86	1,721	552	200	71	53	2,596
1985-87	'1,753	'578	'206	'77	'56	'2,669

Number of claims starting within the three-year period

Number of claimants (000s)

	1	*2*	*3*	*4*	*5+*	*Total*
1986–88	1,660	524	179	62	43	2,466
1987–89	1,460	406	128	40	25	2,058
1988–90	1,356	362	104	32	19	1,873
1989–91	1,420	412	128	38	21	2,019
1990–92	1,604	506	168	55	32	2,365
1991–93	1,649	534	187	63	36	2,468
1992–94	1,585	517	182	60	39	2,383
1993–95	1,506	494	170	55	37	2,263

[1] Revised from previously published figures.

Number of claimants as a proportion of the working age population

Percentage

	Number of claims starting within the three-year period					
	1	*2*	*3*	*4*	*5+*	*Total*
Men						
1983–85	13.8	5.1	2.1	0.9	0.7	22.7
1984–86	14.1	5.2	2.2	0.9	0.8	23.1
1985–87	13.3	5.2	2.2	0.9	0.7	22.4
1986–88	12.4	4.9	2.0	0.8	0.6	20.8
1987–89	11.4	4.1	1.6	0.6	0.4	18.1
1988–90	11.1	4.1	1.5	0.6	0.4	17.7
1990–91	12.9	5.0	1.9	0.7	0.5	21.0
1990–92	14.8	6.2	2.5	1.0	0.7	25.2
1991–93	15.3	6.5	2.7	1.1	0.7	26.4
1992–94	14.6	6.3	2.6	1.0	0.7	25.3
1993–95	13.5	5.8	2.4	1.0	0.7	23.5
Women						
1983–85	9.8	3.2	1.1	0.4	0.3	14.8
1984–86	10.0	3.2	1.2	0.4	0.3	15.1
1985–87	10.2	3.3	1.2	0.4	0.3	15.5
1986–88	9.6	3.0	1.0	0.4	0.2	14.3
1987–89	8.4	2.3	0.7	0.2	0.1	11.9
1988–90	7.8	2.1	0.6	0.2	0.1	10.8
1989–91	8.2	2.4	0.7	0.2	0.1	11.6

Number of claimants as a proportion of the working age population

Percentage

	Number of claims starting within the three-year period					
	1	*2*	*3*	*4*	*5+*	*Total*
1990–92	9.3	2.9	1.0	0.3	0.2	13.6
1991–93	9.5	3.1	1.1	0.4	0.2	14.2
1992–94	9.1	3.0	1.0	0.3	0.2	13.7
1993–95	8.6	2.8	1.0	0.3	0.2	13.0

Mr. Ainsworth: To ask the Chancellor of the Exchequer (1) how many *(a)* men and *(b)* women have made (i) one, (ii) two, (iii) three, (iv) four and (v) five or more claims for unemployment-related benefits in (1) each standard region of England, (2) Wales and (3) Scotland for each major group of the standard occupational classifications since January 1995; and what proportion each represents of that section of the work force; [21435]

(2) how many *(a)* men and *(b)* women have made (i) one, (ii) two, (iii) three, (iv) four and (v) five or more claims for unemployment-related benefits in (1) each standard region of England, (2) Wales and (3) Scotland for each major group of the standard occupational classifications for each year since 1982; and what proportion each represents of that section of the work force. [21436]

Mrs. Knight *[holding answer 19 March 1996]:* Occupational data for the claimant unemployed are not available prior to January 1995. In addition, due to small sample sizes, it is not possible to provide reliable estimates at the level of detail requested. Hence, the following table shows the extent of the reliable information. No information is available on the proportion these figures represent of the work force.

Number of claimants making one, two and more than two claims since January 1995

Number of claimants

	Men				*Women*			
Usual Occupation	*1*	*2*	*3+*	*Total*	*1*	*2*	*3+*	*Total*
SOC major group 1								
Managers and administrators								
South East	48,020	5,980	820	54,820	19,860	2,400	300	22,560
East Anglia	4,360	640	—	5,060	1,260	140	—	1,440
South West	11,460	1,760	220	13,440	3,840	400	—	4,320
West Midlands	11,120	1,240	120	12,480	3,700	440	—	4,200
East Midlands	8,200	940	300	9,440	2,400	300	180	2,880
Yorkshire and Humberside	8,940	1,080	220	10,240	2,920	380	—	3,380
North West	12,460	2,280	280	15,020	4,200	520	140	4,860
North	4,920	940	200	6,060	1,620	340	—	2,040
Wales	4,680	940	120	5,740	1,480	280	—	1,760
Scotland	9,580	1,440	200	11,220	3,580	440	100	4,120
SOC major group 2								
Professional occupations								
South East	27,320	4,560	860	32,740	14,740	2,260	700	17,700
East Anglia	2,340	400	—	2,800	1,540	220	—	1,800
South West	6,120	1,380	320	7,820	3,300	540	100	3,940
West Midlands	6,140	940	180	7,260	3,200	620	100	3,920
East Midlands	4,060	740	240	5,040	3,020	560	—	3,660
Yorkshire and Humberside	5,320	960	320	6,600	3,660	840	200	4,700
North West	7,920	1,400	580	9,900	4,100	860	340	5,300
North	3,880	580	180	4,640	1,920	380	100	2,400
Wales	3,660	440	180	4,280	2,380	560	240	3,180
Scotland	6,300	1,460	400	8,160	4,640	960	240	5,840

Number of claimants making one, two and more than two claims since January 1995

Number of claimants

Usual Occupation	*Men* 1	2	3+	*Total*	*Women* 1	2	3+	*Total*
SOC major group 3								
Associate professional and technical occupations								
South East	36,000	7,020	1,320	44,340	20,940	3,760	960	25,660
East Anglia	2,540	300	160	3,000	1,540	120	—	1,700
South West	6,740	1,360	300	8,400	3,220	780	100	4,100
West Midlands	6,180	1,000	280	7,460	3,480	480	180	4,140
East Midlands	4,000	700	180	4,880	2,140	380	—	2,560
Yorkshire and Humberside	5,640	820	280	6,740	2,980	780	—	3,840
North West	7,980	1,840	460	10,280	4,360	720	240	5,320
North	4,020	1,000	320	5,340	1,500	460	—	2,040
Wales	3,140	1,120	200	4,460	1,780	460	140	2,380
Scotland	7,000	1,700	460	9,160	4,300	920	280	5,500
SOC major group 4								
Clerical and secretarial occupations								
South East	54,760	11,780	2,440	68,980	76,780	13,040	2,180	92,000
East Anglia	4,240	1,160	260	5,660	8,060	1,420	260	9,740
South West	11,160	2,460	660	14,280	19,080	3,400	500	22,980
West Midlands	13,640	2,900	820	17,360	19,700	2,600	540	22,840
East Midlands	10,180	2,560	700	13,440	13,440	2,680	460	16,580
Yorkshire and Humberside	13,540	3,520	1,200	18,260	18,220	3,540	800	22,560
North West	19,780	5,060	1,560	26,400	24,140	4,860	1,360	30,360
North	6,340	1,260	460	8,060	11,620	1,860	500	13,980
Wales	5,560	1,440	280	7,280	9,380	1,580	440	11,400
Scotland	10,680	2,800	580	14,060	18,140	3,580	840	22,560
SOC major group 5								
Craft and related occupations								
South East	109,000	21,720	4,800	135,520	4,820	860	'—	5,760
East Anglia	12,100	3,420	860	16,380	700	80	'—	820
South West	29,800	8,260	1,740	39,800	1,340	260	'—	1,640
West Midlands	34,540	6,900	1,840	43,280	2,700	460	100	3,260
East Midlands	24,420	6,000	1,500	31,920	2,660	400	'—	3,120
Yorkshire and Humberside	34,480	9,160	3,420	47,060	2,280	440	'—	2,800
North West	40,980	9,040	3,360	53,380	2,800	540	'—	3,380
North	24,300	8,000	4,580	36,880	1,140	240	'—	1,440
Wales	18,360	5,040	1,440	24,840	720	60	'—	780
Scotland	38,540	10,140	4,420	53,100	2,300	340	'—	2,660
SOC major group 6								
Personal and protective service occupations								
South East	33,860	5,840	1,360	41,060	33,100	5,860	760	39,720
East Anglia	2,980	860	200	4,040	4,180	860	'—	5,120
South West	9,200	2,440	440	12,080	11,100	2,660	560	14,320
West Midlands	7,500	1,240	420	9,160	9,680	1,800	300	11,780
East Midlands	6,240	1,040	420	7,700	7,680	1,540	340	9,560
Yorkshire and Humberside	8,420	2,320	700	11,440	11,360	2,280	680	14,320
North West	11,100	2,720	600	14,420	13,360	2,560	700	16,620
North	5,960	1,580	240	7,780	7,080	1,560	380	9,020
Wales	4,640	1,300	200	6,140	5,800	1,340	420	7,560
Scotland	10,980	2,680	720	14,380	13,040	2,780	660	16,480
SOC major group 7								
Sales occupations								
South East	35,220	6,840	1,080	43,140	33,400	6,100	800	40,300
East Anglia	3,360	800	120	4,280	4,380	940	160	5,480
South West	8,960	1,800	440	11,200	10,980	1,960	380	13,320
West Midlands	8,920	1,720	220	10,860	11,440	2,180	200	13,820
East Midlands	6,260	1,120	300	7,680	8,020	1,240	160	9,420
Yorkshire and Humberside	7,400	1,560	400	9,360	11,820	2,040	460	14,320
North West	11,540	2,560	640	14,740	13,160	2,320	600	16,080
North	5,060	1,260	200	6,520	6,900	1,400	100	8,400
Wales	4,180	860	100	5,140	5,540	1,080	180	6,800
Scotland	8,140	1,580	300	10,020	11,580	2,200	380	14,160
SOC major group 8								
Plant and machine operatives								
South East	52,540	9,480	1,680	63,700	7,820	1,200	280	9,300

Number of claimants making one, two and more than two claims since January 1995

Number of claimants

Usual Occupation	*Men* 1	2	3+	*Total*	*Women* 1	2	3+	*Total*
East Anglia	7,100	1,760	420	9,280	1,080	180	100	1,360
South West	16,660	3,440	1,040	21,140	2,040	240	160	2,440
West Midlands	25,140	4,660	1,100	30,900	5,480	860	200	6,540
East Midlands	15,140	2,880	1,020	19,040	3,280	680	180	4,140
Yorkshire and Humberside	22,500	5,980	1,940	30,420	4,520	1,060	240	5,820
North West	26,060	5,600	1,560	33,220	5,640	1,020	180	6,840
North	12,620	2,960	1,120	16,700	1,740	260	[1]—	2,060
Wales	11,440	2,500	880	14,820	1,420	400	[1]—	1,880
Scotland	19,820	5,040	1,700	26,560	3,960	760	260	4,980
SOC major group 9								
Other occupations								
South East	80,860	17,680	4,480	103,020	22,400	3,700	880	26,980
East Anglia	12,840	3,700	1,320	17,860	4,220	680	420	5,320
South West	28,140	7,480	2,320	37,940	8,340	1,660	320	10,320
West Midlands	28,300	6,780	1,980	37,060	6,260	1,020	220	7,500
East Midlands	25,460	7,640	2,300	35,400	6,260	1,180	160	7,600
Yorkshire and Humberside	36,660	10,440	3,360	50,460	7,700	1,260	440	9,400
North West	45,220	11,600	3,260	60,080	7,860	1,240	420	9,520
North	26,720	6,460	1,940	35,120	5,620	980	460	7,060
Wales	23,580	6,040	1,580	31,200	5,320	960	180	6,460
Scotland	42,400	10,340	3,380	56,120	10,560	2,400	480	13,440
No previous occupation								
South East	41,620	6,820	960	49,400	31,540	4,180	440	36,160
East Anglia	3,620	800	160	4,580	2,560	620	[1]—	3,240
South West	9,100	1,700	240	11,040	7,380	1,260	200	8,840
West Midlands	12,920	2,060	220	15,200	9,960	1,460	160	11,580
East Midlands	8,420	1,500	180	10,100	6,340	760	140	7,240
Yorkshire and Humberside	14,580	2,280	280	17,140	10,460	1,200	200	11,860
North West	18,800	3,360	680	22,840	13,720	2,020	240	15,980
North	9,540	1,660	240	11,440	7,360	1,120	100	8,580
Wales	8,500	1,140	280	9,920	6,520	880	100	7,500
Scotland	13,540	2,460	680	16,680	9,640	1,320	240	11,200

[1] Estimates less than 100 are unreliable due to small sample sizes.

Assisted Areas

Mr. Wigley: To ask the Chancellor of the Exchequer if he will list those employment areas which have assisted area status and whose unemployment level on his latest assessment is less than 10 per cent. [22202]

Mrs. Angela Knight: Information on percentage rates of claimant unemployment is available for assisted areas which have boundaries which align with travel-to-work areas. This information can be obtained from the Nomis database accessed by the House of Commons Library.

Company Cars

Mr. Corbyn: To ask the Chancellor of the Exchequer what estimate he has made of *(a)* the cost of the tax relief on company cars and *(b)* the number of such cars (i) in each year since 1980 and (ii) in the current tax year. [19063]

Mr. Jack *[holding answer 5 March 1996]:* The cost of tax relief on business cars is to a large extent offset by the tax yield on the private use of such cars. Detailed estimates of the overall number of business cars are not available but the estimated cost in 1995–96 of capital allowances claimed on all business cars, including those purchased by unincorporated businesses, is £2.2 billion. This compares with an offsetting yield from the taxation of the private use for employees of £1.4 billion. Estimates of the cost of relief are not produced on a regular basis.

The table gives estimates of the number of employees who are provided by their employers with cars which are available for private use. There are also currently about 1.8 million self-employed people who claim relief for business cars against schedule D income tax liability. Figures for other business cars—taxis, pool cars, drive hire cars, etc.—are not available.

	Number with taxable car benefit (thousands)
1980–81[1]	560
1981–82[1]	650
1982–83[1]	790
1983–84[1]	850
1985–86	1,070
1987–88	1,550
1988–89	1,750
1989–90	1,850
1990–91	1,950
1991–92	1,900
1992–93	1,810
1993–94	1,740
1994–95	1,700
1995–96	1,700

[1] Figures exclude married women.

EU Citizens Working Abroad

Mr. Wareing: To ask the Chancellor of the Exchequer if he will list the number of each EU member states' citizens who were working in each other member state at the latest available date. [22239]

Mrs. Angela Knight *[holding answer 22 March 1996]:* Latest information on the number of people in the labour force from other EU countries is shown in the following table.

Labour force[1]: number of people from other EU countries: 1994[2]

	Thousands
Belgium	231
Denmark	16
Germany (West)	1,029
Greece	7
Spain	32
France	664
Ireland	33
Italy	18
Luxembourg	64
Netherlands	110
Portugal	11
United Kingdom	453

[1] Includes those in employment and those classed as ILO unemployed.
[2] Reference period: Netherlands (January–June), France (February–April), Denmark (February–June), United Kingdom (March–June), Italy, (April), Spain (April–June), Ireland and Portugal (April–July), Greece (April–August), Belgium, W. Germany and Luxembourg (May).
Source:
Labour Force Survey Results 1994, Eurostat.

EU Monetary Committee

Mr. Wilkinson: To ask the Chancellor of the Exchequer what has been the total cost to date in the financial year 1995–96 of travel, accommodation and subsistence for attendances by the Second Permanent Secretary of Her Majesty's Treasury at meetings of the Monetary Committee of the European Union. [21484]

Mrs. Angela Knight *[holding answer 19 March 1996]:* There have been 11 meetings of the Monetary Committee in 1995–96. Part of the costs of attendance are refunded by the European Commission. In the period to 21 November 1995 the costs of attendance by the Second Permanent Secretary of HM Treasury amounted to £4,250, of which £2,587 has been reimbursed. Since then, the costs of attendance have been £1,674, some of which will be reimbursed too.

Labour Statistics

Mr. Flynn: To ask the Chancellor of the Exchequer what is the current estimate of the number of people who were counted more than once in Government employment statistics in each of the past five years. [22806]

Mrs. Angela Knight *[holding answer 25 March 1996]:* Estimates from the employer-based work force in employment series are derived from employers' reports of the number of people they employ and, as such, individuals holding two jobs with different employers will be counted twice. Estimates of the number of such "double-jobbers" are not available. Estimates from the Labour Force Survey of the number of people with two or more jobs are provided in the following table:

Number of people in employment with two or more jobs in Great Britain: at spring (thousands)

1991	1,087
1992	970
1993	1,037
1994	1,142
1995	1,280

Source:
CSO, Labour Force Survey.

SCOTLAND

Dunblane (Shootings)

Mr. Canavan: To ask the Secretary of State for Scotland, pursuant to his oral statement of 14 March 1996, *Official Report*, columns 1107–16, who issued a firearms certificate to Thomas Hamilton; on whose recommendation; and how many firearms it covered. [21666]

Lord James Douglas-Hamilton: These matters are sub judice following Lord Cullen's appointment to conduct an inquiry under the Tribunals of Inquiry (Evidence) Act 1921.

Child Care Initiative

Mr. Chisholm: To ask the Secretary of State for Scotland how much money he has allocated to the local enterprise companies for the out-of-school child care initiative in 1996–97; and how much each LEC plans to spend on it. [21574]

Mr. Kynoch: A total of £0.5 million has been made available to the enterprise network as a whole for the out-of-school child care initiative in 1996–97. The amount spent by each LEC will depend on local needs and priorities.

Council Tax Arrears

Mr. Kirkwood: To ask the Secretary of State for Scotland what estimate he has made of the accumulated arrears of community charge and council tax in each existing Scottish local authority which will be handed to their successor unitary authority; and what proportion of those arrears he estimates are capable of collection. [21699]

Mr. Kynoch: Information on uncollected community charge and council tax, including water charges, is collected by regional and islands council area. The difference between amounts billed and amounts collected as at 31 December 1995, the most recent date for which the information is currently available, is set out in the table below. We expect the new local authorities to use their best endeavours to collect all outstanding amounts.

Amount of unpaid council tax/community charge 1989–90 to 1994–95

£ 000

Authority	*Community charge*	*Council tax*	*Total*
Borders	3,400	1,500	4,900
Central	14,600	4,700	19,300
Dumfries and Galloway	4,400	3,000	7,400
Fife	24,800	7,500	32,300
Grampian	20,400	9,300	29,700
Highland	12,400	8,400	20,800
Lothian	111,800	31,800	143,600
Strathclyde	360,600	98,400	459,000
Tayside	30,300	10,700	41,000
Orkney	200	300	500
Shetland	200	400	600
Western Isles	1,200	800	2,000
Scotland	584,300	176,800	761,100

Dumfries and Galloway Health Board

Mr. Redmond: To ask the Secretary of State for Scotland what severance payments were made to the general manager who recently resigned from Dumfries and Galloway health board other than standard health retirement rights. [21724]

Lord James Douglas-Hamilton: The general manager of Dumfries and Galloway health board will resign with effect from 31 May 1996 on six months paid notice in terms of his contract of employment. In the interim, he is working on secondment elsewhere within the health service in Scotland.

NHS Management

Mr. Donohoe: To ask the Secretary of State for Scotland if he will list the chief executives of national health service trusts and general managers of health boards whose employment has ceased during the last 18 months. [21768]

Lord James Douglas-Hamilton: The list shows those chief executives of NHS trusts and general managers of health boards who have ceased NHS employment in Scotland since 1 September 1994.

Health board general managers

Mr. D. Banks, Dumfries and Galloway

Mr. J. T. Donald, Common Services Agency

Mr. J. Eckford, Ayrshire and Arran

Mr. J. Lusby, Lothian

Mr. R. Mullan, Western Isles

Mr. D. A. Peters, Borders

Mr. I. C. Smith, Argyll and Clyde

Trust chief executives[1]

Ms M. Boyle, Stobhill

Mr. St. John Hattersley, Highland Communities

Mrs. E. Hogg, Moray Health Services

Mr. R. Smail, Kirkcaldy Acute Hospitals

Mr. H. Sutherland, Ayrshire and Arran Community

[1] The list excludes chief executives who resigned from one NHS employer in Scotland and became employed by another

Commercial Premises (Valuation Appeals)

Mr. Donohoe: To ask the Secretary of State for Scotland if he will indicate for each regional and island council in Scotland the total number of appeals lodged against the valuation of commercial premises, the number and percentage of appeals which have so far been dealt with, the number of appeals which so far have been *(a)* successful and *(b)* unsuccessful and the average amount of time taken to deal with a valuation appeal for each council. [21770]

Mr. Kynoch: I refer the hon. Member to my answer to him on 17 January 1996, *Official Report*, column *641*. The first information on the progress of appeals up to the end of March 1996 should become available around the end of April 1996.

Capital Receipts

Mr. Donohoe: To ask the Secretary of State for Scotland if he will indicate for each stock transfer undertaken by Scottish Homes the amount of capital receipt generated, the organisation which took over the housing stock, the number of properties involved and the average capital receipt generated for each property. [21766]

Mr. Kynoch: Both the Panel Secretaries' Association and the regional valuation panel chairmen's committee were consulted on the regulations providing for all expenses incurred by a panel or valuation appeal committee, including any remuneration or allowances payable, to be defrayed by the appropriate unitary council or joint board as the valuation authority for the area served by the panel.

Valuation Appeals Committees

Mr. Donohoe: To ask the Secretary of State for Scotland when his Department decided to transfer the responsibility for the operation of valuation appeals committees to the new joint valuation boards. [21777]

Mr. Kynoch: After local government reorganisation responsibility for funding valuation appeal panels and committees will continue to rest, as at present, with the relevant valuation authority, or as the case may be, joint board. Powers were taken in the Local Government Etc. (Scotland) Act 1994, following consultation, for the Secretary of State to specify the combination of areas for which a single assessor should be appointed and how the joint arrangements will work and for the establishment of valuation appeal panels and committees to parallel the new valuation authorities or joint boards.

Mr. Donohoe: To ask the Secretary of State for Scotland if he will list the valuation appeals committees operating in Scotland indicating *(a)* the membership of each and *(b)* how many committee members have been appointed by the Scottish Office. [21769]

Mr. Kynoch: Following are the current local valuation appeal panels, from which valuation appeal committees are drawn as required to deal with appeal hearings. Appointments to valuation appeal panels are made by sheriffs principal and lists of panel members are not held centrally. No valuation appeal panel or valuation appeal committee members have been appointed by the Scottish Office.

Borders region valuation appeal panel

Central region valuation appeal panel

Dumfries and Galloway region valuation appeal panel

Fife region valuation appeal panel

Grampian region valuation appeal panel

Highland region valuation appeal panel

Lothian region valuation appeal panel

Strathclyde region valuation appeal panel

Tayside region valuation appeal panel

Orkney valuation appeal panel

Shetland valuation appeal panel

Western Isles valuation appeal panel

Local Government Employees (Political Restrictions)

Mr. Donohoe: To ask the Secretary of State for Scotland how many local government employees have appealed against political restriction because of their employment in local government; and how many of these appeals have been successful for each calendar year since its introduction. [21767]

Mr. Kynoch: Appeals relating to the rules on political restrictions are considered by the political restrictions exemptions adjudicator. Information supplied by his office indicates that the total number of employees who have appealed against political restriction because of their employment in local government is 172. Of this total, 146 made successful appeals as follows:

1990: 79

1991: 38

1992: 10

1993: 6

1994: 5

1995: 7

1996: 1 (to date).

Dykes

Mr. Home Robertson: To ask the Secretary of State for Scotland how many dry stone dykers have been employed on repairing or rebuilding dykes on Scottish farms with support from grants under the farm and conservation grant scheme; if he will make a statement on the effect of the closure of that scheme; and what plans he has for further incentives for such work in future. [21874]

Mr. Raymond S. Robertson: Responsibility lay with farmers to employ dykers for projects on which grant was claimed from the farm and conservation grant scheme. Dykers were not employed directly by the Scottish Office, and no records are held on the numbers engaged in grant-assisted works.

The nationally-funded component of FCGS closed on 19 February when the governing legislation expired. Improvement plans approved under the EC-funded component of the scheme are not affected. Closure of the scheme was widely anticipated by Scotland's farming communities, and most farmers were able to submit claims for grant before the 19 February deadline.

It is important to note that the FCGS is not the only source of public assistance towards dyking projects. For example, farmers in environmentally sensitive areas can receive payments for dyke building, depending on the terms of their management agreements. In addition, the agricultural business improvement scheme, which operates in the Highlands and Islands, provides 70 per cent. grants for dyking projects on inbye and hill land, and the crofting counties agricultural grant scheme currently provides grants at the rate of 55 per cent. for traditional walls in the crofting counties. Scottish Natural Heritage can also provide assistance towards traditional field boundaries such as dry-stone walls which enhance the attractiveness of the landscape.

With regard to the future, the Government announced in the Scottish rural White Paper our intention to consult on proposals for a new conservation scheme for farmers and crofters which would extend the range of conservation incentives currently available, and also contribute to the rationalisation of the agri-environment programme. Our proposals are set out in a consultation paper published on 8 March. It is intended that the restoration of traditional stone dykes will feature in the scheme as a capital item eligible for assistance.

Student Maintenance Awards

Mr. Bryan Davies: To ask the Secretary of State for Scotland what estimate he has made of the total assessed parental contribution to higher education students' maintenance awards. [22223]

Mr. Raymond S. Robertson: The total assessed parental contribution to awards made under the student allowances scheme and the postgraduate students allowances scheme for the academic year 1994–95, the latest year for which data are available, was estimated to be £82 million.

Inheritance Law

Mr. Davidson: To ask the Secretary of State for Scotland what proposals the Government have to bring forward changes in Scots law to allow an individual to leave all their property by will to a local organisation in order to disinherit their family; and if he will make a statement. [22445]

Lord James Douglas-Hamilton: The Government have no proposals to bring forward changes in Scots law whereby an individual could leave all of his or her property to an organisation or an individual outside the family.

Scottish Homes (Stock Transfer)

Mr. Donohoe: To ask the Secretary of State for Scotland if he will indicate for each stock transfer undertaken by Scottish Homes the amount of capital receipt generated, the organisation which took over the housing stock, the number of properties involved and the average capital receipt generated for each property. [21766]

Mr. Raymond S. Robertson: The information requested is as follows.

Area	Number of units	Receipt raised £	Average receipt £	Acquiring landlords
1991–92				
Borders	1,191	5,003,000	4,201	Waverley HA
1992–93				
Dumbarton	126	Nil	Nil	Bellsmyre HA
Milton of Kildary	107	462,000	4,318	Albyn HA
Ugievale	55	202,000	3,673	Ugievale Co-operative
Moray	207	898,000	4,338	Moray Housing Co-op
1993–94				
Windlaw	162	Nil	Nil	Northview HA
Tweeddale	142	£1,164,000	£8,197	Eildon HA
Whiteinch and Scotstoun	32	311,000	9,719	Whiteinch and Scotstoun HA
West Lothian	1,822	16,644,000	9,135	Weslo Housing Management
Perth	100	Nil	Nil	Perth HA
Aberdeen	156	1,144.00	7,333	St. Machar, Deeside and Sheddocksley Co-operatives
1994–95				
Glasgow West	349	3,650,000	10,458	Queens Cross HA
Glasgow West	2,503	4,394,000	1,755	Cube HA
Cadder	108	Nil	Nil	Cadder HA
Shettleston	567	4,464,000	7,873	Shettleston HA
Milnbank	74	481,000	6,500	Milnbank HA
Edinburgh	966	10,071,000	10,425	Manor HA
1995–96				
Auchterderran	132	Nil	Nil	Auchterderran HA
Glasgow	405	2,788,00	6,884	Parkhead HA
Edinburgh	57	Nil	Nil	Noredin HA
Midlothian	2,025	15,490,000	7,649	Melville HA
Glasgow	1,452	6,990,000	4,814	Thenew HA
Glasgow	103	790,000	7,670	Dalmuir Park HA
Dunbeg	16	140,000	8,750	Bield HA
Lanarkshire	19	203,000	10,684	Lanarkshire HA
Glasgow	26	176,000	6,769	West of Scotland HA
Edinburgh	137	Nil	Nil	Findlay HA
Fife	14	175,000	12,500	Bield HA
Fife	32	364,000	11,375	Viewpoint HA
Nairn	78	891,000	11,423	Albyn HA
Easter Ross	235	1,650,000	7,021	Albyn HA
East Lothian	632	7,200,000	11,392	East Lothian HA
Inverness	698	7,269,000	10,414	Cairn HA
Caithness	157	306,000	1,949	Cairn HA

Nil receipts raised represent negative valuation or Housing Association Grant paid to meet acquisition costs.

Forestry

Sir Thomas Arnold: To ask the Secretary of State for Scotland what developments there have been in forestry since the statement made on 19 July 1994. [23339]

Mr. Kynoch: My right hon. Friend the then Secretary of State announced in his statement on 19 July 1994 the Government's intention to establish Forest Enterprise, the forest management arm of the Forestry Commission, as a next steps agency. The Government have also completed preparation of the new agency's framework document and it is published today. A new edition of the access guidelines, dealing with procedures for protecting continued public access to disposals subjects has also been published today. Copies of both documents have been placed in the Library. The new agency will come into existence on 1 April 1996.

The arrangements set out in the framework document will

enable the commission to set out and explain its proposals for achieving environmental, financial, social and other outputs;

permit clear targets to be set for the agency;

allow the agency to demonstrate its success in meeting those targets. The Government expect these new arrangements to allow Forest Enterprise to achieve a real improvement in all areas of its output. Forest Enterprise will, of course, continue to operate firmly within the Government's multi-purpose forestry policy.

In August 1994 we published the consultation document, "Our Forests—The Way Ahead" which explained in greater detail the changes to the woodland grant scheme, the creation of the new agency and our proposals to ensure that the Forestry Commission's forest sales programme has the minimum possible impact on public access. Organisations and individuals sent in comments and we have considered them carefully.

The largest number of comments reflected concern about access. The Forestry Commission owns over 1 million hectares of land throughout Britain. Some of its forests, such as the New forest, are very intensively used for recreation and it is not our intention that this land should be sold. On the other hand some tracts of land owned by the commission are of little recreational importance and this is where the bulk of the disposals programme will be concentrated. The Forestry

Commission may also wish to sell some woods that are of recreational importance if this will help rationalise the estate, making management more efficient, but in future such sales will normally take place only where it is possible to guarantee future public access.

The details of how the Forestry Commission will implement measures to protect public access are set out in a new edition of the access guidelines. Central to the new arrangements will be the requirement that, in considering forests as candidates for sale, a check-list will be completed analysing the use of the forest by the public, taking account of forms of recreation other than walking, such as horse riding and cycling. Local authorities will be informed of all proposed sales and will be sent a copy of the completed check-list and be able to comment on it. In all appropriate cases, the Forestry Commission will offer the local authority the opportunity to enter into an access agreement which will protect public access in perpetuity. The Forestry Commission will also be prepared to meet the reasonable legal costs of local authorities in drawing up agreements. The Government expect local authorities to give careful consideration to all such proposals, taking into account the views of local communities.

In addition to seeking to protect access to woods that are sold, we are providing important new opportunities to open more woodland for public access. The Forestry Commission will seek to purchase the freeholds of woods where lease terms at present prohibit public access in areas where there is high demand for such access.

We are also very keen that people should have easy access to information about the location of Forestry Commission woods where they can walk. We have asked the commission to examine, with the Ordnance Survey, ways of identifying its land on Ordnance Survey maps.

Of course, a good deal of recreation takes place in woodlands that do not belong to the commission and many private woodland owners have an excellent record in welcoming the public. We have introduced a new woodland improvement grant for projects that will increase recreational opportunities in privately-owned woods.

Nearly a quarter of all responses to "Our Forest—The Way Ahead" concerned the New forest and there was some concern that there would be a greater emphasis on commercial timber production in the New forest. I am pleased to say that this is not the case. The New forest has a special position in the commission's estate and the Government's objectives for the forest were reaffirmed in 1992 by my right hon. Friend the then Minister of Agriculture, Fisheries and Food, in a mandate for the New forest which states that

"the Forestry Commission will in its management of the Crown Land give priority to the conservation of the Forest's traditional character."

The Government remain committed to that approach.

Finally, I confirm that we fully recognise the close interdependence between wood processors and growers. The commission has a general duty of promoting the production and supply of timber and will continue to work closely with the wood processing sector to achieve the common interest in a prosperous British timber industry.

Written Answers to Questions

Wednesday 27 March 1996

TRANSPORT

HGV Drivers (Eyesight Tests)

Mr. Madden: To ask the Secretary of State for Transport on what dates he received letters from officials of the Transport and General Workers Union requesting meetings to discuss the European driving licence directive, 91/439/EEC; what was his response; and if he will make a statement. [23066]

Mr. Norris: The national secretary of the road transport (commercial) division of the Transport and General Workers Union wrote to me on 22 January commenting on the new eyesight standards for drivers of large goods vehicles and passenger carrying vehicles and requesting a meeting to discuss this; I received a further letter on 22 February again requesting a meeting. I replied fully to the first letter on 6 March setting out the considerations underlying the new requirements and did not therefore consider that a meeting could usefully take matters forward. I confirmed this in a letter of 13 March. I replied to a further letter, dated 11 March, on 18 March.

Mr. Madden: To ask the Secretary of State for Transport what research he has *(a)* commissioned and *(b)* evaluated concerning the number of (i) fatal and (ii) other accidents, concerning the drivers of heavy goods vehicles in each of the last five years; and in respect of how many such accidents the cause was attributed to the heavy goods vehicles' drivers wearing glasses, contact lenses, or having below standard eyesight. [23076]

Mr. Norris: I refer the hon. Gentleman to the replies that I gave to earlier questions covering the same issue, recorded in the *Official Report* dated 6 February, column *302* and 8 February, columns *157–58*.

Mr. Dixon: To ask the Secretary of State for Transport, pursuant to his oral statement of 6 March, *Official Report*, column 306, if he will name the 95 bodies consulted; and which bodies were in favour and which opposed to the continuation of grandfather rights. [22891]

Mr. Norris: Those consulted are as listed.

BUSINESS

1. Trade Associations

(I) General Business Interest

Alliance of Small Firms and Self Employed People
Association of British Chambers of Commerce
CBI
CBI Wales
CBI Scotland
Forum of Private Business
National Chamber of Trade
The National Federation of Self Employed and Small Businesses Ltd.

(II) Trade/Employers Associations

Association of Vehicle Recovery Operators
Association of Tanker Container Operators
Association of Local Authority Bus Managers
British Association of Removers
British Retailers Association
British Road Federation
Building Employers Federation
Builders Merchants Federation
Coach Operators Federation
Community Transport Association
Construction Plant Hire Association
Dairy Trade Federation
Federation of Public Passenger Transport Employers
Freight Transport Association
Institute of Road Transport Engineers
National Owner Drivers Association UK
National Playbus Association
Road Haulage Association
Showman's Guild of Great Britain
Wales Community Transport Operators Association

2. Employees Representative Bodies

Fire Brigades' Union
National Joint Committee for Young Large Goods Drivers
National Union of Road Transport Operatives
National Union of General and Municipal Workers
Road Transport Association
Trades Union Congress
Transport and General Workers Union
United Road Transport Union

3. Insurance Industry

Motor Insurers Bureau
Association of British Insurers
Lloyds Motor Underwriters Association

4. Motor Trade

Retail Motor Industry Federation
Scottish Motor Trade Association Ltd.
Society of Motor Manufacturers and Traders Ltd.

SPECIALIST

1. Medical

Association of British Dispensing Opticians
Association of Optometrists
British Medical Association
College of Ophthalmologists
The Federation of Ophthalmic and Dispensing Opticians
Medical Committee on Accident Prevention
Society of Opticians

2. Road Safety

Accident Officers Association
Association of Independent Road Safety Officers
Association of London Borough Road Safety Officers
Institute of Road Safety Officers
Parliamentary Advisory Council of Transport Safety
Road Operators Safety Council
Safety Training Advisory Council

3. User/Transport Interest

Confederation of Passenger Transport UK
Institute of Transport Administration
Motorcycle Action Group
National Advisory Unit for Community Transport
Pedestrians Association
Scottish Community Transport Group

4. Motoring Organisations

Automobile Association
Royal Automobile Association

. Driving Instructors

Approved Driving Instructors
Approved Driving Instructors of Scotland
Driving Instructors Scottish Council
Institute of HGV Driving Instructors
Institute of RAC Registered Instructors
Motor Schools Association of Great Britain
National Association of Approved Driving Instructors
Road Transport Industry Training Board

5. Others

Keep Death Off Our Roads (K-Door)
National Council for Civil Liberties

6. Press

Commercial Motor Magazine
Motor Transport Magazine

GOVERNMENT/PUBLIC AUTHORITIES

1. Central Government

Department of Employment
Home Office
Department of Environment, Northern Ireland
Welsh Office

2. Police

Association of Chief Police Officers (ACPO)
ACPO Scotland

3. Courts

Justices Clerks Society

4. Local Authority

Association of County Councils
Association of District Councils
Association of Metropolitan Authorities
Association of London Authorities
Convention of Scottish Local Authorities
London Boroughs Association
National Association of Local Councils
Welsh Office of the Association of District Councils
Committee of Welsh District Councils

5. Others

States of Guernsey
Isle of Man
States of Jersey

Sixteen of the above organisations responded: 11 supported abolition of grandfather rights; five opposed. We did not advise those consulted that their responses might be made public and therefore in line with established practice individual respondents are not identified.

London Underground

Ms Hodge: To ask the Secretary of State for Transport what plans he has to reduce *(a)* delays on London Underground and *(b)* the number of station closures (i) for over 15 minutes due to attributable causes and (ii) due to repair work. [22946]

Mr. Norris: Responsibility for minimising delays and temporary station closures on the underground is an operational matter for London Underground Ltd. However, I have recently set new quality of service objectives for LUL to achieve by March 1999, with interim objectives for 1996–97. These objectives include higher targets for service reliability and for customer satisfaction with the quality of train service, and a new target for the percentage of scheduled train miles operated.

All of the targets are set out in the table.

Percentage

Measure	*1995–96 target*	*1995–96 to date*	*1996–97 target*	*1989–89 target*
Train service regularity (percentage headways achieved)	95.7	95.8	95.7	96.2
Percentage schedule operated	—	96.4	96.5	97.2
Ticket purchase (percentage queuing under 3 minutes)	98.0	97.5	98.0	98.0
Escalator availability	92.0	92.7	92.0	94.5
Lift availability	95.0	95.7	96.0	96.0
Train service CSR	77.0	76.0	76.0	78.0
Train and station information CSR	—	73.0	73.0	76.0
Customer security and safety CSR	83.0	82.0	83.0	83.0
Staff helpfulness and availability CSR	69.0	68.0	69.0	71.0
Train and station cleanliness CSR	—	68.0	69.0	71.0

CSR = Customer Satisfaction Rating.

London Transport

Ms Hodge: To ask the Secretary of State for Transport what plans he has to provide the bulk of funds to London Transport announced by the Secretary of State in 1991. [22947]

Mr Norris: Grant for London Transport in 1992–93 was paid in line with that announced in the 1991 autumn statement. The plans then announced for grant in later years have been superseded by subsequent years' announcements. The Government's current plans for the provision of grant for London Transport were announced in the unified Budget in November 1995.

Departmental Secondment

Mr. Cabom: To ask the Secretary of State for Transport if he will list the individuals, by name, civil service post and receiving company, who are on temporary secondment from his Department to industry as part of the continuing programme of interchange of staff with the private sector. [22791]

Mr. Norris: The information is set out in the table.

Transport secondees to private sector

Name	*Grade in civil service*	*Company seconded to*
Mr. Steve D. Allen	7	J. Henry Schroder & Co. Ltd.
Mr. William Hills	7	Union Railways Ltd.
Mr. Alan Jeffs	7	Black Country Development Corporation
Ms Lynda Jones	SEO (part time)	Cispotel (lifeboat fund-charity)
Mr. John H. Mairs	SPTO	International Atomic Energy Agency
Mr. Nick Patel	7	Bristol Development Corporation

Motorways (New Service Areas)

Mr. Tim Smith: To ask the Secretary of State for Transport what is his policy on providing access from the motorway network to new motorway service areas; and if he will make a statement. [23721]

Mr. Watts: The Highways Agency is consulted on all planning applications for new motorway service areas—MSAs. It will not normally object so long as the proposal meets a range of minimum requirements relating to the facilities to be provided and the spacing of the site from other MSAs, and provided the proposed access arrangements are acceptable in safety and traffic management terms. As a matter of policy, however, we do not expect to connect new MSAs to any motorway which, because of exceptional traffic circumstances, has been or is expected to be widened to dual five lane standard. To do so would invite further congestion on what are the most heavily used parts of the motorway network

Weighbridges

Mrs. Dunwoody: To ask the Secretary of State for Transport how many trials are currently being undertaken in the United Kingdom of weighing-in-motion weighbridges; and what proposals he has to implement them nationally. [23300]

Mr. Norris: The Vehicle Inspectorate is trialling weigh-in-motion equipment at three sites. The results of the trials will inform decisions on how such equipment might be used most effectively to support enforcement against overloading.

Highways Agency Expenditure

Mr. Allen: To ask the Secretary of State for Transport what is the expected outturn expenditure of the Highways Agency for the financial year 1995–96, broken down between (i) assessment, strengthening, repair and upgrading of structures, (ii) capital maintenance of roads, (iii) motorway control and communications equipment, (iv) network enhancements, (v) national schemes, (vi) routine maintenance, (vii) research and development and (viii) other activities; and what proportion, by value of the work planned for 1995–96 in the Highways Agency's business plan, is expected to be completed within this financial year. [22757]

Mr. Watts: I have asked the chief executive of the Highways Agency to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Graham Allen, dated 27 March 1996:

The Minister for Railways and Roads, Mr John Watts, has asked me to reply to your recent Parliamentary Question in which you asked for details of the expected outturn of the Highways Agency for the financial year 1995–96. I attach detailed forecasts, broken down into the categories which you requested, which were prepared on the basis of outturn figures available at the end of February. I expect the final outturn to be rather higher but still within the Agency's overall Vote of £1782m.

You also asked what proportion, by value of the work planned for 1995–96 in the Business Plan, is expected to be completed within this financial year. The Agency is on course to meet all of the targets in the Business Plan, as amended by Ministers in January.

	Forecast Outturn 1995–96 £ million
(i) assessment, strengthening, repair and upgrading structures	108.1
(ii) capital maintenance of roads	303.7
(iii) motorway control and communications equipment	48.6
(iv) network enhancements	67.3
(v) national schemes	775.6
(vi) routine maintenance	161.5
(vii) research and development	11.8
(viii) other activities (including Preparation and Supervision and Land)	410.6
Total Programme Forecast (Gross)	1,887.2
Total Programme Forecast (net of appropriations-in-aid)	1,749.2

Note:
Routine Maintenance includes Routine and Winter Maintenance and Communications Maintenance.
Source:
February 1996 MMR and 1996-97 Business Plan.

Forth Rail Bridge

Mr. Donohoe: To ask the Secretary of State for Transport how much British Rail and its successor bodies have spent on the painting of the Forth rail bridge in each of the last four financial years, and in the current financial year; and what changes have occurred in the method used for painting the bridge. [22843]

Mr. Watts: On the question of costs, I refer the hon. Member to my answer of 22 November 1995, column *150*.

I understand that the painting methodology changed in the early 1980s when British Rail began moving from a short-term cycle of repainting to a long-term cycle.

Aircraft Movements

Mrs. Dunwoody: To ask the Secretary of State for Transport, pursuant to his answer of 7 March, *Official Report*, columns *308-9*, what records the Civil Aviation Authority maintains of aircraft taking off and landing without allocated slots. [21733]

Mr. Norris: The CAA does not maintain records specifically of aircraft taking off or landing without being allocated a runway slot.

ENVIRONMENT

Organic Pollutants

Sir David Steel: To ask the Secretary of State for the Environment if the Government will support the efforts of the UN environment programme to draw up a global, legally binding treaty to ban the most dangerous identified persistent organic pollutants at the forthcoming meeting of the Commission on Sustainable Development. [22265]

Mr. Gummer: The UK has played a major role in developing a proposed protocol on persistent organic pollutants under the United Nations Economic Commission for Europe convention on long-range transboundary air pollution. The Government support the United Nations Environment Programme initiative to build on this work and will play an active role in its development.

Sir David Steel: To ask the Secretary of State for the Environment what plans he has to draw up a national plan of action *(a)* to end the United Kingdom's use of the most dangerous identified persistent organic pollutants and *(b)* to phase out the disposal of raw sewage and industrial waste in rivers and oceans. [22266]

Mr. Gummer: The 12 most dangerous persistent organic pollutants identified by the United Nations Environment Programme are no longer used in this country, except for polychlorobiphenyls, the use of which is being phased out.

In line with the requirements of the urban waste water treatment directive, an implementation programme, which includes the provision of treatment for all significant discharges of sewage, has been established. A copy of this programme is in the Library of the House.

The discharge of industrial waste from prescribed processes is controlled by Her Majesty's inspectorate of pollution. In issuing permits, it requires dischargers to apply the best available techniques not entailing excessive costs.

Incinerators

Mr. Gordon Prentice: To ask the Secretary of State for the Environment what representations he has received from the operators of purpose-built incinerators concerning the Government's policy statement, "Making Waste Work". [22955]

Mr. Clappison: I have received a number of representations from organisations representing the industry.

Drinking Water

Mrs. Helen Jackson: To ask the Secretary of State for the Environment what is the estimated average cost per gallon of treating drinking water drawn from *(a)* reservoirs, *(b)* rivers and *(c)* groundwater. [22980]

Mr. Clappison *[holding answer 26 March 1996]:* The information requested is not held by my Department.

Trafford Home Improvement Services

Mr. Tony Lloyd: To ask the Secretary of State for the Environment (1) what actions have been taken by his Department since the liquidation of Trafford Home Improvement Services to safeguard *(a)* public money and *(b)* moneys owed to owner-occupiers and building firms; and when these actions were taken; [23043]

(2) if he will make a statement on the position of creditors of Trafford Home Improvement Services; [23044]

(3) if he will make a statement on the discussions he has held with Trafford council in respect of the liquidation of Trafford Home Improvement Services; [23045]

(4) if he will make a statement on the liquidation of Trafford Home Improvement Services in Trafford, Greater Manchester; [23046]

(5) if he will make a statement on the relationship between his Department, Trafford council and Trafford Home Improvement Services, with reference to appointments to that body or concerning that body which were made by him, or by Trafford council and the financial regulations which he imposed; [23047]

(6) when his Department was made aware of the financial position of Trafford Home Improvement Services which led to its liquidation; and what action his Department took. [23048]

Mr. Clappison: In early February, my Department was informed by Trafford council that Trafford Home Improvement Services had gone into voluntary liquidation. Trafford Home Improvement Services is a private company limited by guarantee, used by Trafford council to provide home improvement agency services in its area. None of the directors or guarantors of the company is appointed by the Government. I am unable, therefore, to comment on the position of the creditors. It is understood that the receivers appointed by the creditors will prepare a report in due course.

Local authorities are invited each year to submit bids for grant towards the costs of providing home improvement agency services in their area. Authorities are responsible for agreeing individual budgets produced by home improvement agencies and for claiming grant on their behalf. In view of the collapse of Trafford Home Improvement Services, the Department has asked for a full report from Trafford council on affairs of the agency. The Department is also seeking to establish whether the authority has breached any of the grant conditions and, if appropriate, will seek recovery of grant.

The Department has agreed to fund Trafford council's costs in employing an official for one month to assist with the orderly closure of the agency. Care and Repair Ltd., the national co-ordinating body appointed by the Government to advise on home improvement agencies, is also closely involved with the programme of work to wind up the affairs of the agency.

Departmental Cash Limits

Mr. Spring: To ask the Secretary of State for the Environment what proposals he has to change his Department's cash limits for 1995–96. [23438]

Mr. Gummer: I propose to make the following changes:

(a) The DOE/HC (Housing Corporation) non-voted cash limit, covering grants and capital expenditure by the Housing Corporation in England, will be increased by £4,316,000 from £1,149,089 to £1,153,405,000. The increase is to fund an additional £2,820,000 in respect of city challenge expenditure; and to effect a transfer of £1,496,000 from current to capital expenditure under the rough sleepers' initiative.

(b) The DOE/LACAP (local authority capital) non-voted cash limit will be increased by £1,649,000 from £1,924,064,000 to £1,925,713,000. The increase is due to take up of end-of-year flexibility for supplementary credit approvals to local authorities to enable funding of projects within the Housing Partnership Fund. The EYF entitlement of £933,000 was announced by the Chief Secretary to the Treasury on 13 July 1995, *Official Report*, columns *776-82*, but was subsequently recalculated following revised forecast outturn data. The increase will be charged to the reserve and will therefore not add to the planned control total of public expenditure.

(c) The DOE/RCW (regeneration and countryside and wildlife) non-voted cash limit will be decreased by £2,262,000 from £1,504,274,000 to £1,502,012,000. The decrease is the net effect of a transfer of £2,820,000 to the non-voted cash limit for the Housing Corporation (DOE/HC), to allow expenditure on city challenge projects financed by the Housing Corporation in England and an increase met by a transfer of £558,000 from the cash limit on class VII, vote 4 to allow the issue of supplementary credit approvals in respect of the urban programme.

(d) The external financing limits will be increased for urban development corporations by £500,000 from £259,514,000 to £260,014,000 to allow Merseyside development corporation to bring forward regeneration projects; and for housing action trusts by £2,855,000 from £89,979,000 to £92,834,000 to accelerate progress on the redevelopment of housing action trust estates.

(e) The DOE/OES (other environmental services) non-voted cash limit will be increased by £4,703,000 from £32,832,000 to £37,535,000. This increase reflects the take up of end year flexibility (£2,310,000) as announced by the Chief Secretary to the Treasury on 13 July 1995, *Official Report*, columns *776-82*, to fund increases in provision for: contaminated land; recycling; and, Isles of Scilly water and sewerage supplementary credit approvals. The increase also includes a technical transfer of £2,393,000 from the DOE/NT (new towns) non-voted cash limit in respect of local authority contributions to the Commission for the New Towns under road cost sharing arrangements. The increase will be used to provide supplementary credit approvals to local authorities to cover their capital contributions to the Commission for the New Towns.

(f) The DOE/NT (new towns) non-voted cash limit will be reduced by £2,025,000 from –£125,000,000 to –£127,025,000. The reduction is the result of additional receipts of £2,393,000 from local authorities financed by the increase in DOE/OES described above. In addition, there is a decrease of £315,000 resulting from a change in the final EFL (from nil to –£315,000) of the former Letchworth Garden city corporation which ceased to exist on 30 September. This is offset by an increase of £683,000 through take up of end year flexibility as announced by the Chief Secretary to the Treasury on 13 July 1995, *Official Report*, columns *776-82*. I draw attention to the presentation of the DOE/NT (new towns) non-voted cash limit for 1995–96 in the Summary and Guide to the Supply Estimates 1995–96 (Cm. 2775). It incorrectly showed the cash limit to be –£134,301,000 instead of the correct figure of –£125,000,000.

(g) The external financing limits for the British Waterways Board will be increased by £200,000 from £49,640,000 to £49,840,000. The increase arises from savings on other sub-heads within vote 3 (environmental protection and water) and it will fund additional capital and maintenance expenditure.

(h) The cash limit for class VII, vote 4, (local government and planning, England) covering sections A to F of that vote, will be reduced by £558,000 from £30,086,810,000 to £30,086,252,000. This change is to allow savings due to lower charges for Valuation Office Agency non-domestic rating work on section A (valuation services) to be transferred to the non-voted cash limit for regeneration and countryside and wildlife to allow the issue of supplementary credit approvals for the urban programme.

All the increases will be offset either by savings or charged to the reserve and will not therefore add to the planned total of public expenditure.

Home Energy Efficiency Scheme

Ms. Ruddock: To ask the Secretary of State for the Environment how many *(a)* requests for information and *(b)* applications for grants were made under the home energy efficiency scheme in (i) February 1995, (ii) February 1996, (iii) March 1995 and (iv) March 1996 to the latest available date; and if he will supply the information in the same form as his answer of 7 February, *Official Report*, column *201*. [23073]

Mr. Robert B. Jones: The table shows the numbers of requests for information received by Eaga Ltd. the scheme managers, and the numbers of applications made for grant.

Month	*Requests for information*	*Grant applications*
February 1995	27,322	42,801
February 1996	53,874	58,551
March 1995	18,805	32,390
March 1996 (until 22nd)	37,398	43,450

HOME DEPARTMENT

Merseyside Fire Brigade

Mr. Parry: To ask the Secretary of State for the Home Department if he will make a statement on the current situation in the Merseyside fire brigade dispute; and if he will make a statement. [22494]

Mr. Sackville: The dispute is a local matter about changes to leave arrangements proposed by Merseyside fire and civil defence authority. I understand that the authority and the Fire Brigades Union are engaged in talks at the Advisory, Consiliation and Arbitration Service and I hope that these discussions will lead to an early end to the dispute. In the interim, military assistance to provide fire cover if there are further strikes continues to be available to the fire and civil defence authority.

Loyal Orange Lodge (Liverpool)

Mr. Parry: To ask the Secretary of State for the Home Department how many marches have been made by the Loyal Orange Lodge on the streets of Liverpool in each of the past three years; how many police were involved in policing the marches; what was the cost to public funds; and if he will make a statement. [22450]

Mr. Maclean: The deployment of police resources and details of police arrests at particular events in Liverpool are operational matters for the chief constable of the Merseyside police. Such information is not held centrally.

Immigration (Computers)

Mr. Devlin: To ask the Secretary of State for the Home Department what plans he has for introducing computers into the handling of immigration casework. [23566]

Mr. Kirkhope: The immigration and nationality department has developed a programme to computerise the handling of immigration casework in order to deliver improvements in service, to strengthen the administration of the control and to produce substantial efficiency savings. A seven-year contract is to be awarded to Siemens Business Services under the private finance initiative, by means of which the company will design, build, finance and operate a comprehensive new information technology system for this purpose and assist IND in the introduction of appropriate working methods.

National Lottery

Mr. Devlin: To ask the Secretary of State for the Home Department what estimate he has made of the effect of the national lottery on charitable income. [23567]

Mr. Howard: The national lottery has provided an unparalleled source of new funds for charities and the voluntary sector generally. The National Lottery Charities Board has so far made awards totalling £159 million, exclusively for the benefit of the voluntary sector. Furthermore, a very large part of the awards from the other lottery distributors has gone to the voluntary sector. Of the £1 billion allocated so far to arts, sports, heritage and millennium projects, almost £400 million has been awarded to voluntary sector organisations. This means that almost 50 per cent. of available lottery moneys for good causes has gone to charities and voluntary organisations. As the lottery continues, similar sums of money will be available to the sector year on year.

The claims which have been made so far have been based on surveys in which people state whether they have made any recent unplanned donations. These surveys say little about the size of donations, nor about whether any changes in giving are due to the lottery. A wide range of economic and social symptoms has been blamed on the lottery, from a decline in savings to a reduction in cinema attendances; but the causal link, not least for charities, is far from clear. The situation is further complicated by the fact that, while there are charities which have seen donations declining since the introduction of the national lottery, others have reported an increase.

During the passage of the National Lottery etc. Bill, the Government gave a commitment to monitor changes in charities' income following the introduction of the Lottery. With the participation of the National Council for Voluntary Organisations, the Government have set up a research programme to look at charities' income before and after the lottery was established. Provisional findings should be available by late spring, more comprehensive findings by next year and final results by early 1998.

Examination of charities' accounts is a more reliable and factually based method of approaching this issue than surveys of the public can be. It is, however, inevitably a longer-term exercise and, in the meantime, public surveys, a useful but secondary method of researching the issue, remain the main source of information. While this is the case, firm conclusions cannot be drawn.

John Kearney

Mr. Cox: To ask the Secretary of State for the Home Department if he will make a statement on the escape of John Kearney from prison officer custody. [21753]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Mr. Tom Cox, dated 27 March 1996:

The Home Secretary has asked me to reply, in the absence of the Director General from the office, to your recent Question about the escape of John Kearney from prison officer custody.

Mr. Kearney has served nine years of a life sentence. In August 1995, he successfully completed an escorted visit to his aged father who could not travel and whose health was failing. Mr. Kearney made a second request to visit his father. The governor, having taken into consideration Mr. Kearney's successful completion of an escorted visit, his continued good prison behaviour and his father's health, decided to allow another escorted visit.

Mr. Kearney was handcuffed during the journey, but on the instructions of the governor, the handcuffs were removed on arrival. Mr. Kearney made good his escape by going out the front door and locking it, the officers were unable to follow. The escape was reported to the police and a thorough search of the area was conducted. Mr. Kearney is still at large. An investigation into the escape was ordered by the area manager responsible for Kingston.

The investigation report into the escape is currently with the area manager responsible for Kingston who will decide what action needs to be taken.

Life Sentences

Mr. Alex Carlile: To ask the Secretary of State for the Home Department how many and what percentage of those convicted *(a)* twice and *(b)* more than twice for each of the last five years for each offence for which a lift sentence is imposable by discretion, were sentenced to (i) life, (ii) a determinate sentence of (1) 20 years or more, (2) 15 years or more, (3) 10 years or more and (4) under 10 years by type of offence; in respect of how many of those cases, in each category, the Attorney-General referred the sentence to the Court of Appeal; and if he will make a statement. [23033]

Miss Widdecombe *[holding answer 26 March 1996]:* The information requested is not collected routinely and data for each of the last five years are not available. A sample of those convicted in five weeks of 1993–94 for indictable offences includes 1,086 offenders convicted of offences carrying a discretionary life sentence. Some 132 offenders in the sample had been convicted twice of offences carrying a discretionary life sentence and 50 had been convicted more than twice. The sentence length given to these repeat offenders in the sample is shown for each offence in the tables. Information is not available on referrals to the Court of Appeal for the offenders included in the sample.

Table 1: Offenders convicted twice of an offence carrying a discretionary life sentence

	Sentence length					
Offence[1,2]	*Less than 10 years*	*10 years or more*	*15 years or more*	*20 years or more*	*Life*	*Total*
Manslaughter						
Number	4	—	—	—	—	4
Percentage	100	—	—	—	—	100
Wounding with intent to cause grievous bodily harm						
Number	25	2	—	—	—	27
Percentage	93	7	—	—	—	100
Possession of firearms with intent						
Number	1	—	—	—	—	1
Percentage	100	—	—	—	—	100
Buggery						
Number	2	1	—	—	—	3
Percentage	67	33	—	—	—	100
Rape						
Number	6	1	—	—	3	10
Percentage	60	10	—	—	30	100
Aggravated burglary						
Number	2	1	—	—	—	3
Percentage	67	33	—	—	—	100
Robbery						
Number	70	1	—	—	—	71
Percentage	99	1	—	—	—	100
Kidnapping						
Number	2	—	—	—	—	2
Percentage	100	—	—	—	—	100
False imprisonment						
Number	3	—	—	—	—	3
Percentage	100	—	—	—	—	100
Arson						
Number	8	—	—	—	—	8
Percentage	100	—	—	—	—	100
All offenders						
Number	123	6	—	—	3	132
Percentage	93	5	—	—	2	100

[1] Previous convictions are for any offence carrying a discretionary life sentence.

[2] There are several offences which carry a discretionary life sentence for which there were no second convictions in the sample weeks. These are attempted murder, unlawful sexual intercourse with a girl aged under 13, incest with a girl aged under 13, conspiring to commit murder, endangering railway passengers, hijacking, criminal damage endangering life, possession or use of explosives with intent to endanger life or to do grievous bodily harm.

Table 2: Offenders convicted more than twice of an offence carrying a discretionary life sentence

Offence[1,2]	Sentence length: Less than 10 years	10 years or more	15 years or more	20 years or more	Life	Total
Manslaughter						
Number	1	—	—	—	—	1
Percentage	100	—	—	—	—	100
Wounding with intent to cause grievous bodily harm						
Number	6	1	—	—	—	7
Percentage	86	14	—	—	—	100
Buggery						
Number	1	—	—	—	—	1
Percentage	100	—	—	—	—	100
Rape						
Number	1	—	—	—	1	2
Percentage	50	—	—	—	50	100
Robbery						
Number	32	—	—	—	1	33
Percentage	97	—	—	—	3	100
Kidnapping						
Number	2	—	—	—	—	2
Percentage	100	—	—	—	—	100
False imprisonment						
Number	3	—	—	—	—	3
Percentage	100	—	—	—	—	100
Arson						
Number	1	—	—	—	—	1
Percentage	100	—	—	—	—	100
All offenders						
Number	47	1	—	—	2	50
Percentage	94	2	—	—	4	100

[1] Previous convictions are for any offence carrying a discretionary life sentence.
[2] There are several offences which carry a discretionary life sentence for which there were no second convictions in the sample weeks. These are attempted murder, unlawful sexual intercourse with a girl aged under 13, incest with a girl aged under 13, conspiring to commit murder, endangering railway passengers, hijacking, criminal damage endangering life, possession or use of explosives with intent to endanger life or to do grievous bodily harm.

Casinos and Bingo Clubs

Mr. Spearing: To ask the Secretary of State for the Home Department what reference number was given to the consultation paper concerning the deregulation of casinos and bingo clubs published on 27 February; to whom it was sent; how many copies were printed: if it is available from *(a)* Her Majesty's Stationery Office and *(b)* other outlets; and at what price. [22767]

Mr. Kirkhope: The consultation paper on casinos and bingo clubs has the reference number ISBN: 1858935725.

A full list of those consulted is given in appendix 1 to the paper. In addition, copies were sent to all hon. Members. Approximately 2,200 copies of the paper were printed.

The paper is not available from Her Majesty's Stationery Office but can be obtained, free of charge, direct from the Home Office.

Prisons (Drug Testing)

Ms Janet Anderson: To ask the Secretary of State for the Home Department what plans he has to make changes to the methods used for the mandatory drug testing of women prisoners. [22663]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Pearson to Ms Janet Anderson, dated 27 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question regarding the methods used for the mandatory drug testing of women.

The introduction of mandatory drug testing into women's prisons followed a thorough consideration of the issues involved. Mandatory drug testing procedures are subject to constant review and refinement. There are no immediate plans to alter the methods used for the mandatory drug testing of women.

Director General of the Prison Service

Mr. Redmond: To ask the Secretary of State for the Home Department what action he has taken to date to fill the vacant position of the Director General of the Prison Service; and if he will make a statement. [21086]

Mr. Howard: I am considering the matter carefully and will make an announcement as soon as possible.

Reconviction Rates

Mr. Llwyd: To ask the Secretary of State for the Home Department what are the latest reconviction rates two years and four years after release for *(a)* adults, *(b)* 15 to 17-year-olds and *(c)* 18 to 21-year-olds, breaking down the figures by gender. [22462]

Miss Widdecombe: The most recent available information is as follows:

Two year reconviction rates[1] for sentenced prisoners discharged from Prison Service establishments during 1992

England and Wales

Age at sentence	*Males*	*Females*	*Total*
Aged 15–17	82	[2]56	81
Aged 18–20[3]	68	49	68
Aged 18–21	65	48	65
All young offenders	72	51	71
Adults	45	36	45
Total	52	38	51

[1] Relates to convictions for "standard list" offences only. These offences include all indictable offences and some of the more serious summary offences. Rates are based on a sample of prisoners.

[2] This figure is based on only 59 discharges.

[3] Figures are supplied for those aged 18 to 20 in addition to those aged 18 to 21 as prisoners aged 21 at sentence are included among adults.

Four year reconviction rates[1] for sentenced prisoners discharged from Prison Service establishments during 1988

England and Wales

Age at sentence	*Males*	*Females*	*Total*
Aged 15–17	87	66	87
Aged 18–20[2]	75	59	74
Aged 18–21	73	57	73
All young offenders	79	61	78
Adults	58	43	57
Total	65	47	64

[1] Relates to convictions for "standard list" offences only. These offences include all indictable offences and some of the more serious summary offences. Rates are based on a samples of prisoners.

[2] Figures are supplied for those aged 18 to 20 in addition to those aged 18 to 21 as prisoners aged 21 at sentence are included among adults.

TRADE AND INDUSTRY

Industrial Death and Redevelopment Scheme

Mrs. Clwyd: To ask the President of the Board of Trade who was the last guarantor for the industrial death and redevelopment scheme. [22997]

Mr. Page: This is a matter for the British Coal Corporation, which remains liable to meet all entitlements under the industrial death and retirement scheme.

Marathon Oil Well (Douglas Head)

Dr. Godman: To ask the President of the Board of Trade if he will make a statement on the decision by Marathon Oil plc to drill an exploration well 5.6 miles east-south-east from Douglas head. [22455]

Mr. Page: The proposed drilling activity will take place in block 112/29 which falls within the Isle of Man territorial waters and is therefore a matter for the Isle of Man Government.

Seismic Tests (Solway Firth)

Dr. Godman: To ask the President of the Board of Trade if he will make a statement on the decision by Esso plc to carry out exploratory seismic operations in the Solway firth; and if he will make a statement. [22454]

Mr. Page: Esso Exploration and Production UK Ltd. is the licensee of blocks 112/10, 112/14, 112/15 and 113/11 in the north Irish sea, which are located to the west of the Solway firth bay closing line. The licensed area of these blocks does not extend into the Solway firth.

These blocks were awarded in the 14th round of offshore oil and gas licensing and are subject to strict conditions—which were agreed with other Government Departments and the Joint Nature Conservation Committee—to take account of the concerns of other users of the sea and protect any environmental sensitivities which have been identified in the area. I have placed a copy of the 14th round indicative licence conditions in the Library of the House.

The company has already completed seismic operations in the area, and is close to concluding an extensive and wide-ranging consultation exercise regarding its plans to drill. Those consulted include Government Departments, the JNCC, the fishing industry and local authorities.

Institute of Animal Health

Mr. Gordon Prentice: To ask the President of the Board of Trade how many scientists and researchers were employed at the Institute of Animal Health in Edinburgh in each year since 1990 up to the current date. [22951]

Mr. Ian Taylor: The number of people in terms of full-time equivalents employed at the neuropathogenesis unit in the science grades for the respective years since 1990 is:

Year	*Number of science employees*
1990	25
1991	30
1992	40
1993	41
1994	36.5
1995	26
1996	33

Public Bodies

Dr. Wright: To ask the President of the Board of Trade if he will list those of his Department's advisory non-departmental public bodies which *(a)* the Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish their response to advice supplied by them. [21865]

Mr. John M. Taylor *[holding answer 21 March 1996]:* My Department is not required to consult its advisory non-departmental public bodies prior to

legislative proposals, although it does so whenever appropriate. Nor is it required to publish its response to advice supplied by advisory non-departmental public bodies.

SOCIAL SECURITY

Benefits Agency Offices (Wales)

Mr. Llwyd: To ask the Secretary of State for Social Security how many Benefits Agency offices there have been in Wales in each of the past 10 years; and if he will make a statement. [22375]

Mr. Roger Evans: The Benefits Agency was established in 1991 and the information requested from that date is set out in the table:

	Main processing offices	*Public caller outlets*
1991	37	38
1992	37	38
1993	37	38
1994	36	39
1995	35	40
1996	34	41

National Insurance (Actors)

Mr. Meacher: To ask the Secretary of State for Social Security what plans he has (i) to take actors out of class 1 national insurance and (ii) to consult them before implementing such plans; and if he will make a statement. [22697]

Mr. Heald: We have been considering for some time the implications of treating actors as self-employed for national insurance purposes as the majority are now for tax purposes and we have already consulted widely on the matter. We have written to the British Actors' Equity Association and other performers' representatives to invite them to further discussions.

OVERSEAS DEVELOPMENT ADMINISTRATION

Somalia

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of *(a)* food stocks in Somalia, *(b)* the number of people suffering malnutrition in Somalia and *(c)* the possibility of famine in Somalia in the coming months. [23078]

Mr. Hanley: The food supply situation in Somalia has been affected by insecurity, erratic rains and pest infestation. The World Food Programme estimates a 1996 food shortfall of about 150,000 tonnes. The WFP plans to distribute 2,500 tonnes per month to meet immediate needs. To date, it has pledges of 39,000 tonnes.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of *(a)* the internal conflict in Somalia and *(b)* the capacity for reconciliation; and what measures are being taken, or are planned, by (i) Her Majesty's Government and (ii) the EU to assist such reconciliation. [23079]

Mr. Hanley: We remain concerned at the instability in Somalia caused by factional fighting. A return to peace can be achieved only by agreement among the Somalis themselves. We are supporting efforts by the EU and UN to encourage national reconciliation.

Mr. Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made, and what discussions have taken place, between Her Majesty's Government and British and non-British non-governmental organisations of the possibility of making food aid available in Somalia; and what assessment he has made of the security of that food aid and of the people involved in distributing it. [23080]

Mr. Hanley: My noble friend Baroness Chalker and officials are in regular contact with international NGOs about food aid needs throughout the Horn of Africa. We have no outstanding requests for food aid for Somalia. We remain ready to consider further assistance if needs increase. In doing so, we would take into consideration the provision of adequate security for the food aid and those distributing it.

Indonesia

Mr. Jon Owen Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Indonesian police officers have received training in the maintenance of public order in each year since 1990 under the police management training project *(a)* in the United Kingdom and *(b)* in Indonesia by United Kingdom police officers. [22876]

Mr. Hanley: The training provided under this project has included courses on personnel management, business administration, training management, organisation development, leadership, and training for trainers, as well as attachments to UK police forces. It has not included training in the maintenance of public order.

Research Establishments

Mrs. Anne Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs which former public sector research establishments in the Overseas Development Administration have been privatised since 1979; and which public sector research establishments in the Overseas Development Administration are currently undergoing reviews with a view to placing them in the private sector. [21940]

Mr. Hanley: From 1979 to date, no ODA research establishment has been transferred to the private sector. Over the period, a number of separate bodies were brought together to form the Natural Resources Institute. The transfer of the NRI to the private sector is in progress; a preferred bidder was announced on 5 March, *Official Report*, column *166*.

TREASURY

Income Tax

Mr. Forman: To ask the Chancellor of the Exchequer what was taxable income after all allowances and reliefs as a percentage of total taxpayers' income in *(a)* 1979, *(b)* 1983, *(c)* 1987, *(d)* 1992 and *(e)* the latest year for which figures are available. [20344]

Mr. Jack: Estimates based on the survey of personal incomes are given in the table. A comparable figure is not available for 1996–97. For years prior to 1994–95, the married couple's allowance and mortgage interest relief affected the calculation of taxable income. From 1994–95, these have been available at a specified rate, so they no longer affect the calculation of taxable income. Taxable income—after allowances and reliefs given at marginal rates—on the new basis as a percentage of total taxpayers' income is estimated to be 73 per cent. in 1996–97.

Year	*Taxable income after all allowances and reliefs as a percentage of total taxpayers' income (per cent.)*
1978–79	61
1982–83	62
1986–87	59
1991–92	62
1996–97	—

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the additional annual revenue which would be raised from Welsh taxpayers if the basic rate of income tax were increased from 24 to 25 per cent. [22688]

Mr. Jack *[holding answer 26 March 1996]:* It is not possible to provide a reliable breakdown below United Kingdom level for 1996–97. The latest available information is for 1993–94. The full-year yield from an increase in the basic rate of tax under the 1993–94 tax regime and at 1993–94 income levels is £1,600 million for the United Kingdom and £60 million for Wales.

Privatisation

Dr. Goodson-Wickes: To ask the Chancellor of the Exchequer what guidelines the Government have produced in relation to prospectuses for privatisation of public utilities. [20693]

Mr. Jack *[holding answer 25 March 1996]:* At the time of an initial or subsequent offer, the Government, as seller of the shares, and the company concerned, as issuer of the shares to be sold, are subject to the same legal and regulatory framework as other vendors or issuers. There are no guidelines relating specifically to the prospectuses for offers of shares in privatisations.

Public Sector Borrowing

Mr. Sedgemore: To ask the Chancellor of the Exchequer in which years since 1978–79 the public sector borrowed more than was required to finance its net capital spending. [22389]

Mrs. Angela Knight *[holding answer 25 March 1996]:* The public sector borrowing requirement exceeded net capital spending in the years 1978–79 to 1985–86 inclusive and 1991–92 to 1994–95 inclusive.

Small Pension Schemes

Mr. Timms: To ask the Chancellor of the Exchequer if he will estimate the total number of small self-administered pension schemes at the most recent date for which figures are available. [23055]

Mr. Jack: Information held by the Inland Revenue's pension schemes office shows that there are currently about 28,000 small self-administered pension schemes.

Mr. Timms: To ask the Chancellor of the Exchequer how many Inland Revenue staff are engaged in work relating directly to the administration of small, self-administered pension schemes. [23054]

Mr. Jack: Approximately 60 full-time staff units of the Inland Revenue's pension schemes office are engaged in work relating directly to the tax approval and monitoring of small self-administered pension schemes. In addition, some staff in local tax offices are periodically involved in this work, as a consequence of dealing with the tax affairs of specific companies and individuals.

Personal Tax Allowance

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the revenue which would be raised by restricting the value of the personal tax allowance to relief of tax at the 24 per cent. rate and below. [22833]

Mr. Jack *[holding answer 26 March 1996]:* The estimated full-year yield at 1996–97 income levels from restricting personal allowances to the basic rate is £1.6 billion.

Mr. Bruce: To ask the Chancellor of the Exchequer what is his estimate of the full year cost to the Exchequer of raising the value of the personal tax allowance by *(a)* £100, *(b)* £200, *(c)* £300, *(d)* £400, *(e)* £500, *(f)* £1,000, *(g)* £1,500 and *(h)* £2,000. [22832]

Mr. Jack *[holding answer 26 March 1996]:* Estimates are given in the table.

Estimated full year costs at 1996–97 income levels (£ billion)

Increase in non aged and aged personal allowance£	*Full year cost £ billion*
100	0.6
200	1.2
300	1.8
400	2.4
500	3.1
1,000	6.0
1,500	9.0
2,000	11.5

Married Couple's Allowance

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is the present annual cost to the Exchequer of the married couple's allowance. [22830]

Mr. Jack *[holding answer 26 March 1996]:* The estimated full-year cost at 1996–97 income levels is £3.3 billion. This includes the cost of allowances related to the married couple's allowance—the additional personal allowance and the widow's bereavement allowance.

Taxation

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the addition to Exchequer revenues which would result from raising the basic rate of tax from 24 per cent. to 25 per cent. in *(a)* 1996–97, *(b)* 1997–98, *(c)* 1998–99, *(d)* 1999–2000 and *(e)* 2000–2001. [22834]

Mr. Jack *[holding answer 26 March 1996]:* The estimated full-year yield would be about £1.6 billion at 1996–97 income levels. The yields for future years would depend on levels of incomes, tax reliefs and allowances in those years.

Mortgage Interest Tax Relief

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is the present annual cost to the Exchequer of mortgage interest tax relief at source. [22831]

Mr. Jack *[holding answer 26 March 1996]:* In 1995–96, the estimated total cost of mortgage interest relief is about £2.7 billion, of which £2.6 billion is given through the MIRAS—mortgage interest relief at source—scheme.

These figures are based on the assumption, by convention, of no change from the current estimated average building society interest rate of 7.3 per cent. The rate of relief is 15 per cent.

VAT (Historic Buildings)

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the cost of ending the payment of value added tax on repairs to historic buildings. [22690]

Mr. Heathcoat-Amory *[holding answer 26 March 1996]:* The best estimate is £60 million per year.

Tobacco Duty

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the full-year revenue effect of raising the level of tobacco duty by the equivalent of 5p extra on a standard packet of cigarettes. [22691]

Mr. Heathcoat-Amory *[holding answer 26 March 1996]:* The Treasury publication "Tax Ready Reckoner and Tax Reliefs" shows that the estimated full-year revenue effect of raising the level of tobacco duty by 5p is £175 million.

Duty (Hydrocarbon Oils)

Mr. Matthew Banks: To ask the Chancellor of the Exchequer what steps are being taken to prevent avoidance of duty on hydrocarbon oils by mixing products after the duty has been paid. [23503]

Mr. Heathcoat-Amory: Subject to a resolution of the House, the Government will be bringing forward two new clauses at the report stage of the Finance Bill. These clauses will ensure that duty at the appropriate rate will have to be paid if non-dutiable kerosene is added to diesel road fuel, or to gas oil for use in off-road vehicles respectively. The first new clause will also ensure that lead or octane enhancers cannot be added to unleaded petrol by distributors or retailers without the higher rate of duty being paid. Both new clauses will come into force on a date to be specified in an order made by the commissioners of Customs and Excise.

Mr. Banks: To ask the Chancellor of the Exchequer what plans he has to review the law covering the duty on hydrocarbon oils. [23507]

Mr. Heathcoat-Amory: Customs and Excise will shortly be starting a major review of the legislation covering the way hydrocarbon oil duty is charged with the aim of bringing forward proposals next year for having it set out more clearly and simply. Customs will be consulting fully with the trade and other interested parties. The intention is not to review the rates of duty charged or the current rebates and exemptions or the time at which duty is charged, matters on which the Chancellor of the Exchequer will make his decisions in the normal way, but to put the existing provisions in a simpler and more robust format which will be better able to cope with the introduction of new products.

Valuation Office

Mr. Matthew Banks: To ask the Chancellor of the Exchequer what targets will be set for the Valuation Office executive agency for the year 1996–97. [23504]

Mrs. Angela Knight: The following key targets have been set for the Valuation Office in 1996–97:

Operational

to clear 100,000 appeals against the council tax valuation lists;

to clear 330,000 appeals in aggregate against the 1990 and 1995 rating lists;

to undertake 64,000 valuation cases for the Inland Revenue for capital gains tax and inheritance tax purposes.

Financial and cost efficiency

to ensure that the agency's net operating cost, after deducting the cost of statutory non-chargeable work, is at least fully covered by receipts;

to break even from year to year within each business segment, after charging for the full cost of chargeable services including notional interest of 6 per cent. on the average working capital;

to achieve efficiency savings of 7.9 per cent. on the agency's gross expenditure.

Quality of service

to reply to 100 per cent. of correspondence within 20 working days of receipt;

to achieve specified time limits on 97 per cent. of cases undertaken;

to achieve a specified valuation quality standard in 85 per cent. of cases carried out.

Further details are set out in the agency's forward plan, copies of which will be placed in the Library of the House on publication.

Government Borrowing

Mr. Matthew Banks: To ask the Chancellor of the Exchequer if he will give details of the Government's borrowing programme for 1996–97. [23505]

Mrs. Angela Knight: Yes. The Government today published the 1996–97 debt management report. This report, the second of the series, includes details of the 1996–97 borrowing programme and the Government's remit to Bank of England for gilt sales in 1996–97. Copies have been placed in the Library of the House.

Sales of Debt

Mr. Matthew Banks: To ask the Chancellor of the Exchequer what plans he has to publish a remit for sales of debt by the Department for National Savings. [23506]

Mrs. Angela Knight: The remit for the Department for National Savings for 1996–97 is as follows:

Objectives

The Department for National Savings' declared aim is to support the Government's management of their debt and their policies for personal savings by attracting and retaining investments from the retail market efficiently and cost-effectively.

The Department's primary task is therefore to be an efficiency and cost-effective source of funding for Her Majesty's Government. It is also charged with maintaining a suitable range of schemes to encourage savings among the population.

Volume of Funding in 1996–97

The net contribution of national savings to funding in 1996–97 is assumed to be around £3.0 billion.

Responsibilities

The Treasury is responsible, under the National Loans Act 1968, for setting the terms of national savings products. DNS will normally take the lead in bringing forward proposals to Treasury Ministers on product terms, including rates.

Cost Comparisons

The Government intend that National Savings' contribution to funding should offer value for money overall compared with other sources of funding. Product terms will take account of the need for DNS to retain the capability and market presence to contribute to the Government's funding needs over the medium term.

NORTHERN IRELAND

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Northern Ireland how many questions were tabled to his Department in each Session since 1987–88; how many were not answered on the grounds of disproportionate cost; what percentage of the total number of questions this represented; how many were not answered on the grounds that the information was not centrally available; and what percentage of the total number of questions this represented. [21150]

Sir John Wheeler: The figures for the Northern Ireland Office and Northern Ireland Departments since 1987–88 are in the table.

Year	*Oral questions*	*Written questions*
1987–88	354	2,205
1988–89	264	1,275
1989–90	247	1,461
1990–91	227	1,214
1991–92	123	757
1992–93	332	1,775
1993–94	220	1,285
1994–95	235	1,761
1995–96	87	639

These figures have been produced from the POLIS—parliamentary on-line information system—database. The figures reflect the number of questions answered and should be treated as indicative only; because of certain factors, complete accuracy on departmental activity cannot be provided.

The further information requested could be obtained only at disproportionate cost.

Fish Farming

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 29 January, *Official Report*, column *525*, what the annual production of table-sized rainbow trout from the 104 fattening ponds has been in each of the last 10 years. [21799]

Mr. Ancram: This information is not available. The licences under which these small ponds operate precludes the sale of the fish produced.

Mr. Robinson: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 29 January, *Official Report*, column *525*, which Government Department sanctions and licences the movements of the live juvenile rainbow trout from the fish farms which supply to each of the fattening ponds. [21803]

Mr. Ancram: The Department of Agriculture for Northern Ireland.

Mr. Robinson: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 29 January, *Official Report*, column *525*, if he will list by title and location each of the ponds where rainbow trout are artificially fed. [21811]

Mr. Ancram: A list of the names and addresses of those holding fish culture licences for garden ponds has been placed in the Library of the House.

Mr. Robinson: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 29 January, *Official Report*, column *525*, if he will publish the licences of recorded movements of juvenile rainbow trout from the fish farms which supply each fattening pond. [21805]

Mr. Ancram: A copy of the permits issued during 1995 under the Fisheries Act (Northern Ireland) 1966 which authorise the movement of live fish and which relate to the supply of juvenile rainbow trout from the fish farms which supply each pond has been placed in the Library of the House.

Mr. Robinson: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 29 January, *Official Report,* column *525,* how often the ponds are tested for enteric red mouth disease. [21809]

Mr. Ancram: No routine disease monitoring is undertaken at these ponds where production is not permitted to exceed 500 fish per annum. Testing for a range of diseases, including enteric redmouth is carried out when exposure to infection is suspected and when abnormal mortalities or disease outbreaks are reported as required under the terms of fish culture licences.

Mr. Robinson: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 29 January, *Official Report,* column *525,* what information the operators of the ponds are required to provide to the Fisheries Conservancy Board. [21797]

Mr. Ancram: None.

Mr. Robinson: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 29 January, *Official Report,* column *525,* if a fish dealer's licence is required to purchase the mature rainbow trout from the fattening ponds for supply to fishmongers, hotels and the catering trade. [21801]

Mr. Ancram: The supply of fish to fishmongers, hotels and the catering trade is precluded by the terms of the licences under which these ponds operate.

Mr. Robinson: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 29 January, *Official Report,* column *525,* how many recorded uses of chemicals at the ponds there were in (i) 1993, (ii) 1994 and (iii) 1995. [21808]

Mr. Ancram: None.

Mr. Robinson: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 29 January, *Official Report,* column *525,* on what date each of the 104 ponds were granted a fish culture licence under section 11 of the Fisheries Act Northern Ireland 1966. [21800]

Mr. Ancram: This information is contained on the list of holders of fish culture licences in respect of garden ponds which has been placed in the Library of the House.

Mr. Robinson: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 29 January, *Official Report,* column *525,* how many of the sites where rainbow trout are artificially fed have been granted a fish culture licence under section 11 of the Fisheries Act Northern Ireland 1966. [21804]

Mr. Ancram: All known sites where rainbow trout are artificially fed have been granted a fish culture licence under section 11 of the Fisheries Act (Northern Ireland) 1966.

Mr. Robinson: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 29 January, *Official Report,* column *525,* how often officials of the Fisheries Conservancy Board visit each of the fattening ponds. [21802]

Mr. Ancram: There is no routine monitoring of ponds by officials of the Fisheries Conservancy Board for Northern Ireland: the monitoring of compliance with fish culture licence conditions is the responsibility of the Department of Agriculture for Northern Ireland.

Mr. Robinson: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 29 January, *Official Report,* column *525,* what measures are in place to ensure that rainbow trout from the ponds have been reared to Government standards. [21806]

Mr. Ancram: Appropriate requirements are imposed as conditions of the fish culture licence.

Mr. Robinson: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 29 January, *Official Report,* column *525,* how many of the ponds are used and supplied directly by Movanagher fish farm to grow on to maturity. [21810]

Mr. Ancram: None.

Mr. Robinson: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 29 January, *Official Report,* column *525,* if he will list the fish farms which have supplied and are currently supplying juvenile rainbow trout to the 104 fattening ponds. [21798]

Mr. Ancram: Historic information on those fish farms which have supplied juvenile rainbow trout to the ponds is not readily available and could be compiled only at disproportionate cost.

During 1995, Seven Springs trout hatchery, Bush Valley fish farm and Movanagher fish farm supplied juvenile fish to ponds.

Organised Crime

Mr. John Greenway: To ask the Secretary of State for Northern Ireland what measures he is taking to combat organised crime. [23509]

Sir John Wheeler: The Government are continuously seeking to enhance the effectiveness of the law to combat racketeering and organised crime in Northern Ireland in a way which balances the freedom of law-abiding people to go about their business against the threat from those who would pervert this freedom.

Our primary concern has been to counter the murderous campaigns of republican and loyalist terrorists. This will remain the case so long as it is necessary to combat the activities of groups, or a particular group, who espouse violence as a means of achieving their ends. The Government recognise that racketeering in Northern Ireland is intimately bound up with the activities of the terrorists. Indeed, the problem did not disappear during the ceasefires.

There has never been a clear distinction between "terrorist" racketeering and racketeering for personal gain and the report of the Home Affairs Select Committee on Organised Crime has recently warned that combating this menace

"should not be hindered by concern about what is and is not 'organised' crime".

This is why we are taking a number of measures to strengthen the law in dealing with organised crime—no matter what its motivation.

It is vital that those who are willing to testify against criminals are properly protected. Included in the Criminal Procedures and Investigation Bill are proposals which protect the fairness of trials from being prejudiced by intimidation: it will be possible for acquittals to be

reopened where there has been an offence involving intimidation of witnesses and jurors. In the same Bill, the rules of disclosure in advance of trial are to be recast, with the intention of reducing the risk of unmeritorious acquittals, as where a prosecution has to be stopped to protect the identity of informers. And we hope shortly to bring forward proposals for a new offence of witness intimidation. In other areas, changes which will enable the security services to become involved in the investigation of serious crime will extend to Northern Ireland. No less importantly, we will be taking steps to strengthen and update the law on the confiscation of the proceeds of criminal activity of any nature, in the draft Proceeds of Crime (Northern Ireland) Order which I hope will be laid soon.

I will also be looking for ways to enable improved co-operation and exchange of information between the RUC and other forces, whether this concerns intelligence, information technology, DNA samples or other issues. I will look carefully at arrangements between police forces to make sure that arrangements which best serve the needs of the RUC and other forces in the UK are implemented in Northern Ireland. I am also considering ways to facilitate the sharing of information between different agencies and to make sure that Northern Ireland can benefit from full participation in new arrangements at the international level.

Orders in Council

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what is his estimate of the annual number of extra Northern Ireland Orders in Council that will flow from the proposed Deregulation and Contracting-out Order in Council. [14546]

Mr. Ancram *[holding answer 13 February 1996]:* A composite deregulation Order in Council will be introduced next year and as frequently as necessary thereafter, to carry forward in Northern Ireland, as appropriate, changes being made in Great Britain under the order-making powers in the Deregulation and Contracting Out Act 1994 and any measures unique to Northern Ireland.

Unemployment

Mr. William Ross: To ask the Secretary of State for Northern Ireland what is the current number of *(a)* men and *(b)* women unemployed (i) as a percentage of the work force and (ii) in total for each council or other convenient geographical area. [22010]

Mr. Ancram: Travel-to-work areas are the only geographical areas within Northern Ireland for which both unemployment numbers and rates are available. Male, female and total figures for Northern Ireland TTWAs at 8 February 1996 are shown in the following table:

Numbers and percentages of unemployed claimants in travel to work areas[1] on 8 February 1996

Travel-to-work area	*Total unemployed by travel-to-work area*			*Percentage unemployed[2]*		
	Males	*Females*	*Total*	*Males*	*Females*	*Total*
Ballymena	1,735	611	2,346	10.0	4.5	7.6
Belfast	32,498	9,414	41,912	13.7	5.3	10.2
Coleraine	4,084	1,132	5,216	17.3	6.9	13.1
Cookstown	1,356	341	1,697	18.4	8.7	15.0
Craigavon	5,330	1,460	6,790	12.7	4.9	9.5
Dungannon	2,134	574	2,708	17.1	7.5	13.5
Enniskillen	2,512	570	3,082	16.4	6.2	12.5
Londonderry	7,756	1,544	9,300	22.4	6.4	15.8
Magherafelt	1,531	400	1,931	16.3	6.6	12.5
Newry	4,682	1,042	5,724	22.0	7.8	16.5
Omagh	2,081	508	2,589	16.2	6.0	12.2
Strabane	2,076	373	2,449	23.3	7.8	17.9
Northern Ireland total	67,775	17,969	85,744	15.3	5.7	11.4

[1] Travel-to-work areas are designated by the name of the major town in the area. Some of them coincide with a single District Council area and some are made up from several District Council areas.
[2] All rates are based on the estimated workforce at June 1994.

ATTORNEY-GENERAL

Equal Opportunities

Mr. David Shaw: To ask the Attorney-General what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22515]

The Attorney-General: No such payments have been made by the Legal Secretariat to the Law Officers, the Treasury Solicitor's Department, the Government Property Lawyers or the Serious Fraud Office.

The Crown Prosecution Service has made the following payments in respect of alleged equal opportunities breaches which did not proceed to tribunals or courts:

1994: 2 payments of £4,000 each to existing staff.

1995: 1 payment of £17,595.80 to a former member of staff.

1996: Nil.

Electro-shock batons

Mrs. Clwyd: To ask the Attorney-General if he will seek to prosecute *(a)* SMDS, *(b)* J and S Franklin, *(c)* Compass Safety International/Compass Maritime, *(d)* CCS, and *(e)* Civil Defence Supply for their role in the supply of electro-shock batons. [22978]

The Solicitor-General: The question of prosecution does not arise unless there has been a prior criminal investigation. These companies to which the hon. Member refers have not featured in the investigation carried out by the Ministry of Defence police. If she has any evidence tending to support allegations that these companies or their employees have committed criminal offences, then she should make it available to the police.

EDUCATION AND EMPLOYMENT

Equal Opportunities

Mr. David Shaw: To ask the Secretary of State for Education and Employment what amounts of money have been paid out by *(a)* her Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which she is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22518]

Mr. Robin Squire: The information requested is set out in the following table:

Financial year	*(a) (i)*	*(a) (ii)*	*(b) (i)*	*(b) (ii)*
1995–96	1 person £1,000	2 people £5,000 + £12,000	1 person £1,000	—
1994–95	—	—	1 person £16,105	—
1993–94	—	—	1 person £500	1 person £1,500

Contracts

Mr. Donohoe: To ask the Secretary of State for Education and Employment what guidelines are currently in force in her Department and its executive agencies relating to competitive tendering and the use of single negotiated tenders; on what grounds single negotiated tenders can be used; and what procedures are in place within her Department to ensure that the use of single negotiated tenders in competitive tendering processes is justified in all cases. [22847]

Mr. Robin Squire: Written guidance is fully in accordance with Government procurement policies, including the principles set out in the recent White Papers "Competing for Quality" and "Setting New Standards" and compliant with the EC procurement directive has been disseminated to staff.

Tendering processes are designed to ensure that the Department achieves best value for money when entering into contracts. Single tender action is undertaken only after justification has been provided to, and written agreement received from, senior management.

Mr. Donohoe: To ask the Secretary of State for Education and Employment how many contracts for goods or services have been awarded by her Department and its executive agencies on the basis of single negotiated contracts in each of the last three years; if she will list the companies involved and the value of the contract in each case; what percentage this represented of contracts awarded by her Department and its agencies after competitive tendering; and, in each case, why the contracts were awarded on the basis of a single negotiated tender. [22861]

Mr. Squire: Information in the form requested could be provided only at disproportionate cost.

Training and Enterprise Councils

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what discussions have taken place with *(a)* the voluntary sector, *(b)* trade unions and *(c)* other groups to encourage people from outside the private sector to join training and enterprise council boards of directors; and if she will make a statement. [22173]

Mr. Paice: The membership of training and enterprise council boards is a matter for individual TECs, subject to the requirements for two thirds of the board to comprise chief executives or senior directors of private-sector organisations. The remaining directors must be chief executives or their equivalents from education, economic development, trade unions, voluntary organisations or the public sector.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what research her Department has *(a)* commissioned and *(b)* evaluated into the local consequences of the mergers between training and enterprise councils and chambers of commerce; and if she will make a statement. [22174]

Mr. Paice: The Department has commissioned independent consultants to look at the impact of training and enterprise council-chamber mergers. They have been asked to report their findings by November 1996.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment if she will take steps to improve the communication and consultation between training and enterprise councils and local democratically elected bodies; and if she will make a statement. [22175]

Mr. Paice: The Government's strategic guidance to training and enterprise councils stresses the need for TECs to work in partnership with other local organisations to meet the needs of their local communities. The criteria for the award of a three-year licence to TECs to take account of TEC participation in local partnerships.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what plans she has to alter the auditing requirements of training and enterprise councils; and if she will make a statement. [22176]

Mr. Paice: The Department is carrying out a review of training and enterprise councils audit arrangements in conjunction with the TEC National Council. Any agreed findings will be implemented as soon as practical.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what action will be taken where training and enterprise councils do not fulfil the criteria for a three-year licence; and if she will make a statement. [22177]

Mr. Paice: After 1997, the Government do not propose to contract with training and enterprise councils which fail to meet the criteria for a licence. The round 3 licensing prospectus, due to be issued shortly, explains what happens if a TEC fails to meet the criteria. A copy of the prospectus will be placed in the Library.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment if she will ensure that answers to hon. Members' questions on training and enterprise councils are published in the *Official Report*. [22178]

Mr. Paice: Answers to hon. Members' questions on training and enterprise councils are published in the *Official Report*.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what mechanisms are available to ensure that training and enterprise councils are accountable to Parliament; and if she will make a statement. [22179]

Mr. Paice: Training and enterprise councils are private companies operating under contract with a number of Government Departments. They are accountable through their contract with the appropriate Secretaries of State, and through them to Parliament.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment how the different costs of training schemes in different sectors are taken into account when providing funding for training and enterprise councils; and if she will make a statement. [22180]

Mr. Paice: Training and enterprise councils prepare annual business plans setting out their training proposals. Funding, based on these plans, is negotiated between the TEC and its local Government office. The extent to which the cost of training in different sectors is taken into account is an issue for negotiation between the TEC and the Government office.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what guidelines her Department issues in respect of the levels of reserves held by training and enterprise councils. [22183]

Mr. Paice: The Department requires each training and enterprise council to specify a prudent minimum reserve level, together with a target level to be met at the end of each operational year. The prudent minimum is determined by each TEC's directors and will include reserves earmarked for specific purposes such as funding fixed assets, financing working capital and specific projects such as business link support.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment if she will list those training and enterprise councils that currently hold more than £3 million in reserve; and if she will make a statement. [22184]

Mr. Paice: I refer the hon. Member to the answer I gave to the hon. Member for Pendle (Mr. Prentice) on 29 February 1996, *Official Report*, column *38*. This provides a list of training and enterprise councils and their reserves, as shown in their annual statutory audited accounts, at the end of the financial year 1994–95.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment if she will introduce measures to ensure that the system for measuring training and enterprise councils' performance is *(a)* simplified, *(b)* standardised and *(c)* gives greater value for money and efficiency; and if she will make a statement. [22186]

Mr. Paice: The management information collected from training and enterprise councils provides a sound basis for measuring and comparing TEC performance. We are always looking, with TECs, to improve performance measurement arrangements.

Training (Outcome-related Payments)

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what plans she has to bring within the system of successful outcome payments the training costs of basic skills up to NVQ level 1. [22181]

Mr. Paice: Payments for qualifications in basic skills below NVQ level 1 are already made. Foundation level wordpower and numberpower are payable outcomes for individuals with endorsed literacy and numeracy training needs in training for work and youth training. A separate pre-vocational training programme for unemployed adults, including basic skills, is to be piloted in 1996–97. Basic skills qualifications below NVQ level 1 will be payable in the pilots.

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what plans she has to alter the definition of a job placement for the purpose of outcome-related payments in order to take account of the quality and content of the position gained and the likely length of its duration. [22182]

Mr. Paice: My right hon. Friend has no plans to alter the definition of a job placement for outcome related payments in training for work.

Training Schemes (Administrative Costs)

Mr. Hinchliffe: To ask the Secretary of State for Education and Employment what are the annual administrative costs of youth training and training for work schemes for all available years; and if she will make a statement. [22185]

Mr. Paice: The Department does not collect information on the administrative costs of individual programmes.

Jobseeker's Allowance

Mr. Garrett: To ask the Secretary of State for Education and Employment what estimate he has made of the number of existing postal claimants who will no

longer be eligible to sign by post when the jobseeker's allowance is introduced *(a)* in total and *(b)* by parliamentary constituency. [22549]

Mr. Forth: The rules allowing certain jobseekers to make their declarations by post will change with the introduction of jobseeker's allowance. The facility will be available to people whose normal journey to or from the jobcentre would take more than one hour, or would involve an absence from home of over four hours. People whose mobility is restricted by disability will also be considered for the postal facility. We estimate that the total number of postal signers will be reduced by up to 50 per cent. from the present level of about 120,000. It is not possible to break this estimate down by parliamentary constituency.

Firlands Training Ltd.

Mr. Morgan: To ask the Secretary of State for Education and Employment what plans she has to issue guidance to training and enterprise councils that they should not sign contracts with Firlands Training Ltd. of Aylesbury pending the completion of the investigations by the Department of Trade and Industry companies investigation branch under section 447 of the Companies Act 1985 into the involvement of the company's principals in the collapse of the AST group of companies. [23037]

Mr. Paice: As private companies, the contract between training and enterprise councils and their providers is a matter for the parties concerned.

DUCHY OF LANCASTER

Senior Salaries

Mr. Meacher: To ask the Chancellor of the Duchy of Lancaster what were the annual salaries received by those covered by the Review Body on Senior Salaries *(a)* before and *(b)* after the latest awards; and in each case what was the pay increase awarded on a weekly income basis. [21746]

Mr. Freeman: The 18th report of the Review Body on Senior Salaries—SSRB—was published on 8 February 1996, Cm 3094. It included recommendations on the remuneration of holders of judicial office, senior civil servants and senior officers of the armed forces.

Pay ranges and rates for all three groups before the application of the 1996 recommendations are set out in appendix D of the SSRB report.

The Government decided to stage the awards recommended by most pay review bodies this year. The tables show the salaries payable from 1 April 1996 and from 1 December 1996 when the second stage of the award becomes payable. The weekly rates represent the weekly increase over the previous level of salary.

For the senior civil service, the Government accepted the SSRB's recommendations for the new system of pay ranges from 1 April 1996. Details of the new pay band framework and calibration are included in chapter 2 of the SSRB report. Awards will be determined on an individual basis by the employing Department.

Members of the judiciary

	1 April 1996		*1 December 1996*	
	Annual salary (£)	*Weekly increase (£)*	*Annual salary (£)*	*Weekly increase (£)*
Group 1	130,906	130 (71)	132,178	25
Group 2	121,054	119 (66)	122,231	23
Group 3	116,062	114 (63)	117,190	22
Group 4	103,425	86 (56)	104,431	19
Group 5	88,266	58 (47)	89,123	17
Group 6	75,978	66 (41)	76,716	14
Group 7	62,018	52 (33)	62,621	11

The posts included in each group and details of pay variations within each group are listed in appendices C and D of the SSRB report.

The 1 April increase for the judiciary includes the committed annual increase which the SSRB recommended in its 1994 report. The figures in brackets show the element of the increase which resulted from the SSRB's 1996 recommendation.

All service personnel are paid on a daily basis and daily pay rates are produced for every rank throughout the armed forces. The weekly rates shown above have therefore been produced by multiplying the daily rates for each rank by seven and not by dividing the annual rates by 52.

Senior officers of the armed forces

	1 April 1996		*1 December 1996*	
	Annual salary (£)	*Weekly increase (£)*	*Annual salary (£)*	*Weekly increase (£)*
Five star	124,640	73	125,852	24
Four star	100,255	60	101,233	18
Three star	74,288	67	75,000	13
Two star	65,656	44	66,291	12

The posts included in each group and details of pay variations within each group are listed in appendices C and D of the SSRB report.

The 1 April increase for the judiciary includes the committed annual increase which the SSRB recommended in its 1994 report. The figures in brackets show the element of the increase which resulted from the SSRB's 1996 recommendation.

All service personnel are paid on a daily basis and daily pay rates are produced for every rank throughout the armed forces. The weekly rates shown above have therefore been produced by multiplying the daily rates for each rank by seven and not by dividing the annual rates by 52.

Equal Opportunities

Mr. David Shaw: To ask the Chancellor of the Duchy of Lancaster what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22517]

Mr. Willets: The Departments, agencies and other bodies for which my right hon. Friend is responsible paid £51,000 in 1996 in out-of-court settlements of two cases of alleged breaches involving former members of staff.

FOREIGN AND COMMONWEALTH AFFAIRS

Legislation

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list *(a)* those Acts of Parliament and *(b)* those statutory instruments which were enacted in pursuance of the United Kingdom's obligations under the European Communities Act 1972. [19945]

Mr. David Davis: I have looked into the hon. Member's question. We do not hold such information centrally and could collate it only at disproportionate cost.

Embassies and Missions (EU)

Mr. Lord: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 6 March, *Official Report*, columns *255–58*, who, on what occasion and with what authority, sanctioned the establishment by the European Union of delegations in third countries. [22769]

Mr. David Davis: The establishment by the European Commission of delegations in third countries falls within the Commission's power to organise its own administration. There is therefore no requirement on the Commission to obtain authority to establish these delegations, although it does consult member states before opening new delegations. Of course, all Commission spending is subject to scrutiny during the annual budget negotiations with the Council and European Parliament.

Cyprus

Mr. John D. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he *(a)* has had or *(b)* plans to have with Mr. Glafcos Clerides following his recent statement relating to the number of people described as missing following the events of 1974; how many Cypriots from (i) Greek and (ii) Turkish communities, are now listed as missing; and if he will make a statement. [23052]

Mr. David Davis: None. A UN committee on missing persons was established to investigate the fate of the missing. A total of 1,993 cases of Cypriots who remain unaccounted for have been submitted to the UN committee. We understand from the UN that 1,493 of these are Greek Cypriots and 500 are Turkish Cypriots.

Mr. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he had had with *(a)* Mr. Glafcos Clerides and *(b)* the Greek Government on the future resettlement of (i) Greek and (ii) Turkish Cypriots in Famagusta; and if he will make a statement. [23038]

Mr. Davis: I refer the hon. Member to the answer I gave to the hon. Member for Tooting (Mr. Cox) on 26 March 1996, column *499*.

Mr. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress there has been in the implementation of the United Nations confidence-building measures in Cyprus; what assessment he has made of the policy of the *(a)* Greek Cypriot and *(b)* Turkish Cypriot Governments to these confidence-building measures; when Nicosia international airport will be reopened; when Cypriots will be allowed to resettle in Varosha; and if he will make a statement. [23018]

Mr. Davis: Negotiations on the United Nations package of confidence-building measures have seen no progress since June 1994. We continue to believe that these measures could make a positive contribution towards an eventual solution to the Cyprus problem.

Mr. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he *(a)* has had and *(b)* plans with the Secretary-General of the United Nations on the present position of the Turkish Cypriots living in areas of southern Cyprus. [23020]

Mr. Davis: The high commission in Nicosia maintains close contact with the United Nations force in Cyprus humanitarian branch, which is responsible for overseeing the welfare of Turkish Cypriots living in southern Cyprus. We fully support its work in this field.

Mr. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if the British Government will support an official inquiry into the alleged killing of Greek Cypriots by Greek Cypriot troops during the Greek Cypriot coup d'état in 1974. [23039]

Mr. Davis: I refer the hon. Member to the answer I gave to the hon. Member for Tooting (Mr. Cox) on 26 March 1996, column *480*.

Mr. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if the British Government plan to remain one of the guarantor powers for Cyprus. [23019]

Mr. Davis: Yes.

Mr. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with *(a)* Mr. Glafcos Clerides and *(b)* the Greek Government about the number of foreign residents now living in southern Cyprus; what is his most recent estimate of the total number; and if he will make a statement. [23041]

Mr. Davis: None. We are responsible for the consular protection of some 7,000 British residents on the island. This does not include 200,000 or so dual nationals who are the responsibility of the Republic of Cyprus. We support the call in UN Security Council resolution 789 for a Cyprus-wide census under the auspices of the United Nations.

Mr. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of the Turkish Republic of Cyprus about Cyprus's membership of the European Union; what assessment he has made of the Turkish Cypriot Government's support for Cyprus's membership; and if he will make a statement. [23032]

Mr. Davis: Staff at the high commission in Nicosia regularly discuss Cyprus' accession to the EU with members of the Turkish Cypriot community. We welcomed Mr. Denktash's statement last December outlining the circumstances in which he would be prepared to support EU accession by Cyprus within the terms of an overall settlement.

Contracts

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs how many contracts for goods or services have been awarded by his Department and its executive agencies on the basis of single negotiated contracts in each of the last three years; if he will list the companies involved and the value of the contract in each case; what percentage this represented of contracts awarded by his Department and its agencies after competitive tendering; and, in each case, why the contracts were awarded on the basis of a single negotiated tender. [22874]

Mr. Hanley: The number of single negotiated contracts awarded in each of the last three years is not centrally available and collection of the associated data requested could be achieved only at disproportionate cost.

Russia

Mr. Elletson: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last discussed the Russian assault on Sernovodsk with the Russian Government; and if he will make a statement. [22928]

Sir Nicholas Bonsor: We and our EU partners continue to make known our deep concerns about the continuing violence in Chechnya, most recently in the Foreign Affairs Council declaration of 25 March 1996, which refers specifically to events in Sernovodsk.

Competitive Tendering

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs what guidelines are currently in force in his Department and its executive agencies relating to competitive tendering and the use of single negotiated tenders; on what grounds single negotiated tenders can be used; and what procedures are in place within his Department to ensure that the use of single negotiated tenders in competitive tendering processes is justified in all cases. [22858]

Mr. Hanley: The Government's public purchasing policy consolidated guidelines require goods and services to be acquired by competition unless there are convincing reasons to the contrary. In addition, the EC procurement directives and the world trade organisation Government procurement agreement require most contracts above specified thresholds to be graded following competition, subject to certain specified exceptions.

Guidelines in force in the Department and the Overseas Development Administration and its executive agency reflects best purchasing practice and advocate the use of competition as an essential ingredient for the achievement of value for money for the Department, the ODA and the taxpayer. At the same time, the guidelines acknowledge that in certain circumstances it may be necessary to purchase from a single provider, either by negotiation with a monopoly or otherwise to standardise equipment or take account of (1) only one source being available for technical or quality reasons; (2) repair of original manufacture; (3) repeat order, where the supplier has the tooling, designs or artwork etc; (4) the only supplier responding to a competitive invitation to tender; (5) extreme urgency arising from circumstances outside the Department's control; (6) low value; or (7) additional costs outweighing the benefit of renewed competition, takin into account the complexity of the service, the resources originally committed to setting it up and the cost effectiveness of change.

It is standard practice for the reasons which justify single tender action to be recorded and approved at a senior level in advance of awarding a contract.

Indonesia

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if the Government are funding, in whole or in part, training schemes, *(a)* in the Untied Kingdom and *(b)* elsewhere, involving members of the Indonesian special forces, the Indonesian military, police or security forces; [23056]

(2) what specific questions participants in training schemes, which Her Majesty's Government have funded in whole or in part in other countries involving members of the Indonesian special forces—Kopassus—or the Indonesian military, police or security forces, were asked about their past activities with regard to human rights considerations. [23053]

Mr. David Davis: Details of training under the United Kingdom military training assistance scheme are confidential between Governments.

Cuba

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the implications for United Kingdom relations with *(a)* the United States of America and *(b)* Cuba of the Cuba Liberty and Democratic Solidarity (Libertad) Act. [23075]

Sir Nicholas Bonsor: We have made clear to the US Administration our concern about the Helms-Burton Act. We will be urging them to use discretion in the way in which they implement the legislation, and will take whatever action we can to protect our legitimate trading interests. As my hon. Friend the Minister of State for Foreign and Commonwealth Affairs said in the House on 20 March, *Official Report*, columns *332–36*, our policy towards Cuba remains the same.

NATIONAL HERITAGE

Disabled Football Supporters

Mr. Fatchett: To ask the Secretary of State for National Heritage what plans she has to discuss with *(a)* the authorities at Wembley stadium and *(b)* professional football clubs access for disabled supporters; and if she will make a statement. [22426]

Mr. Sproat *[holding answer 26 March 1996]:* I have no such plans. The Disability Discrimination Act 1995 creates new rights of access for disabled people. All goods, facilities and services provided to the public are covered by these rights, including those provided in sports stadia. The Act places a duty on service providers to make adjustments to their premises, where reasonable, to make them more accessible. The Government are currently consulting on the timetable for implementing the rights of access.

The Football Licensing Authority already encourages football clubs to meet the standards set out in the Government's guide to safety at sports grounds and the Football Stadia Advisory Design Council's best practice guidelines, which both include recommendations relating to spectators with disabilities. The Football Trust is also keen to encourage clubs to aim for the highest possible standard for spectators with disabilities, and always takes particular account of facilities for such spectators when looking at applications from clubs for grant assistance towards new redevelopment projects.

LORD CHANCELLOR'S DEPARTMENT

Research Establishments

Mrs. Anne Campbell: To ask the Parliamentary Secretary, Lord Chancellor's Department which former public sector research establishments in his Department have been privatised since 1979; and which public sector research establishments in his Department are currently undergoing reviews with a view to placing them in the private sector. [21943]

Mr. Jonathan Evans: The Lord Chancellor's Department has none.

Legal Aid (Marchioness Incident)

Mrs. Lait: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) what was the value of work covered by legal aid for work by senior counsel, junior counsel or instructing solicitor in the Marchioness case before commencement of representations by the grantees on 13 March 1995; [21978]

(2) what were the full terms, and date, of directions given by him, or on his behalf, in the context of the Marchioness legal aid grant under section 4(4)(a) of the Legal Aid Act 1968; [21976]

(3) what was the daily or hourly rate for senior counsel, junior counsel and the instructing solicitor in the Marchioness legal aid grant; [21980]

(4) what was the date of the grant of £200,000 given in legal aid to those involved in the Marchioness disaster; [21975]

(5) what is the total amount paid or to be paid under the grant for the Marchioness inquest as assessed by the Legal Aid Board when satisfied that the work, as outlined in the estimate, had been carried out; [21979]

(6) if the Marchioness legal aid grant *(a)* was intended to and *(b)* did cover payment for any work by senior counsel, junior counsel or instructing solicitor acting for the grantees before the commencement of representations from the grantees on 13 March 1995. [21977]

Mr. Jonathan Evans: The direction given to the Legal Aid Board in respect of the Marchioness grant was made on 10 March 1995. The terms of the direction were as follows:

"To make a grant of up to £200,000 to the firm of Christian Fisher to cover the costs of representation for the families involved in the Marchioness disaster at the forthcoming inquest. The grant is to be made from the legal aid fund under the powers given by Section 4(2)(b) of the Legal Aid Act 1988."

A number of conditions were also made under the direction. These were: that no further public funds would be made available; that the grant would enable any of the families involved who wished to be represented to have representation; that representation would cover the whole of the inquest; that there would be no claims on the grant other than those channelled through the firm of Christian Fisher; and that the grant would be released only on the production of detailed bills of costs demonstrating that the work had been carried out.

The direction was given following representations made to the Lord Chancellor on behalf of the families concerned on 21 February 1995. The grant was a global figure, based on estimates submitted by the families' solicitors, for work by the solicitors, senior and junior counsel and two experts. The grant was intended to, and did, cover urgent preparatory work in the four days immediately preceding the start of the inquest on 13 March 1995.

On receipt of bills submitted by the solicitors, the Legal Aid Board satisfied itself that work up to the value of £200,000 had been carried out, and paid that sum on 30 June 1995 to the firm of Christian Fisher.

Frederick and Rosemary West

Mr. Donald Anderson: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make it his policy that any moneys raised by the sale of any book to be written by Mr. Geoffrey Mansell and commissioned by the Official Solicitor which uses copyright material from the West estate, or any other sums which drive from West memorabilia, will be used exclusively for the benefit of victims of the Wests. [22098]

Mr. Jonathan Evans: The Government have no involvement with the sale of rights in the West estate. The Official Solicitor, who is independent of Government, has been appointed as administrator of the West estate by the court. Like any other administrator, he is accountable to the court and, through the court to the beneficiaries.

The distribution of the estate and any income derived from it is a matter of law. The family of a murder victim might have a claim against an offender's estate.

Equal Opportunities

Mr. David Shaw: To ask the Parliamentary Secretary, Lord Chancellor's Department what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22503]

Mr. Jonathan Evans: The Lord Chancellor is responsible for four executive agencies. As this is an operational matter, I have asked the chief executives of the Land Registry and of the Public Record Office to reply direct. The chief executives of the Public Trust Office and

of the Court Service, which became executive agencies during the period specified in the question, will reply direct in respect of the period since their creation. In respect of the Lord Chancellor's Department and all other organisations for which he is responsible, no payments to staff or former staff for breaches of equal opportunities have been made over the last three years.

Letter from Michael Huebner to Mr. David Shaw, dated 27 March 1996:

The Parliamentary Secretary, Lord Chancellor's Department, has asked me to reply in respect of the Court Service to your Question about equal opportunities breaches and tribunals.

Since the Court Service was established, on 3 April 1995, it has made no payments in respect of alleged equal opportunities breaches which did not proceed to tribunals or courts. The Court Service has paid £3,000 in respect of cases that did proceed to tribunals or courts.

Letter from Julia C. Lomas to Mr. David Shaw, dated 27 March 1996:

The Parliamentary Secretary has asked me to reply to you as part of the Lord Chancellor's Department's response to your Parliamentary Question, listed on 21 March 1996 regarding amounts paid out in the current year and the two preceding years for equal opportunities breaches proceeding to tribunals or courts, and for alleged breaches which did not so proceed.

The figures are as follows:-

1993–4: Nil

1994–5: Nil

1995–6: Nil.

Letter from John Manthorpe to Mr. David Shaw, dated 27 March 1996:

I have been asked by the Parliamentary Secretary, Lord Chancellor's Department, to reply to your recent question requesting details of monies paid out to staff or former staff in respect of alleged equal opportunities breaches.

I can inform you that no monies have been paid out by HM Land Registry in such circumstances.

Letter from Sarah Tyacke to Mr. David Shaw, dated 27 March 1996:

I have been asked by the Lord Chancellor's Parliamentary Secretary to reply for the Public Record Office to your question about equal opportunities breaches.

The Public Record Office has made no payments to staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts or (ii) equal opportunities breaches which proceeded to tribunals or courts, in (1) the current year or (2) the two previous years.

Family Credit

Mr. Madden: To ask the Parliamentary Secretary, Lord Chancellor's Department what guidance he has issued to adjudicators concerning family credit in appeals relating to recourse to public funds and defining couples as being self-supporting in the long term referred to in respect of cases cited by the Under-Secretary of State for the Home Department, the hon. Member for Leeds, North-East (Mr. Kirkhope), during the Adjournment debate on 21 February, *Official Report*, columns 340–46; and if he will make a statement. [23074]

Mr. Jonathan Evans: None.

HOUSE OF COMMONS

Publications

Dr. Marek: To ask the Chairman of the Administration Committee what plans he has for ensuring that non-governmental publications previously available through the Vote Office will continue to be so available. [22413]

Mr. Michael J. Martin: Non-governmental publications which are published by Her Majesty's Stationery Office or for which HMSO is the selling agent can be ordered through the Vote Office, subject to certain exclusions such as works of reference. There are a few cases in which organisations have ceased to use HMSO. There are no immediate plans to alter the green form system, but a review may be appropriate if the problem of dispersed publishing becomes widespread.

"Commonwealth Year Book"

Dr. Marek: To ask the Chairman of the Administration Committee what proposals there are to continue to make the "Commonwealth Year Book" available to hon. Members through the Vote Office. [22414]

Mr. Michael J. Martin: The green form system in the Vote Office applies only to publications which are available through Her Majesty's Stationery Office. I understand that the next edition of the "Commonwealth Year Book" is not to be published by HMSO. That decision is not a matter for the Committee.

Internet Exhibition

Mr. Waller: To ask the Chairman of the Administration Committee if he has considered an application for an exhibition relating to educational benefits to pupils gained through access to the Internet to be displayed in the Upper Waiting Hall. [23322]

Mr. Michael J. Martin: I understand that, under procedures agreed by the Administration Committee, arrangements have been made for the exhibition to be held in the Upper Waiting Hall from Monday 1 April to Friday 5 April 1996.

Health Education Authority Exhibition

Mr. Alex Carlile: To ask the Chairman of the Administration Committee if he has considered an application for an exhibition relating to the Health Education Authority's campaign "Active For Life", to be displayed in the Upper Waiting Hall. [23089]

Mr. Michael J. Martin: I understand that, under procedures agreed by the Administration Committee, arrangements have been made for the exhibition to be held in the Upper Waiting Hall from Monday 3 June to Friday 7 June 1996.

DEFENCE

Works of Art

Dr. David Clark: To ask the Secretary of State for Defence which works of art held by his Department have been purchased by staff to use as gifts; to whom they were given; and if he will make a statement. [20911]

Mr. Arbuthnot: My Department knows of only one such purchase. Senior civil servants in my Department purchased the reproduction "A View of the Admiralty" to present to the right hon. Member for Epsom and Ewell Sir A. Hamilton on his departure from the post of Minister of State for the Armed Forces in 1993.

Army Careers Information Offices

Dr. Godman: To ask the Secretary of State for Defence, pursuant to his answer of 29 February, *Official Report*, column *682*, what definitions his Department applies to short-term retained offices; and if he will make a statement. [22500]

Mr. Soames: I refer the hon. Member to my answer of 29 February, *Official Report*, column *682*, which explains that short-term retained offices are those that will remain open until April 1997.

Atomic Weapons Establishment, Aldermaston

Mr. Cohen: To ask the Secretary of State for Defence what is the estimated cost of decommissioning, in accordance with International Atomic Energy Agency guidelines, those facilities due to be replaced by the new capital works programme at AWE Aldermaston. [22357]

Mr. Arbuthnot: The cost will be substantial, reflecting the complexity and duration of the task. The work must be undertaken in a careful and progressive manner and in conformity with all relevant guidelines and legislation and the requirements of the regulatory bodies. However, detailed costs of the defence nuclear programme have been regarded by successive Governments as inappropriate for public disclosure.

Tornado Aircraft

Mr. Cousins: To ask the Secretary of State for Defence if he will list the numbers and types of Tornado aircraft in service with the RAF, indicating in each case which numbers and types have *(a)* global positioning systems integration, *(b)* "smart" weapons guidance and control systems, *(c)* ground radar suppression systems, *(d)* all-weather night navigation systems and *(e)* electronic reconnaissance systems. [22586]

Mr. Soames: The strength of the RAF, broken down by aircraft type and number is listed in the annual "Statement on the Defence Estimates," a copy of which is in the Library of the House. It is not my Department's policy to provide detailed information on specific operational capabilities.

Ammunition

Mr. Spellar: To ask the Secretary of State for Defence when he expects to announce the contract for 81 mm mortar ammunition. [22541]

Dr. David Clark: To ask the Secretary of State for Defence when he expects to place an order to supply the Army with 81 mm mortar ammunition; and if he will make a statement. [22977]

Mr. Arbuthnot: There are three separate tenders for 81 mm ammunition in progress. The high explosive and illuminating rounds are subject to competitive tendering and a non-competitive contract for the smoke round is presently being negotiated with Royal Ordnance. I expect the three contracts to be in place by the end of April.

Mr. Cousins: To ask the Secretary of State for Defence what was his Department's total expenditure on explosives, propellants, and related ammunition and products over the last five years; and what proportion of this was procured from *(a)* Royal Ordnance and *(b)* overseas sources. [22589]

Mr. Arbuthnot: I will write to the hon. Member.

Al-Yamamah Deal

Mrs. Clwyd: To ask the Secretary of State for Defence if the Al-Yamamah deal between Britain and Saudi Arabia included electric shock batons. [22708]

Mr. Arbuthnot: I refer the hon. Member to the answer given by my predecessor to the hon. Member for South Shields (Dr. Clark) on 17 January 1995, *Official Report*, column *452*.

Navy Accommodation

Mrs. Ewing: To ask the Secretary of State for Defence if he will list the *(a)* officer and *(b)* other rank accommodation for each individual (i) barracks, (ii) airfield, (iii) shore naval base and (iv) Royal Marine base in Scotland. [22713]

Mr. Soames *[holding answer 25 March 1996]:* Single living accommodation at sites in Scotland is shown in the following table:

	Officers	*ORS*
RN Shore Establishments		
HMS Gannet, Prestwick	41	263
HMS Neptune, Helensburgh	228	2,109
HMS Caledonia, Prestwick	28	487
RM Establishments		
RM Condor, Arbroath	58	980
RM Reserve Scotland: main location	12	159
Glasgow, with detachments at Greenock, Dundee and Edinburgh		
In addition accommodation is available at the Royal Naval Armament Depot, Coulport and the Clyde Submarine Base, Faslane		
Army Barracks		
Redford Infantry Barracks, Edinburgh	23	412
Dreghorn Barracks, Edinburgh	44	606
Fort George, Inverness	26	453
Barry Buddon, Training Camp, Dundee	32	475

	Officers	ORS
RAF Stations		
RAF Buchan, Grampian	60	264
RAG Kinloss, Grampian	112	787
RAF Leuchars, Fife	142	845
RAF Lossiemouth, Grampian	101	1,053
RAF Macrihanish, Strathclyde	0	103
RAF Saxa Vord, Shetland	14	137
RAF Stornaway, Western Isles	0	4
RAF Turnhouse, Lothian	34	80
RAF Edzell, Grampian	7	[1]128

[1] Plus 15 suites available for overspill.

Cyprus

Mr. Cox: To ask the Secretary of State for Defence if he will make a statement on the recent shooting incident that took place in Limassol, Cyprus that involved a British soldier in a local bar. [22883]

Mr. Soames: The recent shooting of a service man in Limassol is currently under investigation by the Republic of Cyprus police and service police. I cannot, therefore, comment at this stage.

Mr. Cox: To ask the Secretary of State for Defence what action is to be taken by his Department to seek to improve the general behaviour of British military personnel based in Cyprus when they are off duty with special reference to visiting resorts on the island of Cyprus. [22881]

Mr. Soames: My Department attaches great importance to ensuring that the very good relations which exist between service personnel in Cyprus and the local population are maintained. All service personnel are briefed on the importance of this on arrival and the message is regularly reinforced.

If difficulties do arise firm measures are taken. Specific areas or individual premises are placed out of bounds from time to time. For example, the area of Ayia Napa remains out of bounds in the wake of the death of Louise Jensen in September 1994, and the tourist "strip" in Limassol and Larnaca are subject to a 1 am curfew for service personnel and dependants. The need to increase or reduce the out of bounds area is kept under constant review. Infringement of the rules is a punishable offence resulting in stiff penalties for the individual, ranging from fines, through loss of rank, to being sent home.

Mr. Cox: To ask the Secretary of State for Defence what has been the number of British military personnel who have been charged with being drunk and disorderly in Cyprus in each of the last three years. [22882]

Mr. Soames: This information is not held centrally and be provided only at disproportionate cost.

Contracts

Mr. Donohoe: To ask the Secretary of State for Defence what guidelines are currently in force in his Department and its executive agencies relating to competitive tendering and the use of single negotiated tenders; on what grounds single negotiated tenders can be used; and what procedures are in place within his Department to ensure that the use of single negotiated tenders in competitive tendering processes is justified in all cases. [22853]

Mr. Arbuthnot: My Department has a number of formal internal guidance documents which detail the procedures to be followed on all aspects of defence contracting, including the selection of the procurement route most likely to produce best value for money. These are supplemented where necessary by occasional memoranda on developments in best practice or updated guidance on specific aspects. A process of delegated authorities constrains the selection of non-competitiveness procurement strategies to instances where the justification for these has been rigorously examined and approval obtained from senior staff, including Ministers in high-value cases. Arguments that may be considered persuasive in support of a non-competitive procurement strategy are the absence of user rights on design information, technical or commercial risk or operational urgency. While the Defence Evaluation and Research Agency and the Meteorological Office are responsible for the placing and administration of their own contracts, they none the less receive copies of MOD procurement guidance and their procedures are consistent with the description given.

Export Applications

Mrs. Clwyd: To ask the Secretary of State for Defence if his Department has advised companies since 1987 on ways to alter descriptions of goods on export applications to ensure that licences are granted, when previous applications for export or transhipment licences for the same goods have been refused. [22971]

Mr. Arbuthnot: I know of no instance where my Department has acted improperly in this manner.

Courts Martial

Ms Abbott: To ask the Secretary of State for Defence how many Army and Air Force court martial appeals reached, and were decided by, the Court of Appeal at the Royal Courts of Justice in 1995; and when reports of these appeals will be publicly available. [23017]

Mr. Soames: Seven Army and three RAF court martial appeals were heard in 1995 by the Court-Martial Appeal Court, the members of which are civilian judges of the Court of Appeal. Copies of the judgments should now be available from the Court-Martial Appeal Court office.

Scott Inquiry

Mrs. Clwyd: To ask the Secretary of State for Defence, pursuant to paragraphs D1.27 and D.1.28 of the Scott report, if he will list those matters relating to the work of his Department since 1979 classified as matters about which successive Administrations have refused to answer. [17419]

Mr. Arbuthnot *[holding answer 26 February 1996]:* Matters about which successive administrations had refused to answer questions was last set out in a memorandum by the Principal Clerk to the Table Office in 1972—appendix 9 to the report of the Select Committee on Parliamentary Questions, July 1972 HC 393. As far as I am aware, there has been no such classification since 1979.

The present Government's policy is to be as open as possible with Parliament, withholding information only when disclosure would not be in the public interest, which is decided in accordance with parliamentary convention, the law and any relevant Government code of practice.

Military Training

Mr. Wareing: To ask the Secretary of State for Defence what factors underlay the decisions to provide United Kingdom military training assistance to *(a)* Indonesia, *(b)* Guatemala and *(c)* Sudan between 1 January 1991 and 31 December 1995. [22696]

Mr. Soames *[holding answer 26 March 1996]:* The military training assistance provided to Indonesia, Guatemala and Sudan between 1 January 1991 and 31 December 1995 was in support of defence and wider foreign policy aims.

Army Tanks

Dr. David Clark: To ask the Secretary of State for Defence how many tanks the Army possessed in *(a)* 1979 and *(b)* 1996. [17758]

Mr. Arbuthnot *[pursuant to his reply, 28 February 1996, c. 557]:* I regret that my answer which gave details of tank numbers erroneously stated that at 1 January 1996 the Army possessed 470 main battle tanks of which 350 were deployed in operational units. I can now confirm that on that date the Army possessed 513 main battle tanks, of which 351 were deployed in operational units.

Beef Purchases

Dr. David Clark: To ask the Secretary of State for Defence how much beef was purchased by his Department in each of the last five years; how much of this was British; if he will list the other countries from which his Department purchases beef together with the quantity; and what plans he has to review his policy in respect of purchasing British beef. [23000]

Mr. Arbuthnot: Since 1 October 1994, the supply of food to the armed forces has been the responsibility of the Navy, Army and Air Force Institute. My Department does not specify the source from which NAAFI should obtain beef—or any other meat—but the majority is supplied from south America and until recently some from EC intervention stocks. The use of British beef joints is therefore extremely small, but a range of beef products—for example mince, offal and beefburgers produced from British beef—is provided to the armed forces.

Prior to October 1994, beef was purchased directly by my Department but no records were kept of the quantities sourced by a particular country, although the majority was imported from south America.

In view of yesterday's announcement, there is no perceived reason to change existing arrangements.

Equipment Exports

Mr. Brazier: To ask the Secretary of state for Defence what arrangements he is making to examine the nature and extent of information currently provided on the export of defence equipment as recommended in Sir Richard Scott's report; and if he will make a statement. [23294]

Mr. Arbuthnot: My Department is leading the review recommended by Sir Richard Scott. It will examine the nature and extent of information currently provided, and will take account of the industrial, employment and diplomatic implications of any change in the longstanding parliamentary convention governing the disclosure of information. We shall be seeking the views of a wide range of interested parties and will report back to the House before the summer recess.

Hon. Members and others wishing to comment on any issue that the review might cover should write to:

Mrs. Mollie Field
Export Information Review
Room 0206
Ministry of Defence
Main Building
Whitehall
London SW1A 2HB.

Copies of the document already placed in the Library of the House which sets out the current position in relation to informing Parliament about the export of defence equipment can be provided on request.

The closing date for contributions to the review process will be 24 May 1996.

Minesweeping Exercise (Firth of Clyde)

Dr. Godman: To ask the Secretary of State for Defence if, during the forthcoming minesweeping exercise in and around the firth of Clyde, Royal Navy vessels will carry fishery liaison officers; and if he will make a statement. [22453]

Mr. Soames: I am pleased to say that fishery liaison officers will indeed be embarked on Royal Navy vessels during the initial minesweeping serials conducted in the new exercise areas in and around the firth of Clyde, following agreement with local fishermen's representatives. Their role will be to develop mutual understanding between the mine countermeasures staff and the fishermen, and to ensure that both may go about their business safely and with the minimum of disruption.

Civil Servants (Secondment)

Mr. Caborn: To ask the Secretary of State for Defence if he will list the individuals, by name, civil service post and receiving company, who are on temporary secondment from his Department to industry as part of the continuing programme of interchange of staff with the private sector. [22792]

Mr. Arbuthnot: There are 26 MOD civil servants who are currently seconded from MOD to industry as part of the Ministry's interchange with industry programme. The list of receiving companies or organisations, with the civil service grade(s) of their secondee(s), is as follows:

Organisation	*Grade number*
Involvement and Participation Association	Grade 6 x 1
Prince's Youth Business Trust	Grade 7 x 1
Raytheon Ltd.	Grade 5 x 1
Opportunities for People with Disabilities	Grade 5 x 1 SEO x 1 EO x 1
Docklands Light Railway Ltd.	Grade 5 x 1

Organisation	*Grade number*
	Grade 7 x 1
South Dorset Economic Partnership	EO x 1
Hunting/Brae Ltd.	HPTO x 2
BAe SEMA	Grade 6 x 1
Addison Wesley Longman	Senior Librarian x 1
	Engineering
Dalmuir Suspension	Technician x 1
Cray Communications Ltd.	Grade 7 x 1
British Railways Board	Grade 5 x 1
Civil Aviation Authority	Fire Services Officer x 1
	Science Management
BMT Defence Services Ltd.	Trainee x 1
The Trident Trust	HEO x 1
	Chief Typing Manager x 1
Prince's Scottish Youth Business Trust	HEO x 1
	EO x 1
Bristol and Avon Enterprise Agency	SEO x 1
Northern Development Company	Grade 7 x 1
Kings College, London—Centre of Defence Studies	HEO x 1
Fairfax Electronic Commerce Resource Centre	Senior Patents Officer x 1

It is MOD policy not to name individual civil servants who may be working outside the Ministry.

Helicopters (Crossmaglen)

Mr. Madden: To ask the Secretary of State for Defence what representations he has received from *(a)* sporting organisations and *(b)* others about helicopter operations from the base in Crossmaglen in Northern Ireland. [23065]

Mr. Soames: Representations are received from time to time about helicopter operations in Northern Ireland but no record of these is kept centrally. Helicopters are essential to the Army acting in support of the police in Northern Ireland. Every effort is made to minimise any nuisance or inconvenience to the public.

Attack Helicopter Contract

Mr. Robathan: To ask the Secretary of State for Defence when he intends to place a contract for the new attack helicopter for the Army; and if he will make a statement. [23664]

Mr. Arbuthnot: Following the satisfactory conclusion of negotiations, I am pleased to announce that a contract has been signed with GKN Westland Helicopters for 67 Apache attack helicopters, each to be equipped with the Longbow fire control radar and powered by Rolls-Royce RTM322 engines. Apache will replace the Army Air Corps' Lynx anti-tank helicopter.

Around 180 UK companies are involved in the order. Hunting Engineering and Shorts of Belfast will be involved in supplying the weapons.

To ensure we have the optimum mix of flexibility and fire power, 48 of the aircraft will be deployed to the frontline in three regiments of 16 aircraft—two with 24 Air Mobile Brigade at Wattisham and one with three (UK) Division at Dishforth. These regiments will also provide support to 1 (UK) Division and the Royal Marines. Nine aircraft will be based at Middle Wallop for training and trials and one at Boscombe Down for trials. The remaining nine aircraft will be held at royal naval aircraft yard, Fleetlands as a peacetime attrition reserve. A regiment from 24 Air Mobile Brigade will form the core of the lead aviation battle group of the joint rapid deployment force.

Parliamentary Questions

Mrs. Clwyd: To ask the Secretary of State for Defence when he expects to reply to the question from the hon. Member for Cynon Valley of 26 February relating to matters classified as ones which successive Administrations have refused to answer. [23059]

Mr. Arbuthnot: Today.

AGRICULTURE, FISHERIES AND FOOD

Parliamentary Questions

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food how many questions were tabled to his Department in each Session since 1987–88; how many were not answered on the grounds of disproportionate cost; what percentage of the total number of questions this represented; how many were not answered on the grounds that the information was not centrally available; and what percentage of the total number of questions this represented. [21148]

Mr. Boswell: The number of questions tabled to this Department in each Session since 1987–88 is as follows:

Session	*Number of questions tabled*
1987–88	2,536
1988–89	3,001
1989–90	2,852
1990–91	1,618
1991–92	790
1992–93	2,697
1993–94	1,925
1994–95	1,846
1995–96[1]	624

[1] As at 20 March 1996.

These figures have been produced from the POLIS database (Parliamentary On-Line Information System). These figures reflect the number of questions answered and should be treated as indicative only; because of certain factors complete accuracy on departmental activity cannot be provided.

The rest of the information requested could be provided only at disproportionate cost, but is a matter of public record.

Mr. Donohoe: To ask the Minister of Agriculture, Fisheries and Food how much his Department has spent in total in answering parliamentary questions in each parliamentary Session since 1989–90. [22878]

Mr. Boswell: This Department does not calculate the data requested, and it could be provided only at disproportionate cost.

Fisheries Conservation

Dr. Godman: To ask the Minister of Agriculture, Fisheries and Food what proposals he has to modify the regulations governing the western waters effort limitation scheme; and if he will make a statement. [22451]

Mr. Baldry: None. The arrangements for regulating and monitoring fishing effort in western waters are set out in Council regulations (EEC) Nos. 685/95, 2027/95 and 2870/95. These regulations provide for the adoption of further measures including catch reporting, integrated computerised control systems and technical conservation. Detailed rules for recording effort in EU logbooks are set out in Commission regulation (EC) No. 2945/95.

EU Assistance

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if he will provide details of the agricultural projects which have been approved in the south-west objective 5b area. [23568]

Mrs. Browning: The European agricultural guidance and guarantee fund provides assistance to agriculture and food industries in the south-west objective 5b area. This area takes in Cornwall, the Isles of Scilly, parts of Devon and parts of west Somerset.

Under the programme MAFF is able to provide support which in turn draws in EAGGF money from Europe. Assistance is generally available in support of farm tourism, agricultural and horticultural development and diversification, protection and enhancement of the environment and the generation of energy from alternative sources by the agriculture industry. In addition, there is a special package for the Isles of Scilly.

The first EAGGF projects under this programme were approved in March 1995. In the 12 months which have followed, a total of 25 projects have been approved and these will lead to the eventual investment of more than £13 million in the objective 5b area. The projects approved vary from small schemes, such as that to develop a market for farm cheese, to a multi-million pound project to promote farm tourism in the whole area. Geographically, they span the objective 5b area from horticultural enterprises in the Isles of Scilly to timber products on Exmoor and there is no part of the region which will not benefit. I am very pleased with the interest shown and hope that many more projects will be approved in the future.

Full details of the approved projects are as follows:

EAGGF products processed in the south-west objective 5B area

Project title	*5(b) area to benefit*	*Expenditure* £	*EAGGF grant*	*MAFF grant*
1. Island Procedure—Establishment of a Potato Group	Isles of Scilly	38,000	9,500	9,500
2. Isles of Scilly Horticultural Development Initiative	Isles of Scilly	202,900	63,450	5,845
3. Horticulture 2000 (including horticultural facilitator)				
Phase I	5(b) Area as a whole	540,000	200,000	100,000
Phase II		1,196,000	371,000	251,000
4. Festival of West Country Food and Drink	5(b) Area as a whole	34,700	8,700	500
5. Inchs Cider Apple Orchard Group	Devon	927,000	231,750	231,750
6. Cheese Farm Market Development	Cornwall	6,000	1,500	1,500
7. Plant Biomass—Phase I	5(b) Area as a whole	972,100	284,330	254,900
8. Quality Cheese Production	Devon and Cornwall	593,000	130,000	130,000
9. Plant Production and Sales Centre	Cornwall	108,400	21,680	21,680
10. Exmoor Oak and Timber Products	Devon and West Somerset	722,500	145,178	145,178
11. SW Pig Production Development	5(b) Area as a whole	12,000	3,000	3,000
12. 5b Facilitator—Mr. G. N. Parker (Bio-mass, Industrial Corps, Diversification and Speciality Foods)	5b Area as a whole	135,022	67,511	67,511
13. 5b Facilitator—Mr. N. J. Wendover (Livestock, Cereals and the Environment)	5(b) Area as a whole	153,916	76,958	76,958
14. 5b Facilitator—Mr. and Mr. J. M. Woodcraft (Farm Tourism)	5(b) Area as a whole	82,530	41,265	41,265
15. Wheal Sara Flowers	Cornwall	43,200	7,560	7,560
16. Western Quality Pigs	5(b) Area as a whole	750,000	183,000	173,000
17. West Cornwall Vegetable Packing	Cornwall	240,000	45,367	45,367
18. Kingsbridge Estuary Conservation Project	Devon	60,000	25,250	2,750
19. West Country Tourist Board Farm Tourism Project	5(b) Area as a whole	3,854,500	819,081	819,081
20. River Tamar 2000 Conservation Project—Phase I	Devon and Cornwall	989,200	304,650	224,650
21. Brimpts Barn—Re-use of farm buildings for training purposes	Devon	176,600	29,775	29,775
22. Improvement/Development of Winter Cauliflowers	Cornwall	234,302	74,813	74,814
23. North Cornwall Poultry Group—Feasibility Study	Devon and Cornwall	9,346	2,336	2,337
24. Bodmin Moor Commoners	Cornwall	25,282	11,016	10,106
25. Ostrich Farm International	5(b) Area as a whole	1,238,653	150,092	150,093
	Total	13,345,151	3,308,762	2,880,030

PRIME MINISTER

Departmental Equipment and Furniture

Mr. Ian McCartney: To ask the Prime Minister if he will list the cost and number of items of equipment and furniture that *(a)* have been stolen and *(b)* are otherwise unaccounted for from the Cabinet Office and its agencies in each of the past five years, listing by name any such items valued at £5,000 or more, and showing information technology material separately. [21703]

The Prime Minister: For this purpose, my office is part of the Cabinet Office. I refer the hon. Member to the reply given by my hon. Friend the Parliamentary Secretary, Office of Public Service on 26 March.

Duchy Lands and Assets

Mr. Flynn: To ask the Prime Minister if the lands and assets of the Duchies of Lancaster and Cornwall are the property of Her Majesty's Government. [22811]

The Prime Minister *[holding answer 25 March 1996]:* No. Formal title to the lands of the Duchy of Lancaster is vested in the sovereign and of the Duchy of Cornwall in the Prince of Wales. However, neither the sovereign nor the Prince of Wales is able to dispose of the estates' capital; they are entitled only to the annual income.

Equal Opportunities

Mr. David Shaw: To ask the Prime Minister what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22513]

The Prime Minister: For these purposes my office is part of the Cabinet Office. I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Secretary, Office of Public Service on 26 March.

SCOTLAND

Care in the Community

15. **Mr. Foulkes:** To ask the Secretary of State for Scotland what representations he has received regarding his policy of care in the community; and if he will make a statement. [21334]

Lord James Douglas-Hamilton: We have received many comments on many aspects of the policy.

NHS Trust Contracts (Glasgow)

16. **Mr. Watson:** To ask the Secretary of State for Scotland how many contracts have been awarded by NHS trust in the Greater Glasgow health board area following the competitive tendering process. [21335]

Lord James Douglas-Hamilton: Forty-six.

Depopulation (Hawick)

17. **Mr. Kirkwood:** To ask the Secretary of State for Scotland if he will make an official visit to Hawick to discuss the implications of depopulation in the area; and if he will make a statement. [21336]

Mr. Michael Forsyth: I would be pleased to consider such an invitation.

Schools

18. **Mr. Garnier:** To ask the Secretary of State for Scotland what is the average number of schools for each local authority director of education in Scotland. [21337]

Mr. Raymond S. Robertson: Each authority has one director of education. However, on the information available, the ratio of senior officials to schools varies between 1:2 to 1:7.

Electoral Registers

19. **Mr. Nicholas Winterton:** To ask the Secretary of State for Scotland what is the average size of the electoral register for parliamentary constituencies in Scotland. [21338]

Lord James Douglas-Hamilton: The answer is 55,043.

Education Policy

20. **Mr. McAvoy:** To ask the Secretary of State for Scotland when he next plans to meet the Convention of Scottish Local Authorities to discuss future education policy; and if he will make a statement. [21339]

Mr. Raymond S. Robertson: My right hon. Friend has no plans for such a meeting.

Local Government Expenditure

21. **Ms Rachel Squire:** To ask the Secretary of State for Scotland if he will make a statement on local government expenditure. [21340]

Mr. Kynoch: Local government expenditure in Scotland has increased by almost 20 per cent. in real terms since 1985–86, and is 30 per cent. higher per head of population than in England.

Deprived Areas (Education)

22. **Mr. Wray:** To ask the Secretary of State for Scotland what action he is taking to give priority treatment to areas of deprivation with particular reference to education. [21341]

Mr. Raymond S. Robertson: The 1996–97 local government finance settlement makes provision for 1,000 additional teachers for areas of deprivation. In addition the Scottish Office-led urban partnership initiatives have established education strategies.

Flood Protection (Tay Valley)

24. **Mr. Bill Walker:** To ask the Secretary of State for Scotland what representations he has received about a flood protection scheme for the Tay valley; and if he will make a statement. [21343]

Mr. Kynoch: My right hon. Friend has received no representations about a flood protection scheme for the Tay valley. The Perth flood prevention scheme, which aims to protect the city of Perth, has been advertised and submitted to him for confirmation. A number of objections are being addressed by Tayside regional council.

The regional councils at present, and the new unitary councils from 1 April 1996, have permissive powers under the Flood Prevention (Scotland) Act 1961 to carry out flood prevention schemes for the protection of non-agricultural land. Following the 1993 Tay floods, Tayside regional council commissioned a study of the entire Tay catchment. It will pass information from this

to the new Perth and Kinross council regarding possible flood protection work for rural communities in the Tay. This will enable the new council to prioritise work that it considers necessary.

Defence Orders

25. **Dr. Goodson-Wickes:** To ask the Secretary of State for Scotland what United Kingdom defence orders have been gained by Scottish-based companies in the last 12 months. [21344]

Mr. Kynoch: The latest available statistics show that the value of Ministry of Defence procurement orders placed with Scottish companies in 1993–94 was £550 million.

Inward Investment

27. **Mr. Batiste:** To ask the Secretary of State for Scotland what is his latest estimate of Scottish jobs dependent on inward investment. [21346]

Mr. Kynoch: In 1994, there were an estimated 83,000 persons directly employed in foreign-owned manufacturing companies in Scotland. However, the estimated total number of jobs dependent on these foreign-owned manufacturing companies is estimated at almost 165,000.

Community Hospitals (Grampian)

28. **Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland when he last met the chairman of Grampian health board of discuss community hospitals. [21347]

Lord James Douglas-Hamilton: My right hon. Friend and I meet health board chairmen regularly to discuss all matters of current interest.

Heart Disease

29. **Mr. Simon Coombs:** To ask the Secretary of State for Scotland if he will make a statement on the progress in reducing the incidence of coronary heart disease in Scotland. [21348]

Lord James Douglas-Hamilton: The target set in "Scotland's Health—A Challenge To Us All", the national policy statement issued in 1992, is to reduce mortality from coronary heart disease by 40 per cent. between 1990 and 2000 in persons under 65. By the end of 1994, a substantial and encouraging reduction of some 21 per cent. had been achieved.

Crime

30. **Mr. Galbraith:** To ask the Secretary of State for Scotland when he last met chief constables to discuss crime. [21349]

Lord James Douglas-Hamilton: My right hon. Friend met chief constables on 20 January.

Drugs (Money Laundering)

31. **Mr. Hood:** To ask the Secretary of State for Scotland what estimate he has made of the number of legitimate businesses which are used for the laundering of money from illegal drug trafficking; and if he will make a statement. [21350]

Lord James Douglas-Hamilton: It is not possible to estimate the number of businesses which are currently being used for the laundering of money from drug trafficking. Where, in the course of their investigation, the police have reason to believe a business has been used as a front for money laundering activities, they will bring the matter to the attention of the procurator fiscal.

Severe Weather Assistance

32. **Mr. David Marshall:** To ask the Secretary of State for Scotland what claims he has now received from local authorities for financial assistance resulting from problems caused by the severe weather at new year; and if he will make a statement. [21351]

Mr. Kynoch: To date, 40 local authorities have responded to the Scottish Office's request for information on the extent and nature of expenditure incurred as a result of severe weather at the turn of the year. Of these, eight are nil returns and the remainder are being examined to establish whether the scale of expenditure would justify the triggering of the Bellwin scheme.

Salmon and Trout Fishing

33. **Mr. Bellingham:** To ask the Secretary of State for Scotland when he next expects to meet representatives of the fishing industry to discuss offshore drift netting for salmon and sea trout. [21352]

Mr. Raymond S. Robertson: I will be meeting representatives of the Association of Scottish District Salmon Fishery Boards on 3 April.

Regional Selective Assistance

34. **Mr. Charles Kennedy:** To ask the Secretary of State for Scotland if he will make a statement on the progress of objective 1 projects in the highlands and islands. [21353]

Mr. Kynoch: Since the start of the programme, 255 European regional development fund and 554 European social fund projects have been approved for funding along with a further 20 supported by the European agricultural guidance and guarantee fund financial instrument of fisheries guidance. The total expenditure committed, including match funding from project sponsors, amounts to around £308 million. This is made up by £230 million, ERDF; £44 million, ESF; and £34 million, EAGGF-FIFG. A further bidding round is under way and funding decisions will be made in June of this year.

Cabinet Committees

35. **Mr. Devlin:** To ask the Secretary of State for Scotland which Cabinet committees he and his colleagues attend on a regular basis; and if he will make a statement on the responsibilities of each Committee. [21354]

Mr. Michael Forsyth: I refer the hon. Member to the answer given to the hon. Member for Edmonton (Dr. Twinn) on 18 July 1995, *Official Report*, columns *1005–12*.

Higher Education Students

36. **Mr. Harry Greenway:** To ask the Secretary of State for Scotland if he will make a statement on the change in the number of students in higher education between *(a)* June 1970 and February 1974, *(b)* 1974 and 1979 and *(c)* 1979 and 1991. [21355]

Mr. Raymonds Robertson: The number of full-time higher education students for the years requested is as follows[1]:

	Number
Number of full-time HE students in 1970–71	57,656
Number of full-time HE students in 1974–75	66,136
Change in number of full-time HE students between 1970–71 and 1974–75	an increase of 15 per cent.
Number of full-time HE students in 1974–75	66,136
Number of full-time HE students in 1979–80	70,008
Change in number of full-time HE students between 1974–75 and 1979–80	an increase of 6 per cent.
Number of full-time HE students in 1980–81	72,152
Number of full-time HE students in 1991–92	108,079
Change in number of full-time HE students between 1980–81 and 1991–92	an increase of 50 per cent.

[1] Figures for 1991 and 1979 are not directly comparable, 1980 is the first year for which comparable figures are available.

Assisted Places Scheme

37. **Mr. Luff:** To ask the Secretary of State for Scotland what plans he has for enlargement of the assisted places scheme. [21356]

Mr. Raymond S. Robertson: I refer the hon. Member to the reply I gave to the hon. Member for Ayr (Mr. Gallie) on 29 February, *Official Report*, columns *622–23*, setting out our proposals for increasing the number of assisted places in the next school year to 3,500.

Intergovernmental Conference

38. **Mr. Salmond:** To ask the Secretary of State for Scotland what contribution he has made to the Government's White Paper on the forthcoming intergovernmental conference; and if he will make a statement. [21357]

Mr. Michael Forsyth: The Government's policy on the intergovernmental conference was determined by the Cabinet. I was therefore fully involved in decisions on policy and fully consulted on the terms of the White Paper.

Housing

39. **Ms Roseanna Cunningham:** To ask the Secretary of State for Scotland when he last met representatives of Scottish Homes to discuss housing provision and need in Scotland; and if he will make a statement. [21358]

Mr. Raymond S. Robertson: My right hon. Friend and I meet representatives of Scottish Homes from time to time to discuss a range of issues. I last met members of the board on 6 March.

Fire Service

Mr. Dalyell: To ask the Secretary of State for Scotland what representations he has received on Government funding for the fire service in 1996–97. [21342]

Lord James Douglas-Hamilton: My right hon. Friend received a number of representations from local authorities, fire service organisations and members of the public before 1996–97 revenue budgets for the fire brigades were determined.

Economic Prospects

Mr. Butler: To ask the Secretary of State for Scotland if he will make a statement about Scotland's future economic outlook. [21345]

Mr. Kynoch: The economic outlook for Scotland is very encouraging. Independent forecasts are predicting healthy levels of gross domestic product growth, falling unemployment and rising employment both this year and next.

Disabled Students

Mr. Wray: To ask the Secretary of State for Scotland in what circumstances the college boards in Scotland will be expected to administer the travel expenses of students with disabilities after April 1996; what additional funding will be provided to cover these costs; and from what source it will come. [22288]

Mr. Raymond S. Robertson: Students, including those with disabilities, attending incorporated colleges of further education will be eligible to apply for assistance with travel expenses from the bursary scheme operated by the college at which they are studying. A total of £45 million has been transferred to the colleges of further education for the purpose of operating the bursary scheme. Bursary awards can include an element to cover travel expenses.

Mr. Wray: To ask the Secretary of State for Scotland what estimate he has made of the number of students with disabilities in Glasgow who will have their travel costs provided for by the new unitary authority after April 1996. [22296]

Mr. Robertson *[holding answer 26 March 1996]:* Information on the number of students with disabilities who seek assistance with their travel costs is not held centrally. From 1 April 1996 students attending incorporated colleges should approach their college about a bursary award, which can include an element in respect of travel costs. Students attending non-incorporated colleges should contact their new unitary authorities which will be responsible for their bursary awards.

Marine Pollution

Mr. Dafis: To ask the Secretary of State for Scotland if he will make a statement on the measures taken in Scotland following the recommendations of the 1995 world government meeting on land-based sources of marine pollution; and if he will make a statement. [22228]

Mr. Raymond S. Robertson: The UK delegation took a leading part in the conference organised by the UN Environmental Programme in Washington DC between 23 October and 3 November 1995, which adopted the global

programme of action for the protection of the marine environment from land-based activities. This programme of action reflects the approach being adopted throughout the United Kingdom, and by the other states in north-west Europe, to this task. Implementation in Scotland will therefore be achieved by continuing our present policies.

Fishing (Firth of Clyde)

Dr. Godman: To ask the Secretary of State for Scotland what plans he has to meet, in the near future, representatives of the Clyde Fishermen's Association in order to discuss commercial fishing activities in and around firth of Clyde; and if he will make a statement. [22452]

Mr. Raymond S. Robertson: I was due to meet representatives of the Clyde Fishermen's Association in Aberdeen on 14 March. However, as a result of the tragedy at Dunblane on 13 March I was unfortunately unable to keep that appointment. I expect the meeting to be rescheduled for a mutually convenient date in the near future.

Dunblane Incident (Criminal Injuries Compensation)

Sir Hector Monro: To ask the Secretary of State for Scotland what arrangements he has made for those who may be entitled to make a criminal injuries compensation claim following the Dunblane incident. [23570]

Mr. Michael Forsyth: This is a matter for the Criminal Injuries Compensation Board. The board has already responded to a number of direct inquiries and has made arrangements with Victim Support (Scotland) and others for advice to be available locally.

I understand from the board that advice is given on request on the differences between compensation under the present scheme and under the new scheme, which will replace the present scheme on 1 April for all applications received on or after that date. This advice is available from the board to any potential applicant and their representative who might seek assistance in determining whether application in respect of injuries caused before 1 April should be made under the present or under the new scheme.

More generally, I also understand that the board has made arrangements to enable applications to be received up until midnight on 31 March.

Public Bodies

Dr. Wright: To ask the Secretary of State for Scotland which of the advisory non-departmental public bodies sponsored by his Department have a statutory base, and which *(a)* publish their advice to Government, *(b)* publish an annual report and *(c)* lay an annual report before Parliament (i) under a statutory requirement and (ii) voluntarily. [20093]

Mr. Kynoch *[holding answer 12 March 1996]:* The following bodies have a statutory base:

Advisory Committee on Sites of Special Scientific Interest
Ancient Monuments Board for Scotland
Building Standards Advisory Committee
Children's Panel Advisory Committees
Consultative Committee on Freshwater Fisheries
Extra Parliamentary Panel
General Teaching Council for Scotland
Hill Farming Advisory Committee for Scotland
Historic Buildings Council for Scotland
Local Government Boundary Commission for Scotland
Parliamentary Boundary Commission for Scotland
Police Advisory Board
Scottish Central Fire Brigades Advisory Council
Scottish Industrial Development Advisory Board
Scottish Police College Board of Governors
Scottish Records Advisory Council
Scottish Valuation Advisory Council
Secretary of State's (Electricity) Fisheries Committee.

The following publish their advice to the Government:

(i) under a statutory requirement
General Teaching Council for Scotland
Local Government Boundary Commission for Scotland
Parliamentary Boundary Commission for Scotland
Scottish Records Advisory Council
Secretary of State's (Electricity) Fisheries Committee.

(ii) voluntarily
Scottish Consultative Council on the Curriculum
Secretary of State's Advisory Committee on Scotland's Travelling People.

The following publish an annual report:

(i) under a statutory requirement
Ancient Monuments Board for Scotland
General Teaching Council for Scotland
Historic Buildings Council for Scotland
Scottish Industrial Development Advisory Board
Scottish Valuation Advisory Council
Secretary of State's (Electricity) Fisheries Committee.

(ii) voluntarily
Local Government Boundary Commission for Scotland
Post Qualification Education Board for Health Service Pharmacists in Scotland
Scottish Consultative Council on the Curriculum
Scottish Records Advisory Council
Scottish Standing Committee for the Calculation fo Residual Values of Fertilisers and Feeding Stuffs.

The following lay an annual report before Parliament:

(i) under a statutory requirement
Ancient Monuments Board for Scotland
Historic Buildings Council for Scotland
Scottish Industrial Development Advisory Board
Scottish Records Advisory Council
Secretary of State's (Electricity) Fisheries Committee
Scottish Valuation Advisory Council.

(ii) voluntarily
Local Government Boundary Commission for Scotland
Scottish Consultative Council on the Curriculum.

Dr. Wright: To ask the Secretary of State for Scotland which of the advisory non-departmental public bodies sponsored by his Department *(a)* hold public meetings, *(b)* conduct public consultation exercises, *(c)* conduct consultation exercises with outside commercial interests, *(d)* publish a register of

members' interests, *(e)* publish agendas for meetings and *(f)* publish the minutes of meetings (i) under a statutory requirement and (ii) voluntarily. [20110]

Mr. Kynoch *[holding answer 12 March 1996]:* The information requested by the hon. Member is as follows:

(a) children's panel advisory committees hold public meetings on a voluntary basis.

(b) The following conduct public consultation exercises:

(i) under a statutory requirement

Local Government Boundary Commission for Scotland
Parliamentary Boundary Commission for Scotland.

(ii) voluntarily

Scottish Consultative Council on the Curriculum.

(c) The Scottish Consultative Council on the Curriculum voluntarily consults outside commercial interests.

(d) Nil.

(e) and (f) The General Teaching Council for Scotland and children's panel advisory committees voluntarily publish agendas and minutes of meetings.

WALES

Coronary Heart Disease

Mr. Barry Jones: To ask the Secretary of State for Wales what progress has been made to reduce the incidence of coronary heart disease in the last 10 years; and if he will make a statement. [21123]

Mr. Richards: I refer the hon. Member to the oral answer that I gave to my hon. Friend the Member for Swindon (Mr. Coombs), on 18 March, *Official Report*, column 1.

Wheelchairs

Mr. Rowlands: To ask the Secretary of State for Wales when he plans *(a)* to introduce the scheme to provide powered indoor wheelchairs for severely disabled people and *(b)* to introduce a voucher scheme for the purchase of wheelchairs for the disabled. [20913]

Mr. Richards: In the light of my hon. Friend the Under-Secretary of State for Health's recent announcement about the provision of powered wheelchairs and a wheelchair voucher scheme, I am currently examining the implications of introducing similar arrangements in Wales.

Hospital Casualty Units

Mrs. Clwyd: To ask the Secretary of State for Wales what plans he has for the future development of hospital casualty units in Wales; what assessment he has made of the Audit Commission report; and if he will make a statement. [21386]

Mr. Richards: The future development of hospital accident units will be judged against the criteria of clinical safety, ease of access and value for money.

The Audit Commission's report "By Accident or Design—Improving A&E Services in England and Wales" is currently being considered. It will undoubtedly aid the Department's review of accident and emergency services throughout Wales.

The recently launched patients charter for Wales anticipated a number of the Audit Commission's recommendations and others are being considered for future editions of the charter.

Cancer

Mr. Dafis: To ask the Secretary of State for Wales how many people have been diagnosed as having cancer in *(a)* South Glamorgan and *(b)* Mid Glamorgan and Gwent in the last 10 years; what was the percentage change in each year; and if he will make a statement. [21873]

Mr. Richards: The number of malignant neoplasms registered in each year since 1981 and the percentage change in each year is given in the following table. Figures for 1991 and later years are not yet complete.

	South Glamorgan		*Mid Glamorgan*		*Gwent*	
	Number of registrations	*Percentage change*	*Number of registrations*	*Percentage change*	*Number of registrations*	*Percentage change*
1981	1,757	—	2,064	—	1,812	—
1982	1,682	–4.3	2,182	+5.7	1,833	+1.2
1983	1,771	+5.3	2,232	+2.3	2,081	+13.5
1984	1,827	+3.2	2,524	+13.1	2,193	+5.4
1985	1,891	+3.5	2,564	+1.6	2,286	+4.2
1986	1,879	–0.6	2,813	+9.7	2,239	–2.1
1987	1,708	–9.1	2,613	–7.1	2,413	+7.8
1988	1,884	+10.3	2,557	–2.1	2,246	–6.9
1989	1,932	+2.5	2,420	–5.4	2,221	–1.1
1990	2,101	+8.7	2,857	+18.1	2,109	–5.0

Source:
Wales Cancer Registry

Health Authority Managers

Mr. Redmond: To ask the Secretary of State for Wales what was the total pay bill for health authorities' chief executives and general managers in Wales for the year ended 31 March 1990. [21725]

Mr. Richards: There were no chief executive posts in health authorities in Wales in 1990. The salary bill for NHS general managers in Wales in 1989–90 was £508,000.

Source: The summarised accounts of the health authorities in Wales and of the family health services authorities in Wales for the year ended 31 March 1990.

General Practitioners

Mr. Wigley: To ask the Secretary of State for Wales on what basis he decides if there are sufficient people being trained to work as general medical practitioners in Wales and whether adequate resources are being invested by the Welsh Office in the training of medical personnel in Wales; and if he will make a statement. [22201]

Mr. Hague: It is the Government's policy to secure an adequate supply of appropriately trained doctors in each sector and specialty. This is achieved through advisory and planning mechanisms at a UK and Wales level.

The medical workforce standing advisory committee considers the longer-term need for doctors and for making recommendations on the intake of medical schools. In 1995, the committee recommended an increase of 11 per cent. in UK medical school intakes by 2000 to a total of 4,970. The Government have accepted that recommendation.

The Welsh Office is involved in UK work force planning through its representation on the Advisory Group on medical education and staffing. The advisory group is currently examining the issue of recruitment and retention of GPs. My officials also have regular discussions with professional educationalists in Wales to ensure that the provision of training for intending GPs is appropriate.

Mr. Wigley: To ask the Secretary of State for Wales on what dates *(a)* he *(b)* fellow Ministers at the Welsh Office met representatives of the Medical Practices Committee to discuss the adequacy of the number of general practitioners throughout Wales. [22200]

Mr. Hague: My officials met representatives of the Medical Practices Committee on 31 October 1995, and will meet them again on 28 March 1996.

Mudiad Ysgolion Meithrin

Mr. Llwyd: To ask the Secretary of State for Wales how much funding Mudiad Ysgolion Meithrin received from his Department in *(a)* 1990, *(b)* 1992, *(c)* 1994 and *(d)* 1995; and if he will make a statement. [22401]

Mr. Richards: Funding by the Welsh Office to Mudiad Ysgolion Meithrin is shown as follows: the figures are expressed in terms of financial years.

Mudiad Ysgolion Meithrin: Funding by the Welsh Office

	Funding under the child and family services grant scheme £	*Section 26 of the Development of Rural Wales Act 1976* £	*Section 21 of the Education Act 1980* £	*Total* £
1990–91	127,751	358,250	15,000	501,001
1991–92	175,526	400,000	7,000	582,586
1992–93	152,872	457,000	—	609,872
1993–94	152,872	473,544	12,900	639,316
1994–95	152,872	537,000	5,306	695,178
1995–96	152,772	537,000	—	689,872

Intensive Care Units

Mr. Llwyd: To ask the Secretary of State for Wales (1) how many beds there are in each intensive care unit in Wales; and if he will make a statement; [22399]

(2) how many hospitals in Wales have intensive care units; and if he will make a statement; [22402]

(3) what is the annual cost per intensive care bed in each hospital in Wales; and if he will make a statement. [22400]

Mr. Richards: There are 17 hospitals in Wales with intensive care beds. These are as follows:

Hospital	*Number of intensive care beds in 1995*[1]
Princess of Wales, Bridgend	5
Bronglais General	2
East Glamorgan General	6
Ysbyty Glan Clwyd	4
Llandough	5
Prince Philip, Llanelli	3
Morriston	8
Neath General	1
Nevill Hall	2
Prince Charles, Merthyr	4
Royal Gwent	5
University Hospital of Wales Healthcare NHS Trust:	
—University Hospital	7
—Cardiff Royal Infirmary	5
West Wales General	2
Withybush General	3
Ysbyty Wrexham Maelor	4
Ysbyty Gwynedd	8
Total	74

[1] General intensive care beds only. No information is held centrally on the cost of intensive care beds in each hospital.

All health authorities in Wales have been asked to review the number of intensive care and high dependency beds needed in their areas and to take action to address any shortfalls identified.

Arts Council Funding

Mr. Llwyd: To ask the Secretary of State for Wales how much funding the Arts Council for Wales received from his Department in 1994–95; and if he will make a statement. [22460]

Mr. Richards: The Arts Council of Wales received a total grant of £13,696,000 in 1994–95.

Further and Higher Education

Mr. Llwyd: To ask the Secretary of State for Wales what is the number of students in further and higher education in Wales; and what is the current ratio of school leavers to the number entering higher education. [22368]

Mr. Richards: The number of student enrolment at further and higher education institutions in Wales for 1994–95 was 188,681 (provisional). In 1993–94, 9,100 pupils aged 17 and over left school in Wales, of these 64 per cent.—5,860—entered higher education.

Further Education Colleges

Mr. Llwyd: To ask the Secretary of State for Wales what discussions he has had with further education colleges on the amalgamation of existing colleges in Wales; and if he will make a statement. [22370]

Mr. Richards: None. It is for the governing bodies of further education colleges to consider mergers and, if appropriate, put a proposal to the Further Education Funding Council for Wales.

Data Gathering

Mrs. Clwyd: To ask the Secretary of State for Wales how he intends to improve the statistical and data-gathering functions of the Welsh Office, with special reference to those areas for which his Department has specific responsibility. [22994]

Mr. Hague: The statistical and data-gathering activities of the Welsh Office support research and decision making within the Department and beyond. These activities will continue to be developed, with an emphasis on meeting the specific needs of users of statistics while keeping the burden of form filling to a minimum. A new publication series, the "Digest of Welsh Local Area Statistics", providing statistics for the new local authority areas, has just been introduced.

Welsh Development Agency

Mr. Wigley: To ask the Secretary of State for Wales (1) if he will list in constant 1996 prices (i) the amount of expenditure and planned expenditure and (ii) the percentage of expenditure and planned expenditure spent by the Welsh Development Agency on *(a)* Wales as a whole, *(b)* the north division, *(c)* the south division and *(d)* the west division in 1996–97 and each of the preceding three years indicating the percentage change for each category over the whole period; [22698]

(2) what was *(a)* the amount and *(b)* the percentage of the Welsh Development Agency's international and marketing budget spent in 1995–96 on promoting inward investment for (i) the north division, (ii) the south division, (iii) the west division and (iv) Wales as a whole. [22699]

Mr. Hague: I will arrange for the chief executive of the agency to write to the hon. Member and for a copy of his letter to be placed in the Library of the House.

Oil Pollution (Sea Empress Incident)

Sir Wyn Roberts: To ask the Secretary of State for Wales, pursuant to the oral statement made by the Secretary of State for Transport on 22 February, *Official Report*, columns 493–96, what arrangements he has made to evaluate the environmental impact of the Sea Empress oil spill. [23508]

Mr. Hague: In consultation with my right hon. Friend the Secretary of State for Transport, I have appointed Professor Ron Edwards to chair an independent steering group of 11 experts in the marine environment, to co-ordinate the environmental evaluation of the impact of the Sea Empress oil spill. This will include consideration of the response, clean-up procedures and the techniques employed following the oil spill. The group will also ensure that a comprehensive set of relevant environmental data is obtained; it will assess the overall impact of the incident on environmental resources of the area affected—including fisheries, agriculture, amenity and wildlife; as well as passing any information relevant to human health to public health authorities for assessment.

Professor Edwards, who chaired the national parks review panel from 1988 to 1991, is currently a member of the Environment Agency. The first meeting of the group will be held on 2 April at the Welsh Office in Cardiff. I have asked Professor Edwards to provide me with a report within 18 months, which will be made public. Interim reports, which will also be made public, will also be produced.

Apart from Professor Edwards, the 11 members of the steering group I have appointed are—Mr. David Bedborough, marine pollution control unit; Dr. Malcolm Smith, Countryside Council for Wales; Dr. John Portmann, Ministry of Agriculture, Fisheries and Food; Dr. Charlie Pattinson, National Rivers Authority, Welsh Region; Mr. Nic Wheeler, Pembrokeshire Coast national park; Mr. David Seal, Pembrokeshire county council; Mr. Roy Bunce, Department of the Environment, European wildlife division; Dr. Allan Elliot, university of North Wales, Bangor, department of marine sciences; Mr. Arthur Hacking, ADAS, agricultural science advisers to the Welsh Office; Dr. Ian White, managing director, International Tanker Owners Pollution Federation; Dr. Havard Prosser, Welsh Office scientific adviser.

Public Bodies

Dr. Wright: To ask the Secretary of State for Wales if he will list the national health service bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open Government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [21834]

Mr. Richards *[holding answer 21 March 1996]:* All national health service bodies, as defined by the Cabinet Office, in Wales are subject to investigation by the Health Service Commissioner for Wales (ombudsman), and scrutiny by both the Audit Commissioner and the National Audit Office.

The principles of open government are incorporated in the code of practice on openness in the national health service with which all national health service bodies must comply. The principles of the citizens charter apply to national health service bodies and have been incorporated in the charter for patients in Wales. The Welsh Office Health Department monitors the performance of all national health service bodies in Wales.

HEALTH

Health Authorities (Capital Spending)

Ms Harman: To ask the Secretary of State for Health if he will list the capital spending by health authority in each of the last five years. [21670]

Mr. Horam: This information will be placed in the Library.

Finance

Mr. Mudie: To ask the Secretary of State for Health which (i) regional and (ii) district health authority made the payments amounting to £579,000 to support staff relocation which the NHS executive deemed to be beyond its powers. [21996]

Mr. Malone *[holding answer 21 March 1996]:* The figure relates to payments made by the former Yorkshire regional health authority and South Birmingham district health authority.

Relocation

Mr. Mudie: To ask the Secretary of State for Health if he will list the payments made by regional and district health authorities to staff to support relocation by *(a)* each year since 1990–91, *(b)* authority and *(c)* grade to staff. [21998]

Mr. Malone *[holding answer 21 March 1996]:* I refer the hon. Member to the reply I gave the hon. Member for Darlington (Mr. Milburn) on 8 March 1995, column *242*.

NHS Contracts

Mr. Barron: To ask the Secretary of State for Health what guidance he has issued, and when, to NHS personnel on contract prepayments. [22741]

Mr. Horam: Relevant guidance was set out in the "National Health Service Trusts Finance Manual", part 3, chapter 9, issued in February 1992. This was followed up with a letter to finance directors in March 1994, FDL (94)24. Copies of the documents are available in the Library.

Mr. Barron: To ask the Secretary of State for Health what guidance he has issued, and when, to NHS personnel on the letting of contracts, *(a)* without tender and *(b)* non-competitively; and in what circumstances such procedures are permitted. [22740]

Mr. Horam: National health service contracting authorities are all aware of their obligations under the statutory rules relating to public procurement. Where a contract comes within scope of the relevant regulations, there are only limited circumstances where a negotiated procedure not involving competition is allowable.

In its guidance on the drawing up of standing financial instructions, the Department has made it clear that contracts of a more than minimal level should be based on competitive tender and any waiving of this requirement should be subject to board level approval based on overall value for money. The reasons for such decisions should be recorded for audit scrutiny.

Consultancy Fees

Mr. Barron: To ask the Secretary of State for Health how much has been paid in *(a)* consultancy and *(b)* outsourcing fees and contract payments by each regional health authority in each year since 1992. [22747]

Mr. Horam: This information is not available centrally.

Treatment Guidelines

Mr. Cousins: To ask the Secretary of State for Health (1) who is responsible for informing a patient when cancer treatment has been carried out on them for conditions that were subsequently diagnosed as benign; [22593]

(2) who is responsible for informing patients that treatments have been carried out on them without prior diagnostic confirmation of their condition. [22584]

Mr. Horam: This is a matter for local agreement within the trust.

Mr. Cousins: To ask the Secretary of State for Health (1) who is responsible for issuing guidelines in respect of the circumstances in which laparoscopic vaginal hysterectomy for endometrial cancer may be attempted; and to what extent such guidelines are available to *(a)* patients, *(b)* members of the public and *(c)* Parliament; [22596]

(2) who is responsible for issuing guidelines relating to procedures involving radical cancer surgery to the vulva; and to what extent these guidelines are accessible to *(a)* patients, *(b)* the public and *(c)* Parliament. [22552]

Mr. Horam: Development of clinical guidelines for patient treatment is done by the relevant professional body. Guidelines can be made available to patients, members of the public—as potential future patients—and Parliament on request.

Mr. Cousins: To ask the Secretary of State for Health if he will make a statement on the clinical audit of laparoscopic vaginal hysterectomies by the Royal College of Obstetricians and Gynaecologists; and how many such hysterectomies have been carried out *(a)* in total and *(b)* in the circumstances of endometrial uterine cancer. [22651]

Mr. Horam: The Department of Health is funding a joint study by the Royal College of Obstetricians and Gynaecologists medical audit unit and the London School of Hygiene and Tropical Medicine. The vaginal, abdominal or laparoscopic uterine excision hysterectomy study will compare the long-term outcome of hysteroscopic surgery as opposed to conventional hysterectomy. The total number of vaginal hysterectomies in 1993–94 was 14,141. It is not possible separately to identify laparoscopic vaginal hysterectomies within that total. Neither is it possible to identify the number undertaken for endometriauterine cancer.

Mr. Cousins: To ask the Secretary of State for Health (1) what requirements are placed on doctors to confirm diagnosis of conditions and diseases by objective tests before asking patients for consent to undergo treatment; [22554]

(2) what guidelines his Department issues to doctors requiring them to confirm diagnosis of cancer by objective tests before asking patients for consent to radical surgery. [22583]

Mr. Horam: Development of clinical guidelines for the management of patients is done by the relevant professional body. Confirming the diagnosis by appropriate investigation would be encompassed in such clinical guidelines and is part of the general duty of care.

Mr. Cousins: To ask the Secretary of State for Health in what circumstances a patient's consent may be deemed to be invalidly given. [22585]

Mr. Horam: In normal circumstances, patients need to be able to make a balanced judgment before giving valid consent to treatment. They should therefore receive sufficient information to enable them to understand the proposed treatment, the possible alternatives and any substantial risks.

NHS Trusts

Mr. Bayley: To ask the Secretary of State for Health if he will name the 36 NHS trusts which recorded a retained deficit in 1994–95 giving, in each case, the deficit in cash terms and as a percentage of turnover and indicating the principal reason for the deficit. [22670]

Mr. Horam: The information is shown in the tables.

NHS trusts with deficits in 1994–95, principally, for reasons of a technical accounting nature as analysed in the National Audit Office report on NHS summarised accounts for England 1994–95

Trust	Deficit £000	As percentage of income	Reason for deficit
South Tees Acute Hospitals	97	0.1	Early retirement costs
Scarborough and North East Yorkshire Health Care	811	1.6	Other reasons
South Lincolnshire Community and Mental Health Services	46	0.2	Early retirement costs
Oxfordshire Community Health	161	0.5	Early retirement costs
Allington	141	0.8	Early retirement costs
Horizon	8,378	18.9	Early retirement costs
Southend Health Care Services	1,082	1.6	Loss on disposal of fixed assets
Homewood NHS Trust	2,463	10.0	Loss on disposal of fixed assets
Lifecare	527	2.3	Early retirement costs
The Royal West Sussex	271	0.7	Loss on disposal of fixed assets
Frimley Park Hospital	39	0.1	Other reasons
East Somerset	1,121	3.1	Loss on disposal of fixed assets
Bath Mental Health Care	61	0.2	Other reasons
South Warwickshire Health Care	120	0.6	Early retirement costs
South Warwickshire General Hospitals	940	2.2	Loss on disposal of fixed assets
South Warwickshire Mental Health Services	304	2.0	Early retirement costs
Premier Health NHS Trust	413	1.0	Other reasons
Christie Hospital	275	0.8	Early retirement costs
East Cheshire	1,587	2.6	Early retirement costs

NHS trusts with deficits in 1994–95, principally, for reasons of a technical accounting nature as analysed in the National Audit Office report on NHS summarised accounts for England 1994–95

Trust	Deficit £000	As percentage of income	Reason for deficit
Guild Community Healthcare	1,210	3.3	Early retirement costs

NHS trusts with deficits in 1994–95 where the reasons are other than technical accounting as analysed in the National Audit Office report on the NHS summarised accounts for England 1994–95

Trust	Deficit £000	As percentage of income	Reason of deficit
Humberside Ambulance Service	622	5.1	Excess expenditure
United Leeds Teaching Hospitals	334	0.2	Excess expenditure
Louth and District Healthcare	25	0.2	Shortfall in planned income
Lincoln Hospitals	257	0.4	Activity levels greater than contracted
Sheffield Children's Hospital	245	1.1	Shortfall in planned income
East Anglian Ambulance	68	0.3	Other reasons
Mid Anglia Community Health	44	0.2	Other reasons
Royal National Orthopaedic Hospital	3,436	11.6	Other reasons
Royal National Throat, Nose and Ear Hospital	826	6.8	Other reasons
Greenwich Healthcare	2,888	2.8	Shortfall in planned income
Crawley Horsham	1,154	2.6	Other reasons
Swindon and Marlborough Hospitals	522	0.8	Other reasons
The Poole Hospital	226	0.4	Excess expenditure
Royal United Hospital, Bath	2,545	3.8	Shortfall in planned income
Worcester Royal Infirmary	944	1.6	Other reasons
Wolverley	155	1.1	Other reasons

Mr. Bayley: To ask the Secretary of State for Health if he will name the 13 NHS trusts which exceeded their external financing limits in 1994–95. [22672]

Mr. Horam: The information is contained in "NHS Trusts: 1994/95 Financial Performance", copies of which are available in the Library.

Mr. Bayley: To ask the Secretary of State for Health if he will name the 93 NHS trusts which failed to meet their target rate of return on average relevant net assets in 1994–95 giving, in each case, the margin on both cash and percentage terms by which it failed to do so. [22671]

Mr. Horam: National health service trusts are required to make a 6 per cent. return on their net relevant assets, not a target figure in cash terms. Tables showing the actual return achieved in percentage terms by each trust for 1994–95 is contained in "NHS Trusts: 1994/95 Financial Performance", copies of which are available in the Library.

Sheffield University School of Health and Related Studies

Mr. Barron: To ask the Secretary of State for Health what *(a)* courses have been attended at the Sheffield

university school of health and related studies and *(b)* other resources of the school have been used by (i) NHS management trainees and (ii) existing NHS staff. [22735]

Mr. Malone: This information is not available centrally.

Mr. Barron: To ask the Secretary of State for Health how many contracts have been awarded to Sheffield university school of health and related studies since 1994 by *(a)* his Department, *(b)* the NHS executive, *(c)* the Northern and Yorkshire regional health authority, *(d)* the former Yorkshire regional health authority and *(e)* Trent regional health authority; for what purposes these contracts were awarded; if they were awarded by competitive tender; and what was the value of each of these contracts. [22734]

Mr. Horam: The information is not available centrally.

Yorkshire Regional Health Authority

Mr. Barron: To ask the Secretary of State for Health what estimate he has made of the *(a)* costs of and *(b)* savings from the out-sourcing of (i) the nursing division and (ii) the priority and community services group of the former Yorkshire regional health authority to the university of Leeds. [22743]

Mr. Malone: This is a matter for Northern and Yorkshire regional health authority. The hon. Member may wish to contact the chairman of the authority for details.

Peter Walker Associates

Mr. Barron: To ask the Secretary of State for Health how many contracts, and of what value, have been awarded in each of the last four years by *(a)* the former Yorkshire regional health authority, *(b)* the Northern and Yorkshire regional health authority, *(c)* the Trent regional health authority, *(d)* district health authorities within the two regions and *(e)* NHS trusts within the two regions to Peter Walker Associates. [22751]

Mr. Horam: This information is not available centrally.

Professional Misconduct

Mr. Cousins: To ask the Secretary of State for Health what guidance has been issued on the appropriate time scale for initiating investigations of allegations of professional misconduct by health authorities and trusts. [22553]

Mr. Malone: Guidance was issued in circular HC(90)9 to national health service employers in March 1990 on disciplinary procedures for hospital and community medical and dental staff.

This guidance recommended indicative time limits for dealing with cases of professional misconduct. This states that the time taken from the decision that there is a prima facie case to referral of the final report to the employer should not exceed 32 weeks.

Yorkshire Services Organisation

Mr. Barron: To ask the Secretary of State for Health what was the total cost of services provided to the former Yorkshire regional health authority by the Yorkshire Services Organisation in each year since 1992; and what services, and at what cost the Yorkshire Services Organisation currently provides to (i) the Northern and Yorkshire regional health authority and (ii) the Trent regional health authority. [22750]

Mr. Horam: This is a matter for the Northern and the Yorkshire and Trent regional health authorities respectively. The hon. Member may wish to contact the chairmen of those authorities for details.

Royal College of Obstetricians and Gynaecologists

Mr. Cousins: To ask the Secretary of State for Health how many *(a)* research projects, *(b)* reviews and *(c)* audits he has asked the Royal College of Obstetricians and Gynaecologists to undertake; and for how many he has provided financial support. [22592]

Mr. Horam: The Department of Health provides core funding for the college's audit unit. The Department has also funded two audits:

National endometrial ablation survey

Pregnancy care for health women.

Mr. Cousins: To ask the Secretary of State for Health on how many occasions in the last 12 months he has sought the advice of the Royal College of Obstetricians and Gynaecologists; and on what topics. [22595]

Mr. Horam: The royal college has frequent contact with Health Ministers and their officials on a wide range of health and health service matters.

Mr. Cousins: To ask the Secretary of State for Health on what matters the Royal College of Obstetricians and Gynaecologists is currently preparing clinical guidelines at his request. [22667]

Mr. Horam: The Royal College of Obstetricians and Gynaecologists, other royal colleges and interested groups are in the process of producing clinical guidelines for the management and treatment of osteoporosis.

Northern and Yorkshire Regional Headquarters

Mr. Bayley: To ask the Secretary of State for Health who conducted the full option appraisal into the relocation of the Northern and Yorkshire NHS regional headquarters to the Mountjoy science park in Durham. [22673]

Mr. Malone: The appraisal was carried out jointly by members of Northern and Yorkshire regional health authority and a team provided by the national health service executive of the Department of Health.

Medical Research

Mr. Redmond: To ask the Secretary of State for Health what research commissioned by his Department is currently being carried out at *(a)* the Royal Hallamshire hospital, *(b)* the Doncaster royal infirmary, *(c)* the Weston Park hospital, *(d)* the Pontefract general hospital and *(e)* the Mexborough royal infirmary, Sheffield; and if he will show in his answer the total amount of funds made available by his Department for each project. [23069]

Mr. Malone: Research commissioned within the Department's policy research programme is set out in "Centrally Commissioned Research Programme" and

"Centrally Commissioned Research Programme: Commissions 1994–95", copies of which are available in the Library.

Cancer (Sellafield)

Mr. Merchant: To ask the Secretary of State for Health if he will make a statement on the report from the Committee on Medical Aspects of Radiation in the Environment on the incidence of cancer and leukaemia in the vicinity of the Sellafield site, west Cumbria. [23569]

Mr. Horam: The Government are grateful to the committee for its thorough and comprehensive report, copies of which have been placed in the Library. Ministerial colleagues and I note the Committee's concern about the continuing excess of leukaemia and lymphoma in young people in Seascale. We accept the recommendations made in the report, including the committee's recommendation that the incidence of leukaemia and other cancers in the area be kept under surveillance and reviewed periodically by the appropriate authorities. Government also accept the committee's advice that there will be no benefit from continuing to investigate Seascale in isolation in the absence of new evidence of particular causative characteristics which could be relevant.

We welcome COMARE's advice on research priorities and will continue to fund the Department's long-standing programme of research into radiation protection, seeking advice as necessary from expert sources. The Department will also maintain contact with other funding bodies to ensure priority is given to relevant, high quality research.

The Government's commitment to maintaining and updating effective radiation protection policies is demonstrated by the Department's current spend of nearly £2 million a year on radiological protection research, together with support amounting to some £6.5 million year for the National Radiological Protection Board.

Following is COMARE's main conclusion:

"We conclude that there has been a continuing excess of leukaemia and other cancers in 0–24 year olds in Seascale Ward in the post—Black period 1984–1992, primarily due to an excess of acute lymphoblastic leukaemia and NHL. Taken together with the results for the earlier period 1955–62 (for which comparable statistical analysis is not possible) and 1963–1983 the data show that there has been a continued excess of leukaemia and NHL in Seascale for four decades. Such evidence as we have does not indicate any excess between 1900 and 1945. We have investigated possible causes of the excess in later decades and conclude that:

(i) On current knowledge, environmental radiation exposure from authorised or unplanned releases could not account for the excess. Much work has been done to reduce the uncertainties present in the previous assessment although some uncertainties do still remain.

(ii) On current knowledge occupational exposure to radiation is very unlikely to account for the excess. Although there are uncertainties regarding internal radiation exposures it is not clear how these could affect the population of Seascale and not the other residents of small towns and villages nearby where workers from the Sellafield site also live.

(iii) Other possible hypotheses regarding chemicals and infectious aetiology have been considered. We conclude that environmental exposure to chemicals is unlikely to offer an explanation although admittedly the data are sparse. We do, however, believe that a mechanism involving infection may probably be a factor affecting the risk of leukaemia and NHL in young people in Seascale.

We conclude that the excess of leukaemia and NHL in young people in Seascale for the period 1963 to 1992 is highly unlikely to be due to chance alone. Various factors considered above could affect the incidence of leukaemia and NHL but no one factor alone could account for the increase. We cannot rule out interactions between different possible factors but, as yet, have no way of quantifying their effects nor of saying why the interaction would be unique to Seascale.

We have now produced four reports to Government on the incidence of childhood cancer and leukaemia around particular nuclear installations. The first and present reports have been concerned with the Sellafield site. Our work to investigate the cause has entailed one of the most intensive investigations of a local public health concern, due to a suspected environmental problem, ever undertaken in the UK. In addition to our efforts, the input from Government in sponsoring research, from the NRPB and many other independent research bodies and individuals, including industry, has been very substantial. Given this effort there exists a natural expectation of a clear and unambiguous answer to the key issues being addressed. Certainly, we are in no doubt of the raised incidence of leukaemia and NHL which has occurred in the young people of Seascale, and its persistence over several decades is probably unique in this country.

We have examined leading available current hypotheses and pathways by which the observed excess could have come about and have been unable to find any convincing explanation. We have, of course, been constrained by the fact that mechanisms involved in human leukaemogenesis are still not clearly understood. It is our view that current research efforts being undertaken in the UK and worldwide should eventually supply answers to these questions. However, until this research provides the required information we advise against further work specifically addressing the Seascale cluster until new insights into possible carcinogenic mechanisms suggest possible causes to test".

COMARE has made five recommendations, as follows:

"*Recommendation 1 (Chapters 2, 4, 6, 8)*

We note that there are a number of epidemiological studies underway which will examine the various hypotheses which have been discussed in this report. The United Kingdom Childhood Cancer Study is testing both radiation and non-radiation hypotheses including infectious aetiology and possible predisposing features to carcinogenesis. We *recommend* that these should be supported to completion.

Recommendation 2 (Chapter 2)

We share the concern about the continuing excess of childhood and adolescent leukaemia and lymphoma and possible excess of other cancers in Seascale and we *recommend* that the incidence of leukaemia and other cancers in the area be kept under surveillance and reviewed periodically by the appropriate authorities and that any new cases of leukaemia or other cancer be fully characterised.

Recommendation 3 (Chapters 2 and 7)

We *recommend* that the mortality/incidence of both childhood and adult leukaemia and other cancers in Seascale for the years 1946–62 be examined as thoroughly as possible to connect the mortality study of 1900–45 with the incidence studies of 1963–92.

Recommendation 4

With regard to radiation specifically, our investigations have made us aware of several areas where an urgent need exists for improved knowledge. We consider that their investigation is both important for the scientific basis of radiation protection generally and for the evaluation of potential future problems in the field of radiation and public health. We therefore *recommend* support, wherever possible, for innovative research in the areas [set our in COMARE's report].

Recommendation 5 (Chapters 8 and 9)

We are aware that our inability to identify causative mechanisms to explain all the Seascale leukaemia and NHL excess reflects the present inadequate state of knowledge regarding the causes of childhood leukaemia. It is possible that this excess, and any others if they occur in future, will continue to elude explanation until underlying mechanisms are better understood. We expect such understanding to come from current and future initiatives in leukaemia and cancer research, whether related to radiation or not. We *recommend* that high quality innovative research, especially where it permits hypothesis testing, should be supported wherever possible, that this should be considered a necessary part of the remit of radiation protection, and that there should be continued liaison between funding bodies to ensure that essential research receives adequate priority for available funds."

Breast Cancer

Mr. Alfred Morris: To ask the Secretary of State for Health if he will make additional funds available for high-dose chemotherapy and autografting for women with breast cancer within the two nationally agreed clinical studies. [22492]

Mr. Horam: Any additional proposal would require careful consideration in the design criteria for existing studies before further funding could be considered.

Treatment Protocols

Mr. Alfred Morris: To ask the Secretary of State for Health (1) if he will make it his policy not to allow health authorities not to provide treatments without reference to ministerial protocols; [22496]

(2) if he will bring forward protocols to avoid recurrence of health authorities deciding not to provide treatment to sick children, with special reference to the case of child B. [22497]

Mr. Horam: Health authorities are responsible for assessing the health needs of their local populations and for securing services to meet those needs through available resources. The Government have made it clear that there should be no clinically effective treatment which health authorities decide as a mater of principle should not be provided. There will always be exceptional cases and each should be considered on its merits.

Sick Children

Mr. Alfred Morris: To ask the Secretary of State for Health what assessment he has made of the compliance of the Government's policy towards the treatment of critically ill children with the provisions of the United Nations convention on the rights of the child. [22493]

Mr. Bowis: In our report to the United Nations committee on the rights of the child, HMSO 1994, we noted that advances in medical science offer new opportunities in the acute care of children. We accept the evidence that critically ill children are best treated in dedicated paediatric intensive care units, and on 6 March my right hon. Friend the Secretary of State for Health announced that he had asked for a report by the end of April on the implementation of plans for the development of paediatric intensive care.

Secondments

Mr. Caborn: To ask the Secretary of State for Health if he will list the individuals, by name, civil service post and receiving company, who are on temporary secondment from his Department to industry as part of the continuing programme of interchange of staff with the private sector. [22790]

Mr. Horam: There are none.

Written Answers to Questions

Thursday 28 March 1996

PUBLIC ACCOUNTS COMMISSION

Frigate Procurement Study

Mr. George: To ask the Chairman of the Public Accounts Commission if he will establish the full cost of the National Audit Office study into the type 23 frigate and the common new generation frigate indicating what proportion of that cost is represented by the part of the study which was reported to Parliament in the NAO report "Procurement Lessons for the Common New Generation Frigate", HC 692, Session 1994–95. [21655]

Sir Peter Hordern: The National Audit Office's work on the type 23 frigate programme is not complete. Further information will be reported to the Public Accounts Committee later this year.

National Audit Office Defence Studies

Mr. George: To ask the Chairman of the Public Accounts Commission if he will estimate the cost of all NAO full studies into defence matters since 1987 which have not been reported to Parliament. [21654]

Sir Peter Hordern: The Comptroller and Auditor General reports to Parliament all National Audit Office defence studies when they are complete. In accordance with the long-standing and traditional practice of external auditors, he may also provide audit advice direct to audited bodies as subsidiary outputs to promote value for money and good stewardship of public resources.

SCOTLAND

Cytology Service (Inverclyde Royal Hospital)

Dr. Godman: To ask the Secretary of State for Scotland (1) how many women are pursuing legal claims against the Argyll and Clyde health board in respect of the mis-reading of cervical smear slides at the Inverclyde royal hospital; and if he will make a statement; [21663]

(2) how many compensation claims against the Argyll and Clyde health board's cytology service at the Inverclyde royal hospital, Greenock *(a)* have been settled and *(b)* are still outstanding; and if he will make a statement. [22724]

Lord James Douglas-Hamilton: A total of 16 legal claims are being pursued by women against Argyll and Clyde health board as a result of the mis-reading of cervical smear slides at the Inverclyde royal hospital. Eight claims have been settled and negotiations are under way to achieve a settlement in the other eight cases, two of which have been, or will be, given interim settlements.

The Government are committed to ensuring that a service of the highest quality is available to women as evidenced by the issue of three key documents in Scotland during 1995; "Guidelines on Fail-safe actions", "Guidance to Health Boards on Purchasing for Cervical Screening" and the "Report of the Working Party on Internal Quality Control for Cervical Cytopathology Laboratories". The then Minister of State also announced the establishment of a central co-ordinating unit for the breast and cervical screening programmes in Scotland, and a national co-ordinator was appointed in December 1995. Quality assurance guidelines for the cervical screening programme were issued this week, pulling together many of the initiatives which have been undertaken at a UK level.

This is being copied for information to the hon. Member for Renfrew, West and Inverclyde (Mr. Graham).

Research Institutes

Mrs. Anne Campbell: To ask the Secretary of State for Scotland which former public sector research establishments in his Department have been privatised since 1979; and which public sector research establishments in his Department are currently undergoing reviews with a view to placing them in the private sector. [21946]

Mr. Raymond S. Robertson: The Scottish Office has not privatised any public sector research establishments since 1979.

As part of their response in September 1995 to the report of the multi-departmental efficiency scrutiny of public sector research establishments, the Government announced their intention to conduct a series of prior options reviews of public sector research establishments. My right hon. Friend the President of the Board of Trade announced on 26 January 1996 the timetable for the reviews, which are due to be completed by the end of this year. The establishments covered include the five Scottish agricultural and biological research institutes—the Hannah research institute, the Macaulay land use research institute, the Moredun research institute, the Rowett research institute and the Scottish crop research institute—the Scottish Agricultural Science Agency and the Fisheries Research Services. Under the prior options procedure, all options, including privatisation, rationalisation or continuing with the current arrangements, have to be examined rigorously.

Mr. Gallie: To ask the Secretary of State for Scotland if he will make a statement about prior options reviews of the Hannah research institute and the Moredun research institute. [24066]

Mr. Robertson: The Government's response to the report of the multi-departmental efficiency scrutiny of public sector research establishments announced a series of prior option reviews. As part of this series, the Scottish Office Agriculture, Environment and Fisheries Department will conduct prior options reviews of the Hannah research institute and the Moredun research institute.

The reviews will address the actual and potential relationship of the establishment to any others in similar or related fields, and will consider the potential for privatisation or rationalisation.

I would welcome comments from interested parties. They should be sent by 30 April to:

Mrs. B. McGee

The Scottish Office Agriculture, Environment and Fisheries Department

Pentland House

47 Robb's Loan

EDINBURGH

EH14 1TY.

EU Funding

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will list each European social fund and European regional development fund allocation by (i) name, (ii) expenditure and (iii) area made for objective 1 projects in the highlands and islands on 2 February. [22210]

Mr. Kynoch: The list of approved projects has been provided with an indication of which local enterprise company area each project falls within. As the information requested is somewhat lengthy, I have arranged for the information to be placed in the House Library.

Fair Play Consortium

Mrs. Liddell: To ask the Secretary of State for Scotland what plans exist for a fair play consortium in Scotland; and if he will make a statement. [22538]

Mr. Raymond S. Robertson: A fair play consortium for Scotland was established early this year. The initiative is led by the Equal Opportunities Commission (Scotland) and supported by Scottish Enterprise and Highlands and Islands Enterprise.

Highlands and Islands Enterprise

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland (1) what is the average cost to public funds of each job created or protected in the tourist industry by grants awarded by Highlands and Islands Enterprise; [22658]

(2) what is the average cost to public funds of each job created or protected in the skiing industry by grants awarded by Highlands and Islands Enterprise. [22659]

Mr. Kynoch: As the information requested relates to the operational activities of Highlands and Islands Enterprise, I have asked the chairman to write to the hon. Member.

Parliamentary Constituencies

Mr. Tom Clarke: To ask the Secretary of State for Scotland what were the electorates of each of the new parliamentary constituencies in Scotland as at 16 February. [22652]

Lord James Douglas Hamilton: The information is as follows:

Constituency	*Number*
Aberdeen Central	56,162
Aberdeen North	54,580
Aberdeen South	60,877
Airdrie and Shotts	58,549
Angus	60,255
Argyll and Bute	49,869
Ayr	56,199
Banff and Buchan	59,128
Caithness, Sutherland and Easter Ross	41,813
Carrick, Cumnock and Doon Valley	66,690
Central Fife	58,889
Clydebank and Milngavie	52,057
Clydesdale	63,338
Coatbridge and Chryston	52,663
Cumbernauld and Kilsyth	48,112
Cunninghame North	56,137
Cunninghame South	49,961
Dumbarton	56,858
Dumfries	63,259
Dundee East	58,659
Dundee West	57,131
Dunfermline East	51,630
Dunfermline West	53,399
East Kilbride	65,455
East Lothian	57,516
Eastwood	66,884
Edinburgh Central	62,521
Edinburgh East and Musselburgh	59,535
Edinburgh North and Leith	61,527
Edinburgh Pentlands	60,089
Edinburgh South	62,832
Edinburgh West	61,590
Falkirk East	57,104
Falkirk West	53,440
Galloway and Upper Nithsdale	53,380
Glasgow Anniesland	52,815
Glasgow Baillieston	51,159
Glasgow Cathcart	49,667
Glasgow Govan	49,600
Glasgow Kelvin	56,181
Glasgow Maryhill	51,589
Glasgow Pollok	49,403
Glasgow Rutherglen	51,127
Glasgow Shettleston	48,374
Glasgow Springburn	52,830
Gordon	59,033
Greenock and Inverclyde	49,964
Hamilton North and Bellshill	54,039
Hamilton South	47,019
Inverness East, Nairn and Lochaber	65,424
Kilmarnock and Loudoun	62,359
Kirkcaldy	52,174
Linlithgow	53,948
Livingston	59,666
Midlothian	47,893
Moray	58,983
Motherwell and Wishaw	52,513

Constituency	Number
North East Fife	58,493
North Tayside	61,661
Ochil	57,141
Orkney and Shetland	32,635
Paisley North	49,905
Paisley South	53,909
Perth	60,217
Ross, Skye and Inverness West	55,653
Roxburgh and Berwickshire	47,520
Stirling	52,634
Strathkelvin and Bearsden	63,386
Tweeddale, Ettrick and Lauderdale	50.999
West Aberdeenshire and Kincardine	58,797
Western Isles	23,208
West Renfrewshire	53,066

Contracts

Mr. Donohoe: To ask the Secretary of State for Scotland what guidelines are currently in force in his Department and its executive agencies relating to competitive tendering and the use of single negotiated tenders; on what grounds single negotiated tenders can be used; and what procedures are in place within his Department to ensure that the use of single negotiated tenders in competitive tendering processes is justified in all cases. [22857]

Lord James Douglas-Hamilton: I refer the hon. Member to the answer I gave to his question on 19 March, *Official Report,* column *166.* Single negotiated tenders are acceptable only in exceptional circumstances such as where there is effectively no choice of contractor—for example, for reasons of compatibility—or where such action is judged to offer economic advantages; or where there is extreme urgency to provide or restore a service.

Mr. Donohoe: To ask the Secretary of State for Scotland how many contracts for goods or services have been awarded by his Department and its executive agencies on the basis of single negotiated contracts in each of the last three years; if he will list the companies involved and the value of the contract in each case; what percentage this represented of contracts awarded by his Department and its agencies after competitive tendering; and, in each case, why the contracts were awarded on the basis of a single negotiated tender. [22873]

Lord James Douglas-Hamilton: The information requested is not recorded centrally within the Department, and could be obtained only at disproportionate cost.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Scotland what was the cost of answering parliamentary questions in each Session since 1989–90. [22905]

Lord James Douglas-Hamilton: This Department does not calculate the data requested, and they could be provided only at disproportionate cost.

Departmental Cash Limits

Mr. Gallie: To ask the Secretary of State for Scotland what changes he intends to make to the cash limits for 1995–96 within his responsibility. [24065]

Mr. Michael Forsyth: The non-voted cash limit Scottish Office/LA1, which covers local authority non-housing capital expenditure, is to be increased by £10,500,000 from £599,303,000 to £609,803,000. There will be an increase in net capital allocations to meet a fall in anticipated European regional development fund receipts and to meet the effect of severe weather. This increase is fully offset by a reduction of £5,000,000 in the non-voted cash limit SO/ERDF from £120,025,000 to £115,025,000 and a reduction in roads and transport class XIV, vote 2 amounting to £5,500,000 so that it will not add to the planned total of public expenditure.

Renfrewshire Healthcare NHS Trust

Mr. Graham: To ask the Secretary of State for Scotland how many *(a)* clinical nurse managers and *(b)* practice development nurse posts are to replace the existing 74 ward sister and charge nurse posts employed by Renfrewshire Healthcare NHS trust. [21731]

Lord James Douglas-Hamilton *[holding answer 20 March 1996]:* Ward sister and charge nurse posts in Renfrewshire Healthcare NHS trust will, on implementation of the trust's revised nursing management and organisational structure, be replaced by 46 clinical nurse manager posts and six practice nurse development posts.

These changes will enable the number of nursing posts involved in direct patient care to increase from 210 to 230.

Public Bodies

Dr. Wright: To ask the Secretary of State for Scotland if he will list the national health service bodies sponsored by his Department which are subject to *(a)* investigation by the Parliamentary Commissioner, *(b)* scrutiny by the Audit Commission, *(c)* scrutiny by the National Audit Office, *(d)* statutory provisions for open government, *(e)* performance indicators and *(f)* provisions under the citizens charter. [21831]

Lord James Douglas-Hamilton *[holding answer 21 March 1996]:* All the 47 NHS trusts, 15 health boards and five special health boards in Scotland are subject to investigation by the health service commissioner and scrutiny by the National Audit Office. They are also all subject to scrutiny by the Accounts Commission, the equivalent body in Scotland to the Audit Commission England and Wales. Those bodies are subject to any statutory provisions for open government and provisions under the citizens charter which may be relevant to them and to any performance indicators as may be deemed appropriate.

TREASURY

Economic Statistics

Mr. Alan W. Williams: To ask the Chancellor of the Exchequer what are the latest annual *(a)* inflation, *(b)* unemployment, *(c)* growth rate and *(d)* balance of payments figures for each of the members of the European Community. [22062]

Mrs. Angela Knight: The latest comparable data for these inquiries are set out in the Organisation for Economic Co-operation and Development publication "Main Economic Indicators", which is available in the House of Commons Library.

Pound Coin

Mr. William Ross: To ask the Chancellor of the Exchequer (1) by what means the differing traditions in Northern Ireland are represented on the 1996 Northern Ireland £1 coin; [22011]

(2) who was the designer of the 1996 £1 coin for Northern Ireland. [21983]

Mrs. Angela Knight: The design shows a gold collar of the first century BC, found at Broighter, County Londonderry in 1896, an ornate cross of the style used in the old Celtin Church of Britain, and the flower of the yellow pimpernel which flourishes around Lough Neagh. The designer is Mr. Norman Sillman.

Manufacturing Exports

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what estimate he has made of the United Kingdom percentage share of exports of manufactures by the main manufacturing countries in terms of volume for each year since 1985. [22965]

Mrs. Angela Knight: The data requested are set out in the table.

UK percentage share of OECD exports of manufactures[1]

Year	*Percentage*	*Year*	*Percentage*	*Year*	*Percentage*
1975	9.4	1982	7.5	1989	7.2
1976	9.1	1983	7.2	1990	7.3
1977	9.2	1984	7.1	1991	7.3
1978	8.7	1985	7.1	1992	7.1
1979	8.3	1986	7.9	1993	7.1
1980	8.0	1987	7.5	1994	7.1
1981	7.3	1988	7.2		

Note:
[1] Calculation of shares follows OECD practice of converting constant price volume data into a common US dollars basis at 1991 exchange rates.
Source:
OECD, Datastream, CSO.

Mr. Mitchell: To ask the Chancellor of the Exchequer what is his estimate of the United Kingdom percentage share of exports of manufactures by the main manufacturing countries giving the figures in United States dollars for each quarter since 1992. [22960]

Mrs. Knight: The data requested are set out in the table.

UK percentage share of OECD exports of manufactures[1]

Year/Quarter	*Percentage*	*Year/Quarter*	*Percentage*
1992 Q1	7.0	1993 Q4	7.1
1992 Q2	7.2	1994 Q1	7.1
1992 Q3	7.1	1994 Q2	7.0
1992 Q4	7.3	1994 Q3	7.1
1993 Q1	7.3	1994 Q4	7.1
1993 Q2	7.1	1995 Q1	6.6
1993 Q3	7.1	1995 Q2	6.5

Note:
[1] Calculation of shares follows OECD practice of converting constant price volume data into a common US dollars basis at 1991 exchange rates.
Source:
OECD, CSO.

Mr. Mitchell: To ask the Chancellor of the Exchequer what factors underlay the scale of the rise in exports of manufactures in the fourth quarter of 1995 relative to the fourth quarter of 1994. [22958]

Mrs. Knight: The growth of exports of manufactures depends on a number of factors, such as the growth of world trade, the competitiveness of British exports and the degree of spare capacity.

Inflation

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what were *(a)* the Bank of England and *(b)* the Treasury forecasts two years ago of the rate of inflation in February 1996. [22962]

Mrs. Angela Knight: Neither the Bank of England nor the Treasury publishes monthly forecasts of inflation. The Bank of England publishes its quarterly forecasts for inflation in its inflation reports. The Treasury publishes its forecasts in the "Financial Statement and Budget Report" and in the "Summer Economic Forecast". Copies of all these documents are available in the House of Commons Library.

House Insurance

Sir John Stanley: To ask the Chancellor of the Exchequer under which section of which Act owners of domestic properties were given the right to alter the insurer of their home from the one specified by their building society as mortgagee. [19514]

Mrs. Angela Knight *[holding answer 7 March 1996]:* The practice of building societies allowing borrowers to alter the insurers of their homes flows form the code of practice on the linking of services which the Building Societies Association brought into effect on 1 January 1988. It does not depend on any statutory underpinning.

Labour Statistics

Mr. Robert Ainsworth: To ask the Chancellor of the Exchequer what proportion of the population of working age in *(a)* 1979 and *(b)* 1995 was accounted for by (i) full-time employees of more than six months' duration, (ii) full-time self-employed persons, (iii) full-time employees of less than six months' duration, (iv) full-time

temporary employees, (v) those in part-time employment, (vi) the unemployed and (vii) those who are economically inactive. [22579]

Mrs. Angela Knight *[holding answer 25 March 1996]:* Comparable information is available from the labour force survey for 1984 and 1995:

	Spring 1984	*Spring 1995*
All persons of working age in Great Britain	33,172,000	34,445,000
of whom: (per cent)—Total	100	100
Full-time employees who have been with their current employer for 6 months or more	44	43
Full-time employees who have been with their current employer for less than 6 months	4	4
Full-time self-employed	6	7
Full-time temporary employees	1	2
Part-time workers	13	16
ILO unemployed	9	7
Economically Inactive	22	22

Stamp Duty

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is the total annual revenue yield from stamp duty on property purchases, for the latest year for which the information is available. [22829]

Mr. Jack *[holding answer 26 March 1996]:* The yield from stamp on all land and property—other than shares—was £783 million in 1994–95, of which an estimated £520 million was due to residential property transactions.

Tax Revenues

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the additional tax revenues which would accrue to the Exchequer for each of the next five years if the annual rate of growth of gross domestic product in the United Kingdom were to be 0.25 per cent. per annum higher than assumed in the forecasts contained in the "Financial Statement and Budget Report 1996–97"; and if he will make a statement. [22761]

Mr. Waldegrave *[holding answer 26 March 1996]:* Tax revenues as a ratio of GDP vary automatically with cycles in economic activity. The alternative projection below uses the relationship set out in HM Treasury occasional paper No. 4 "Public Finances and the Cycle":

General government receipts projections

Percentage of money GDP	*1996–97*	*1997–98*	*1998–99*	*1999–00*	*2000–01*
FSBR projection	37¼	38¼	38½	38¾	39
¼ percentage point higher growth	37¼	38¼	38½	39	39¼
This implies additional revenues of:					
Additional revenues *(£ billion)*	¼	2	3	5	6

PRIME MINISTER

Ministerial Visit (North Tayside)

Mr. Bill Walker: To ask the Prime Minister what plans he has to pay an official visit to the North Tayside constituency. [21636]

The Prime Minister: I have at present no plans to do so.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if he will list his official engagements for Thursday 28 March. [21966]

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Thursday 28 March. [21967]

The Prime Minister: This morning, I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

National Health Service

Mr. John D. Taylor: To ask the Prime Minister (1) what was the spending per head of population on health provision in *(a)* Northern Ireland, *(b)* Scotland, *(c)* Wales and *(d)* England in each of the last five years; and what is the projected spending in the current financial year per head of population in each country; [22948]

(2) what percentage of patients in *(a)* Northern Ireland, *(b)* Scotland, *(c)* Wales and *(d)* England are currently covered by general practitioner fundholders. [22949]

The Prime Minister: The information is as follows:

Gross total national health service spending per capita

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96 (estimated outturn)*
Northern Ireland[1]	581	639	678	705	729	768
Scotland	600	678	740	762	799	849
Wales	536	612	684	705	732	770
England	493	556	607	626	657	694

[1] The figures for Northern Ireland are estimates, due to the fact that Northern Ireland's health services and personal social services are provided on an integrated basis.

Percentage of population covered by GP Fundholding Practices (at April 1995)

Country	*Percentage population covered*
Northern Ireland	29
Scotland	23
Wales	40
England	41

Intelligence and Security Committee

Mr. David Nicholson: To ask the Prime Minister if he has yet received the annual report of the Intelligence and Security Committee in accordance with the Intelligence Services Act 1994; and if he will make a statement on the membership of the Committee. [23957]

The Prime Minister: I have received the first annual report of the Intelligence and Security Committee and am presenting it to Parliament today. Copies are also being placed in the Libraries of both Houses. I am grateful to the Committee for the careful and thorough way in which it has carried out its work. Certain portions of its report contained material which fell within the provisions of section 10 of the Intelligence Services Act 1994, and which has accordingly, after consultation with the Committee, been deleted from the published report.

The House will wish to be aware that, following consultations with the Leader of the Opposition and in accordance with section 10 of the Intelligence Services Act, I have appointed the right hon. Lord Blaker as a member of the Committee to succeed the right hon. Lord Howe of Aberavon who has indicated his wish to step down from the Committee. I am very grateful to Lord Howe for the part he has played in the Committee's work.

HOME DEPARTMENT

Fire Brigades (Cheshire)

Mrs. Dunwoody: To ask the Secretary of State for the Home Department (1) how many incidents the fire brigades in Cheshire attended in *(a)* 1980, *(b)* 1990 and *(c)* 1995; and if he will make a statement; [22407]

(2) how many incidents the fire brigades in Crewe and Nantwich attended in *(a)* 1980, *(b)* 1990 and *(c)* 1995; and if he will make a statement. [22406]

Mr. Sackville: The available information is given in the following table. The information for Crewe and Nantwich is not available centrally.

Incidents attended by local authority fire brigades in Cheshire in (a) 1980, (b) 1990 and (c) 1994

Year	*Cheshire*
1980[1]	9,273
1990	15,588
1994[2]	16,449

[1] Includes estimates for periods of industrial action when data were not recorded.

[2] Provisional data for the latest year available; includes special services attended between April 1994 and March 1995.

Sentencing

Ms Janet Anderson: To ask the Secretary of State for the Home Department when he plans to publish his White Paper on sentencing. [22666]

Mr. Maclean: We plan to publish the White Paper very shortly.

Speed Cameras

Mr. Devlin: To ask the Secretary of State for the Home Department, pursuant to his answer of 12 March, *Official Report*, columns *536–37*, what plans he has to review the use of Gatsometer speed cameras on trunk roads; and if he will make a statement on the results of the police procedures for assessing the effectiveness of this equipment. [22669]

Mr. Maclean: The deployment of speed cameras is an operational matter for the chief officer of police for the area concerned and the highway authority. The effectiveness of the cameras is being assessed in a cost-benefit study which has been commissioned by my Department.

Mr. Ibrahima Sey

Mr. Cohen: To ask the Secretary of State for the Home Department what restraint measures were used in the case of Mr. Ibrahima Sey; and if he will make a statement. [22495]

Mr. Maclean: This case has been referred to the Police Complaints Authority. It would not be right for me to comment at this stage.

Electro-shock Batons

Mrs. Clwyd: To ask the Secretary of State for the Home Department which companies have been granted licences under section 5 of the Firearms Act 1968 to handle, distribute, store or manufacture electro-shock batons in the last five years. [22969]

Mr. Maclean: Section 5(1)(b) of the Firearms Act 1968 prohibits the possession, purchase, acquisition, manufacture, sale and transfer of electric shock weapons without the authority of the Secretary of State. No company has been granted or has held authority under this section specifically in respect of electric shock weapons in the last four years. No current authorities are in place in respect of electric shock weapons. Information about the granting of authority for that purpose in earlier years could be obtained only at disproportionate cost.

Mrs Clwyd: To ask the Secretary of State for the Home Department how many police forces in Britain have acquired electro-shock batons, for any purpose, including as samples, in the last five years; and if section 5 firearms licences have been granted in relation to these items. [22968]

Mr. Maclean: The Home Office does not collect information on this subject. I understand that a survey by the Association of Chief Police Officers of electric shock devices held by police forces in England and Wales in February 1995 found that 22 had obtained electric shock shields and, in some cases, cattle prods for use against

ferocious dogs. Police forces do not require licensing or authorisation under the Firearms Act 1968 in relation to these articles.

Artyom M. Tarasov

Mr. Allason: To ask the Secretary of State for the Home Department if he will rescind the alien registration certificate granted to Artyom M. Tarasov, holder of Dominican Republic passport No. 0311705 issued on 19 February 1991, and Soviet diplomatic passport No. 0035492. [23051]

Mr. Kirkhope: I am aware of no reason to depart in this case from the requirement to register with the police, as provided for in paragraph 325 of the immigration rules.

Cock Fighting

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many persons have been convicted of organising cock fighting tournaments in each year since 1987. [22956]

Mr. Maclean: The information requested cannot be identified separately from other summary offences.

Closed Circuit Television

Mr. Alex Carlile: To ask the Secretary of State for the Home Department how many publicly funded CCTV cameras have been reported stolen; and if he will make a statement. [23138]

Mr. Maclean: This information is not collected centrally.

Fire Services

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will list the total finances made available, by source, for each fire service in England and Wales, as indicated from returns from local authority budget setting for each of the last five years for which figures are available; and if he will make a statement. [23139]

Mr. Sackville: Returns from local authorities showing expenditure on fire services do not provide the requested information about the source of revenue spending. Local government revenue settlement resources are, in general, not hypothecated to specific services such as fire.

Abiodun Igbinidu

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what decision he has made in respect of the application for asylum made by Abiodun Igbinidu from Nigeria; and if he will make a statement. [23142]

Mr. Kirkhope: Abiodun Igbinidu's application to stay in the United Kingdom was refused on 1 August 1995 and his appeal was dismissed on 15 November. Leave to appeal to the tribunal was subsequently refused on 29 November. Further representations and evidence on Mr. Igbinidu's behalf have been submitted. His application is being given further consideration and a decision will be made as soon as possible.

Farm Watch

Mr. Alex Carlile: To ask the Secretary of State for the Home Department if he will make a statement on farm watch crime prevention schemes. [23145]

Mr. Maclean: The Government recognise that the most effective response to rural crime is a partnership between the police and the local community. We encourage crime prevention schemes which enable members of the public—with the support of the local police—to do something positive in the fight against crime.

We believe that over 500 farm watch schemes across England and Wales can make a significant impact on crime in the countryside.

Mr. Carlile: To ask the Secretary of State for the Home Department what is the estimated number of people involved in farm watch crime prevention schemes. [23146]

Mr. Maclean: There are over 500 farm watch schemes across England and Wales. These vary in size; information on the number of people involved is not held centrally and could be provided only at disproportionate cost.

Police Research Group

Mr. Michael: To ask the Secretary of State for the Home Department if he will list each of the specific topics for which an application was received by his Department under each round to date of the police research group programme and indicate *(a)* which was successful and *(b)* the amount of money agreed in respect of each successful application. [23012]

Mr. Maclean *[holding answer 27 March 1996]:* Phase 1 of the Home Office police research group's police operations against crime programme was launched in 1993. One hundred and forty-one applications for research funds were received under this round, and 19 were successful. Phase 3 was launched in 1995, producing 113 applications, of which 12 were successful. In both phases, some applications covered the same topic. The following tables list each of the applications received under each of these phases of the programme. Applications for research topics were not invited under phase 2 of the programme, which commissioned work to develop specific topics begun under phase 1. All costs shown exclude value added tax and travelling and subsistence expenses.

Police operations against crime: police research group programme
Phase I

Successful applications	*Cost (£)*
Review of the management of serious crime investigations	40,718
Skill gaps in specialist investigative interviewing	35,000
Recruitment, development and handling of informants	24,625
High volume crime and the efficacy of scientific support	40,513
Forensic expertise/services in investigation of major and serious crime against the person	25,320
Investigation and detection of child sex abuse	16,850
Crime profiling for residential burglaries	92,740
The prevention and detection of repeated burglary and car crime	86,829
Efficiency and effectiveness of central squads	77,330
The crime allocation system: police investigations	

Police operations against crime: police research group programme
Phase I

Successful applications	*Cost (£)*
into burglary and auto crime	75,950
Performance indicators for local anti-drugs strategies: a preliminary analysis	89,708
Development and evaluation of a national crime management model	102,257
An evaluation of police response to armed robbery	39,723
Asset investigation, seizure and confiscation	38,118
Intelligence, surveillance and informants	36,910
Combating burglary: an evaluation of three strategies	37,567
Presenting police evidence in court	36,438
Disrupting the distribution of stolen electrical goods	41,000
Evaluation strategy for resource management	68,126

Unsuccessful applications

Evaluation of Operation Gemini II

Managing crime: a sequential analysis

Detective profiling

Policing of firearms crime

Evaluation of crime response strategy

Examination of practice and procedure of witness interviews

Evaluating the performance of investigators

Truancy and impact on high volume crime in West Yorkshire

Partnership initiatives: multiple victims

Quick response alarms in clearing crime

Interviewing children with 'particular needs'

Cognitive investigative interviews: quality control

Strategies to counteract high volume crime

Good practice review of criminal intelligence systems

Evaluation of contribution of current intelligence practices to detecting/reducing crime

Detective skills and personality characteristics facilitating advanced investigative interviews

Review and evaluation of victims of crime follow up procedure

Detecting deception

Resource management—managing demand

Presenting information

Witness intimidation: consequences and prevention

Qualitative issues in meeting public expectations

Preparing/presenting information to the Crown Prosecution Service

A holistic approach to high volume crime on estates

Primary detection of autocrime/burglary

Burglary at people's homes: improving detection

Cross border trafficking in stolen motor vehicles

Property-oriented strategies to reduce crime

Estates policing in high crime residential areas

Evaluation of targeted policing at locational hot spots

Reducing repeat calls for service at single locations

Review of strategic approach to high volume crime

Development and implementation of new CID strategy

Development of effective crime management systems and processes

Work investigating and processing a sample of crimes

Effective detection of residential burglaries

Appraisal of the Warwickshire crime desk

Burglary dwellings in Merseyside: E2 sub-division

High volume crime

Managing demand and the investigative process

Identification of good practice and benefits from the use of surveys

Junior wheels project

Plymouth administrative services unit

High volume crime management

Role of stolen vehicle squads

Tourists as victims of crime

Making the best use of crime analysis information

Major crime investigation: strategy, tactics and operational policies

Responding to burglary: strategies and resources

Managing burglary and car crime: offence patterns

Models for managing volume crime

Estates policing evaluation

Police evidence: credibility and presentation

Police information systems and their contribution to prevention/detection of crime

Crime control functions of multi-agency policing

Campus crime

Development of successful strategies to combat high volume crime

Review of Bumblebee

Surrey Safe Shops

Evaluation of burglary strategies

Management framework for crime prevention

Processes for gathering information in crime detection

Drug related problems and response: Greater Manchester Police

Management skills for reduction in high volume crime

Resource management: responding to crime

Practical geographical analysis of large volume crime

Making the best use of crime analysis information

Effects of Sheehy on police performance and morale

Study of police

Drug-related crime and the police response

Investigative strategies for residential burglary

Policing with CCTV: developing its future potential

Indicators to evaluate police anti-drug activities

Methods for improving crime manager performance

Resource management: organisational issues

Managing the investigative process

Managing demand

Evaluation of video evidence for robberies

Increasing arrest rates for burglaries

Selecting effective detectives

A strategic approach to firearms incidents

Divisional crime desks: flow of crime solving information

Operation Bumblebee: public and police perceptions

Multi agency approach to organised crime

Effectiveness of Operation Bumblebee

Target hardening

Reducing lost days at court

Methods of handling witnesses

Understanding and resolving organisational issues of centralisation and devolution

Effective management of interfaces with other bodies

Resource management priorities

Employing civilians in surveillance teams

Review of minor office crime

Catalysing new strategic thinking to address local crime

Review of communications of individual research findings

Resource allocation decisions in CIDs

Countering ambush defence in serious investigations

Developing of a new criminal investigation management system

Evaluation of burglary control and prevention

Fear of crime and car park design

Examination of the policing of racial attacks

Cross border crime and inter-force collaboration

Detection of serious crime against homosexuals

Central or specialist units dealing with crime

Use of forensic evidence in investigation of burglary

Evaluating Metropolitan Police's evidence project (EPIC)

Incidence and migration of burglary and autocrime

Computer aided targeting: response to high volume crime

Resource implications of different types of police activity

Research consultancy to No. 5 region

Review of factors affecting the ability and willingness of officers to cultivate informants

Prevalence of informant handling among specialist and non-specialist Met. Police officers

Assessment of interview practice in child abuse cases

Improving and refining video child witness interviews

Strategic crime management and improving service delivery

Linguistic model of eliciting/interpreting responses of victims

Schools liaison: best practice for the 1990s

Burglary investigation process

Workload planning in the police service

Intelligence process review: from Basic Command Unit to mid-tier

Effect of the right to silence

Using squads effectively

Phase III

Successful applications	*Cost (£)*
Proactive policing in Merseyside	35,680
The British organised crime survey: a pilot	8,973
An audit of training for child sexual abuse investigators	36,483
The use of medical specialists by police forces	27,548
Tackling the rural drug problem	47,035
Police operations against child sexual abuse: prevention and detection	57,464
Criminal use of firearms: a qualification and comparison of force strategic responses	60,000
Comparative evaluation of Operation 'Eagle Eye'	82,440
Solving non-residential burglary	[1]—
Investigation of training initiatives taken to reduce level of abstractions	[1]—
Study into the theft of computer hardware and component parts	53,186
Unheralded successes in crime control	40,000

[1] The cost of these projects are still to be formally agreed.

Unsuccessful applications

The impact of crime upon small business

Controlling crime in shopping centres: public policing or private security

An investigation of firearms officers' memory for firearms incidents

An evaluation of cognitive interview training

Targeting offenders: proactive intelligence gathering and processing

Review of drugs intelligence procedures

Local area policing as a vehicle for integrated crime management

Evaluating police response to commercial burglary: a good practice guide

The targeting of offenders

Development of effective tasking and coordinating strategies for area management teams

The community impact of drug law enforcement strategies

An analysis of the targeting and displacement of violent crime

The targeting of sexual offenders

Police perceptions of nature and extent of organised crime in UK

An evaluation of the Basic Command Unit system of policing

Impact of limited tenure policies on investigation of serious crime

Review of the strategic management and effectiveness of volunteers supporting proactive policing

Police/juvenile crime: strategic resource model for multi-agency partnerships

Police resource deployment and crime control strategies

The impact of arrest and prosecution on domestic violence

Development of a national intelligence-driven police/prison liaison model for organised crime

Effectiveness of police arrangements for dealing with domestic violence

Police response to guidance on tenure

Maximising the effectiveness of tenure policy

Assessment of cross-border crime/police issues in English Channel region

Impact of tenure on police operations

The development of a demand management strategy for the police service

Intelligence for proactive policing by shire forces: Cumbria case study

Impact of female street prostitution for growth of crime and drugs

Crime against businesses: victimisation and crime prevention on Merseyside

The investigation of major and serious violent crime

Investigating organised crime in London

The firearms market in the UK

Measuring the nature, extent and effect of computer and microchip theft

Analysis of commercial computer theft, and development of risk profile

Impact of mobile telecommunications on the commissioning and execution of crime

The benefits and costs of proactive policing

Preventing violence in pubs and clubs

The replacement of arrested street-level drug dealers

Prioritising the investigation of serious and criminal gangs

Offender—directed investigations and resource management

Thresholds in child protection investigation

Police strategies to tackle burglaries against commercial premises

Proactive approaches to 'shoplifting'

Intelligence from crime scene imagery

A study into the completeness and availability of fraud information

Evaluation of Toller Lane proactive crime management model

Application of tenure policies and practices

Disrupting the distribution of stolen electrical goods: phase I in Suffolk

Burglary from commercial premises of information technology: a comparison of force strategies

Resourcing crime-related work: good practice in workload allocation

Credit card abuse/fraud: can businesses help improve police detection?

Networks against crime: investigation into organised computer based crime

Investigation of child sexual abuse: criteria in police decision-making

Criminal intelligence in prisons

The deployment of detectives

The impact of tenure on police operations

Caravan thefts

Art and antique theft

The security of Post Office counters

Diverting drug misusers from the criminal justice system: evaluation of a rural multi-agency strategy

Examining dynamics of repeated victimisations of domestic dwellings

Examining dynamics of repeated armed robbery involving commercial premises

Violent crime on Merseyside: evaluation of proactive policing

Organised crime: a literature review

Evaluating special policing initiative against organised high value car theft

Targeting criteria: research on drugs enforcement in Kent

Comparative, process approach to evaluating measures against organised crime

Careers of organised criminals and the structuring of organised crime in England/Wales

Improving usefulness of forensic science in investigation of volume crime

The implication of changes in retailing

Intelligence issues in 'civilianisation' of drugs enforcement in the Metropolitan Police

An operational BCU model for multi-agency action on community safety

Shoplifting: the effects of changes in location/organisation of retail shopping

A strategic approach to targeting offenders

The impact of deploying proactive resources against targeted offenders

Impact of tenure on police operations

Succeeding with integrated proactive policing

Organised crime: the theft of stolen high value vehicles

Potential of commercial business analysis models against organised crime

Impact of models of resource allocation on service strategy and performance

Evaluation of investigations into female sexual assaults: Northumbria

Police responses to computer-related theft from non-residential premises

How different models of proactivity affect resourcing of crime-related work

Impact of tenure policy on police operations/implications for resource management

Investigating and detecting street robbery

Managers' use of crime pattern analysis system in resource allocation

The development of effective proactive policing schemes

Targeting schemes: what works?

Business Watch Schemes: a three site review

The 'Counter Action' initiative: an evaluation

Tagging vehicles: asset tracking to combat theft and fraud

Local crime analysis: good practice in proactive policing of robbery and drug street crimes

The role of middle managers in the police

The security of filling stations

Tackling non-residential repeat burglary

Improving the effectiveness of crime prevention in the planning system

Measuring and evaluating performance in the detection of organised crime

Measuring/evaluating performance of inter-agency approaches to violent crime

Evaluation of police response to violent crime in an interagency context

Assessing admissibility/sufficiency of evidence in child abuse prosecutions

Crimes

Mr. Michael: To ask the Secretary of State for the Home Department how many crimes were recorded in each borough by the Metropolitan police within each category of crime in 1995; how many incidents of theft or unauthorised taking of a motor vehicle and of theft from a motor vehicle were recorded in each borough; how many of the burglaries recorded in each borough were in a dwelling; and how many were in another building. [22701]

Mr. Maclean *[holding answer 27 March 1996]:* I will write to the hon. Member.

Mr. Michael: To ask the Secretary of State for the Home Department how many crimes were recorded by each police force in England and Wales within each category of crime in 1995; how many incidents of theft or unauthorised taking of a motor vehicle and of theft from a motor vehicle were recorded by each force; how many of the burglaries recorded by each police force in England and Wales in 1995 were in a dwelling; and how many were in another building. [22700]

Mr. Maclean *[holding answer 27 March 1996]:* The information requested is contained in the following table.

Notifiable offences recorded by the police by malice force area and offence group

England and Wales 1995 *Number of offences*

Police force area	*Total*	*Violence against the person*	*Sexual offences*	*Robbery*	*Burglary*	*Theft and handling stolen goods*	*Fraud and forgery*
Avon and Somerset	152,885	7,643	1,026	1,582	34,111	82,456	4,017
Bedfordshire	51,104	1,911	294	664	11,026	27,285	1,781
Cambridgeshire	67,652	2,755	430	352	14,267	38,290	1,369
Cheshire	73,202	3,487	574	316	18,155	34,326	2,639
Cleveland	79,719	2,961	279	487	23,536	36,488	1,481

Notifiable offences recorded by the police by malice force area and offence group

England and Wales 1995 — *Number of offences*

Police force area	Total	Violence against the person	Sexual offences	Robbery	Burglary	Theft and handling stolen goods	Fraud and forgery
Cumbria	41,230	2,411	228	96	9,422	19,530	930
Derbyshire	82,380	3,971	550	398	19,875	39,658	1,399
Devon and Cornwall	102,193	4,709	792	444	26,400	51,651	2,674
Dorset	54,582	2,158	331	205	12,347	29,026	1,501
Durham	57,817	2,030	373	164	15,463	25,515	1,661
Essex	98,097	4,488	692	361	19,804	51,077	2,465
Gloucestershire	55,448	1,885	324	299	13,872	30,010	1,986
Greater Manchester	327,994	9,033	1,279	5,714	85,848	149,454	5,840
Hampshire	134,319	5,969	1,049	485	24,726	71,788	3,892
Hertfordshire	55,891	2,039	281	281	11,318	29,894	1,232
Humberside	128,393	5,804	781	680	39,113	59,072	2,966
Kent	155,251	7,444	994	779	33,865	77,488	3,627
Lancashire	124,921	3,467	580	759	29,845	59,028	3,484
Leicestershire	93,607	5,138	538	1,244	25,487	44,520	2,681
Lincolnshire	48,015	2,514	367	128	12,243	22,774	1,163
City of London	5,727	126	17	32	712	3,924	488
Merseyside	153,385	8,098	937	2,768	34,497	74,797	4,259
Metropolitan Police	840,478	43,714	6,652	29,859	176,213	389,772	34,139
Norfolk	51,716	1,955	315	193	13,097	26,420	1,345
Northamptonshire	56,524	2,672	308	332	14,004	26,390	1,217
Northumbria	194,141	5,735	556	1,581	52,870	78,837	2,606
North Yorkshire	63,539	2,133	247	167	16,641	31,574	1,032
Nottinghamshire	151,371	8,107	970	1,513	37,932	65,095	3,701
South Yorkshire	154,293	4,909	600	1,164	45,504	71,230	2,524
Staffordshire	91,496	6,471	563	500	24,838	41,470	1,905
Suffolk	38,234	2,051	357	129	7,114	19,282	1,243
Surrey	44,313	2,288	397	198	9,175	22,821	1,442
Sussex	110,300	4,441	738	608	23,224	56,376	2,763
Thames Valley	178,702	6,167	762	1,319	38,748	98,074	4,732
Warwickshire	38,906	1,258	214	174	9,302	20,277	901
West Mercia	80,013	3,222	467	289	15,075	42,975	1,739
West Midlands	318,087	8,621	1,245	7,872	89,941	148,736	7,624
West Yorkshire	283,938	8,358	1,416	3,344	90,130	128,196	4,818
Wiltshire	36,428	2,173	368	137	8,092	17,852	1,012
Dyfed Powys	19,419	1,952	256	26	3,515	8,103	577
Gwent	33,034	2,549	309	133	6,517	15,949	933
North Wales	41,645	2,258	347	94	9,352	19,665	1,130
South Wales	153,249	6,460	587	537	36,941	72,471	3,399
England and Wales	5,123,638	217,535	30,390	68,407	1,244,157	2,459,616	134,317

England and Wales 1995 — *Number of offences*

Police force area	Criminal damage	Other offences	Theft of vehicle	Theft from vehicle	Burglary in a dwelling	Burglary in another building
Avon and Somerset	21,097	953	16,599	31,573	16,878	17,233
Bedfordshire	7,670	473	6,141	10,745	5,078	5,948
Cambridgeshire	9,742	447	7,307	12,796	6,347	7,920
Cheshire	12,150	1,555	6,739	11,438	8,545	9,610
Cleveland	13,748	739	9,897	11,654	12,438	11,098
Cumbria	8,231	382	2,387	6,831	4,142	5,280
Derbyshire	15,721	808	9,483	14,164	8,183	11,692
Devon and Cornwall	14,177	1,346	5,916	20,123	13,235	13,165
Dorset	8,368	646	3,670	10,191	6,685	5,662
Durham	11,767	844	6,780	7,779	7,344	8,119
Essex	18,286	924	8,625	16,472	8,151	11,653
Gloucestershire	6,396	676	3,921	12,411	7,127	6,745
Greater Manchester	68,019	2,807	45,507	50,372	51,724	34,124
Hampshire	24,773	1,637	8,471	25,097	10,916	13,810
Hertfordshire	10,378	468	5,495	12,989	4,242	7,076
Humberside	19,284	693	11,327	18,059	17,518	21,595
Kent	29,523	1,531	16,450	25,163	15,089	18,776
Lancashire	26,340	1,418	9,258	22,449	17,603	12,242
Leicestershire	13,365	634	9,554	15,874	13,790	11,697
Lincolnshire	8,138	688	3,538	5,661	5,311	6,932
City of London	301	127	105	677	43	669
Merseyside	25,855	2,174	18,230	18,678	21,665	12,832
Metropolitan Police	149,500	10,629	59,946	113,241	108,128	68,085

England and Wales 1995 — *Number of offences*

Police force area	*Criminal damage*	*Other offences*	*Theft of vehicle*	*Theft from vehicle*	*Burglary in a dwelling*	*Burglary in another building*
Norfolk	7,778	613	3,378	8,435	5,386	7,711
Northamptonshire	11,003	598	6,134	8,752	6,826	7,178
Northumbria	50,913	1,043	21,260	22,387	25,920	26,950
North Yorkshire	11,317	428	5,260	10,364	7,080	9,561
Nottinghamshire	33,181	872	16,480	18,679	19,951	17,981
South Yorkshire	27,114	1,248	20,940	24,217	22,235	23,269
Staffordshire	15,121	628	8,775	14,970	12,090	12,748
Suffolk	7,359	699	2,145	5,348	2,865	4,249
Surrey	7,334	658	2,817	8,303	4,002	5,173
Sussex	20,747	1,403	6,763	19,263	12,493	10,731
Thames Valley	27,266	1,634	18,438	39,336	19,619	19,129
Warwickshire	6,422	358	4,150	7,330	3,908	5,394
West Mercia	15,479	767	6,752	14,804	6,815	8,260
West Midlands	52,163	1,885	45,102	50,494	46,368	43,573
West Yorkshire	44,805	2,871	33,887	42,919	54,921	35,209
Wiltshire	6,288	506	2,159	5,890	3,816	4,276
Dyfed-Powys	4,403	587	1,015	2,072	1,278	2,237
Gwent	5,895	749	3,194	4,809	2,903	3,614
North Wales	8,176	623	2,406	7,014	3,155	6,197
South Wales	31,390	1,464	22,703	24,575	14,859	22,082
England and Wales	916,983	52,233	509,104	814,398	646,672	597,485

DEFENCE

Greenwich Hospital

Mr. Viggers: To ask the Secretary of State for Defence when he expects to receive advice from the special panel he constituted to consider the future of Greenwich hospital. [23540]

Mr. Portillo: In answer to the hon. Member for Cirencester and Tewkesbury (Mr. Clifton-Brown) on 19 December, *Official Report*, column *1107*, I announced that I had invited a group of distinguished experts to advise me on the expressions of interest in, and on the future use and management of, the Royal Naval college, Greenwich, which I hold for the benefit of the Crown charity, Greenwich hospital.

The advisory group has submitted its interim report. I am most grateful to its members for the way in which they have addressed the issues so far. I am placing in the Libraries of both Houses copies of the report, amended only to protect matters of commercial confidentiality.

Much detailed work remains to be done to secure the future of the site, but, with the support of my right hon. Friends the Secretaries of State for National Heritage and for the Environment—the latter as Minister with responsibility for London—I am pleased to be able to announce that I have accepted the central recommendations of the advisory group that, in the event of non-defence occupancy of the Royal Naval college:

the head lease on the site should go to an independent trust charged with preserving its architectural and historic integrity, with the proper maintenance of the buildings and with ensuring public access. Such a trust would need to have regard also to the wider site for which the Government intend to secure world heritage status from UNESCO. I would also expect it to pay particular regard to the College's historical associations with the Royal Navy. I have invited the advisory group to give further consideration to the issues which will need to be resolved to enable such a trust to be established. On the information provided so far, the university of Greenwich appears to be the most appropriate contender to be the main occupant of the site, with the national maritime museum enjoying the use of certain parts. We shall be inviting those organisations to refine their proposals for occupation of the Royal Naval college.

I have also accepted the recommendation that the Trafalgar quarters, currently occupied by the staff colleges, should be converted by Greenwich hospital to provide sheltered accommodation for retired seafarers and their wives or widows. It seems particularly appropriate that a part of the site should be applied to one of the central purposes in the Crown charity's founding charter of 1694.

To carry forward the recommendations in the report, new powers are required and I shall seek them in the Armed Forces Bill. The Minister of State for the Armed Forces has advised the Select Committee considering the Bill of my intention to table an amendment, whereby I can be empowered to balance the wider interests of the heritage of the site with my responsibilities towards Greenwich hospital.

I am grateful to those organisations and individuals who have contributed to the debate so far on the future of the Royal Naval college. I am conscious that my announcement will be a disappointment to some who indicated an expression of interest, but whose proposal will not be considered further.

The Government are determined that the future use of the Royal Naval college should be one worthy of the magnificent site, and in the best interests of the Greenwich hospital and the nation.

I will keep the House informed of developments.

Nimrod Aircraft

Mr. Cohen: To ask the Secretary of State for Defence when the star window upgrade to the Nimrod R.1 is expected to be completed. [22353]

Mr. Soames: All the star window equipment for the Nimrod R.1 has been delivered. It is not my Department's policy, however, to provide detailed information on specific operational capabilities.

Unmanned Aerial Vehicles

Mr. Cousins: To ask the Secretary of State for Defence how many unmanned aerial vehicles are in service with United Kingdom armed forces; and which service arms have operational control over them. [22588]

Mr. Soames: There are currently no unmanned aerial vehicles in operational service with the armed services. However, some 440 unmanned aerial vehicles are used at various Ministry of Defence ranges as targets or for target towing. They are operated by the Royal Navy, the Army or the Defence Evaluation and Research Agency, or by contractors on behalf of the armed services.

Contracts

Mr. Donohoe: To ask the Secretary of State for Defence how many contracts for goods or services have been awarded by his Department and its executive agencies on the basis of single negotiated contracts in each of the last three years; if he will list the companies involved and the value of the contract in each case; what percentage this represented of contracts awarded by his Department and its agencies after competitive tendering; and, in each case, why the contracts were awarded on the basis of a single negotiated tender. [22868]

Mr. Arbuthnot: For the statistical information requested, I refer the hon. Member to my reply to him of 19 March, *Official Report*, columns *124–25*. The information sought in respect of individual non-competitive contracts could be produced only at disproportionate cost. I have asked the chief executives of the Defence Evaluation and Research Agency and of the Meteorological Office to write to the hon. Member in respect of their procurement activity in the period for which he seeks information.

Letter from John Chisholm to Mr. Brian Donohoe, dated 28 March 1996:

You asked the Secretary of State for Defence for the number and value of single negotiated tenders awarded by his Department and its agencies in the last three years; for a list of the companies involved, what percentage of contracts awarded this represented and on what basis single negotiated contracts were awarded. I am replying on behalf of the Defence Evaluation and Research Agency (DERA).

I am able to give you the total number of single negotiated contracts and the percentage of total contracts awarded that these represent. I cannot give you the other details you request as this information is commercially confidential.

Year	*Single negotiated contracts*	*Percentage of total contracts*
1992–93	873	69
1993–94	1,294	68
1994–95	8,894	74

I hope this is helpful.

Letter from J. C. R. Hunt to Mr. Brian Donohoe, dated 28 March 1996:

As Chief Executive of the Meteorological Office I am replying to your Question to the Secretary of State for Defence about single negotiated contracts.

Unfortunately the information could only be produced at disproportionate costs, although naturally as an Agency of the Ministry of Defence we follow the Department's policy on competitive tendering. I am sorry that I cannot be more helpful.

Asbestos-related Compensation Payments

Sir Peter Lloyd: To ask the Secretary of State for Defence, pursuant to the letter of 11 March from the Minister of State for the Armed Forces, what was *(a)* the highest individual payment, *(b)* the lowest *(c)* the average of the asbestos-related compensation payments made to civilian employees of his Department from 1987 to the end of 1995. [22941]

Mr. Soames: In accordance with normal legal practice, the level of payments varies greatly accordingly to individual factors such as the person's loss of income, and the number and age of his dependants. The highest individual compensation payment made on behalf of my Department to a civilian employee or ex-employee in respect of an asbestos-related claim during the period in question was £298,080. The lowest was about £1,500. The average settlement—the total amount of compensation paid during the period divided by the number of claims paid—was £18,165; this figure includes claimants' legal costs.

Land Mines

Dr. David Clark: To ask the Secretary of State for Defence on what date his Department last deployed anti-personnel land mines for operational use. [23260]

Mr. Soames: I refer the hon. Gentleman to the answer given in reply to a question from the hon. Member for Newport, West (Mr. Flynn) on 22 November 1995, *Official Report*, column *174*.

Dr. Clark: To ask the Secretary of State for Defence how many anti-personnel land mines British forces have deactivated to date as part of their United Nation implementation force duties in Bosnia. [23261]

Mr. Soames: Under the terms of the Dayton agreement, the clearance of mines is the responsibility of the parties. IFOR's role is limited to monitoring their work, except where there is a serious threat to life or clearance is essential to IFOR's own operations. In accordance with this, British forces have deactivated some 160 anti-personnel mines.

Dr. David Clark: To ask the Secretary of State for Defence if he will make a statement concerning the impact of anti-personnel land mines on the duties carried out by British forces in the United Nations implementation force in Bosnia; and what conclusions his Department has drawn from the prevalence of anti-personnel mines in Bosnia. [23263]

Mr. Soames: Land mines continue to pose a hazard to IFOR forces in Bosnia, but steps have been taken to reduce the risks. All UK service personnel who deploy to Bosnia undergo mine awareness training and our contribution to IFOR includes personnel who are specially

trained in explosive ordnance disposal. The damage caused by the indiscriminate use of anti-personnel mines in Bosnia reinforces our determination to press for tighter international controls on the use and export of these weapons.

EC (Civil Service Employment)

Mr. McNamara: To ask the Secretary of State for Defence what are the implications of the European Communities (Employment in the Civil Service) Order 1991 for service in the regular or reserve armed forces of the Crown. [22919]

Mr. Soames: The European Communities (Employment in the Civil Service) Order 1991 has no direct effect on service in the regular or reserve armed forces of the Crown.

Pricing and Quality Services Organisation

Mr. Dicks: To ask the Secretary of State for Defence if he will make a statement about defence agency status for the pricing and quality services organisation. [23812]

Mr. Arbuthnot: I have decided that the pricing and quality services organisation should be considered as a candidate for defence agency status under the status steps initiative. The agency review process provides an opportunity to align more closely the provision of essential services to customer needs. Once complete, it will establish a framework that allows a much sharper focus on the need for those services, together with pressure to improve performance through the development of clear and rigorous targets.

Currently, there are four discrete business units within PQS:

(a) Support to Contract Pricing;

(b) Quality Assurance;

(c) Defence Cost Forecasting; and

(d) The Equipment Accounting Centre.

The directorate has approximately 935 staff located in 41 offices throughout the UK. The headquarters are currently located in central London and scheduled to transfer to Abbey Wood, Bristol, later this year.

A "prior options" study is being undertaken to establish whether agency status or other options would be appropriate. I would welcome comments from interested parties. Such comments should be sent to:

J. R. Brown
AD/PQS/PMIT
Ministry of Defence
Room 229
St. Georges Court
14 New Oxford Street
London WC1A 1EJ

Army Individual Training Organisation

Mr. Hicks: To ask the Secretary of State for Defence if he will make a statement about defence agency status for the Army individual training organisation. [23958]

Mr. Soames: The Army individual training organisation will become a defence agency of the Ministry of Defence on 1 April 1996. The aim of the AITO is to provide the appropriate numbers of well-trained and motivated individuals to meet the operational requirements of the Army. The headquarters of the AITO will be at Upavon, Wiltshire alongside the headquarters of the adjutant general who will be the owner of the agency on behalf of the Secretary of State. The agency will control 32 separate training centres throughout the United Kingdom and have a staff of 6,315 military and 4,546 civilian personnel.

The AITO chief executive, a major general, who will also be the Army's director general of individual training, will be required to build upon the current organisation's reputation for providing the Army with highly trained personnel while, at the same time, achieving greater efficiency effectiveness and value for money.

The chief executive has been set the following key targets for the first year of operation:

1. To meet 95 per cent. of agreed customer training requirements in terms of the quality of trained manpower delivered.
2. To meet 95 per cent. of agreed customer training requirements in terms of the quantity of trained manpower delivered.
3. To meet 95 per cent. of agreed customer training requirements in terms of timeliness of delivery.
4. To ensure success rates for phase 1 officer training are greater than or equal to 85 per cent.
5. To ensure success rates for phase 1 soldier training are greater than or equal to 85 per cent.
6. To ensure success rates for apprentices training are greater than or equal to 85 per cent.
7. To ensure success rates for phase 2 officer training are greater than or equal to 85 per cent.
8. To ensure success rates for phase 2 soldier training are greater than or equal to 85 per cent.
9. To ensure success rates for phase 3 officer training are greater than or equal to 85 per cent.
10. To ensure success rates for phase 3 soldier training are greater than or equal to 85 per cent.
11. To deliver the approved AITO programme within plus or minus 5 per cent. of agreed cash budget.
12. To achieve efficiency improvements of £16.07 million in the first year of operation.

I will arrange for copies of the agency's framework document to be placed in the Library of the House.

Public Bodies

Dr. Wright: To ask the Secretary of State for Defence if he will list those of his Department's advisory non-departmental public bodies which *(a)* the Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish their response to advice supplied by them. [21854]

Mr. Soames *[holding answer 21 March 1996]:* The Government are not required to consult with any of the non-departmental public bodies within my Department prior to legislative proposals.

The Review Board for Government Contracts reports annually on the profit formula for non-competitive Government contracts and this advice is published. The Government make their response to this available to the House in a parliamentary written answer.

EDUCATION AND EMPLOYMENT

Voluntary Youth Service

Mr. Simon Hughes: To ask the Secretary of State for Education and Employment what plans she has to allow the voluntary youth service sector more access to public funding. [23279]

Mr. Paice: The Department has increased its grants to national voluntary youth organisations by 6 per cent. to £9.1 million for the next three years. This has allowed us to fund a larger number of programmes—nearly 70—which promote the personal and social education of young people.

Schools Funding Council (Bromley)

Mr. Merchant: To ask the Secretary of State for Education and Employment what money has been given for capital expenditure by the Schools Funding Council; and what facilities it has been spent on at (i) Ravenswood; (ii) Bullers Wood, (iii) St. Olave's, (iv) Newstead Wood and (v) Crofton junior schools in the London borough of Bromley. [22130]

Mrs. Gillan: This is a matter for the Funding Agency for Schools. I have asked the chairman of the funding agency to write to my hon. Friend with the information he has requested.

Selective and Grant-maintained Schools

Mr. Dunn: To ask the Secretary of State for Education and Employment if she will list the parliamentary constituencies which have selective local education authority and grant-maintained schools within their boundaries. [22916]

Mrs. Gillan: The 163 local education authority and grant-maintained schools which classify themselves as selective in the 1995 performance tables are located in the following parliamentary constituencies:

CONSTITUENCY
Altrincham and Sale
Ashford
Aylesbury
Batley and Spen
Beaconsfield
Bexleyheath
Birkenhead
Birmingham, Hall Green
Birmingham, Northfield
Birmingham, Perry Barr
Birmingham, Small Heath
Bournemouth, East
Bridgwater
Bristol, West
Buckinghamshire
Canterbury
Carshalton and Wallington
Chelmsford
Cheltenham
Chesham and Amersham
Chipping Barnet
Colchester, North
Colchester, South and Maldon
Dartford
Davyhulme
Dorset South
Dover
Enfield-Edmonton
Faversham
Finchley
Folkestone and Hythe
Gainsborough and Horncastle
Gloucester
Grantham
Gravesham
Halifax
Hendon, South
Holland with Boston
Honiton
Ilford, North
Kent Mid
Kingston upon Thames
Lancaster
Lindsey, East
Maidstone
Medway
Old Bexley and Sidcup
Orpington
Plymouth Drake
Poole
Reading East
Ribble Valley
Rossendale and Darwen
Rugby and Kenilworth
Salisbury
Shropshire North
Skipton and Ripon
Slough
South Hams
Southend, East
Southend, West
Stamford and Spalding
Stratford-on-Avon
Stretford
Stroud
Sutton and Cheam
Sutton Coldfield
Thanet, South
Tonbridge and Malling
Torbay
Tunbridge Wells
Walsall, South
Wanstead and Woodford
Wirral, South
Wirral, West
Wolverhampton, South-West
Wycombe

Employment Service

Mr. Spring: To ask the Secretary of State for Education and Employment when the Employment Service annual performance agreement for 1996–97 will be published. [23955]

Mrs. Gillian Shephard: Today, I have placed copies of the 1996–97 Employment Service annual performance agreement in the Library. The new targets will require the Employment Service to build on this year's extremely good performance and, in the light of the introduction of the jobseeker's allowance in October this year, will be especially challenging. I have set a demanding target of placing a record 1.97 million unemployed people in jobs in the 12 months from April. Related targets for placing long-term claimants and people with disabilities are higher than ever before. I have set the Employment Service no specific target for combating fraud this year because, from April, responsibility for that area of work moves to the Benefits Agency, which has its own target, published in its business plan.

Assisted Places Scheme

Mr. Leigh: To ask the Secretary of State for Education and Employment if she will place in the Library a list of the schools to be admitted to the assisted places scheme. [23956]

Mrs. Gillan: We intend to admit 63 new schools to the scheme, offering 1,111 assisted places for entry in September 1996. I am placing a list in the Library. These additional places form part of the expansion of the scheme which my right hon. Friend announced in reply to my hon. Friend the Member for Hastings and Rye (Mrs. Lait) on 29 February, *Official Report*, columns 667–68.

DUCHY OF LANCASTER

EC (Civil Service Employment)

Mr. McNamara: To ask the Chancellor of the Duchy of Lancaster what are the implications of the European Communities (Employment in the Civil Service) Order 1991 for service in departmental agencies; and if he will list the posts and agencies affected. [22917]

Mr. Freeman: The implications of the European Communities (Employment in the Civil Service) Order 1991 for service in departmental agencies in the home civil service are that, since 21 May 1991, they have been able to employ EC (now EEA—since the European Economic Area Act 1993) nationals, and certain non-EEA family members, in any of the posts which do not constitute employment in the "public service" within the meaning of article 48(4) of the EC treaty.

All departmental agencies in the home civil service are affected by the order. The agencies—98 (plus Customs and Excise and Inland Revenue which operate on next steps lines), employing some 355,000 staff—were listed in "Next Steps Review 1995", copies of which were placed in the Library of the House on 26 February 1996. Since publication, one agency—the Defence Accounts Agency—1,770 staff—has ceased to exist and the following four have been launched.

	Number of staff
Defence Bills Agency	650
Defence Dental Agency	205
Medical Supplies Agency	260
Pay and Personnel Agency	965

Most posts in departmental agencies are non-public service posts; a list could be produced only at disproportionate cost.

Mr. McNamara: To ask the Chancellor of the Duchy of Lancaster what are the implications of the European Communities (Employment in Civil Service) Order 1991 for a person born and resident in Northern Ireland but holding a passport issued by the Republic of Ireland in respect of employment in the public and civil service; and if he will list all the posts, Departments and agencies affected. [22924]

Mr. Freeman: Persons born and resident in Northern Ireland, but holding a passport issued by the Republic of Ireland, provided they still hold British nationality, are eligible for employment in almost any post in the home civil service in the same way as any other British national. Those who surrender British nationality in favour of Irish citizenship will, from 1 June 1996, under the arrangements I announced on 1 March 1996, *Official Repot*, column *771*, come within the ambit of the European Communities (Employment in the Civil Service) Order 1991; they will be eligible, together with nationals of other EC (now EEA—since the European Economic Area Act 1993) member states and certain members of their families, for appointment to approximately 390,000 posts in the home civil service—75 per cent. of all posts—which do not constitute employment in the "public service" in EC treaty terms. These posts are spread across all home civil service Departments and their agencies and could be listed only at disproportionate cost.

Departmental Equipment and Furniture

Mr. Ian McCartney: To ask the Deputy Prime Minister if he will list the cost and number of items of equipment and furniture that *(a)* have been stolen and *(b)* are otherwise unaccounted for from the Office of Public Service and its agencies in each of the past five years, listing by name any such items valued at £5,000 or more, and showing information technology material separately. [21704]

Mr. Willetts: Details of the cost and, where known, the number of items of equipment and furniture recorded as having been stolen or otherwise unaccounted for from the Cabinet Office, including the Office of Public Service and its agencies are as follows:

Within this period, the only item valued at £5,000 or more stolen or otherwise unaccounted for was a Compaq Systempro file server valued at £10,000 which was stolen from the information technology system branch in the Horse Guards road building during 1992–93.

Financial year accounting	1990–91 IT material No.	£	1990–91 Other items No.	£	1991–92 IT material No.	£	1991–92 Other items No.	£	1992–93 IT material No.	£	1992–93 Other items No.	£	1993–94 IT material No.	£	1993–94 Other items No.	£
(a) Stolen Cabinet Office (incl OPS)	—	—	—	—	—	—	—	—	4	11,000	—	—	6	4,021	—	—
RAS	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
OHSA	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
CS College	—	—	—	—	—	—	5	2,250	22	36,362	5	2,769	—	—	5	781
Chessington	1	126	—	—	—	—	—	—	—	—	—	—	—	—	—	—
SAFE[1]	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
TBA	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
COI	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total (stolen)	1	126	0	0	0	0	5	2,250	26	47,362	5	2,769	6	4,021	5	781

[1] The stolen IT items relating to each year for both SAFE and HMSO relate to stolen computer chips, the exact number of which is not available from current records.

Financial year accounting	1994–95 IT material No.	£	1994–95 Other items No.	£	1995–96 IT material No.	£	1995–96 Other items No.	£	Total IT material No.	£	Total Other items No.	£
(a) Stolen Cabinet Office (including OPS)	5	6,975	6	525	—	—	7	2,029	15	21,996	13	2,554
RAS	—	—	—	—	1	1,845	—	—	1	1,845	—	—
OHSA	2	3,000	1	200	1	500	—	—	3	3,500	1	200
CS College	—	—	—	—	21	6,188	—	—	43	42,550	15	5,800
Chessington	2	1,680	—	—	—	—	—	—	2	1,680	—	—
SAFE[1]	—	7,000	—	—	—	8,000	—	—	—	15,000	—	—
TBA	—	—	—	—	1	1,000	—	—	1	1,000	—	—
COI	3	5,000	—	—	33	9,690	—	—	36	14,690	—	—
Total (stolen)	12	23,655	7	725	57	27,223	7	2,029	101	102,261	29	8,554

[1] The stolen IT items relating to each year for both SAFE and HMSO relate to stolen computer chips, the exact number of which is not available from current records.

	1990–91 IT material No.	£	1990–91 Other items No.	£	1991–92 IT material No.	£	1991–92 Other items No.	£	1992–93 IT material No.	£	1992–93 Other items No.	£	1993–94 IT material No.	£	1993–94 Other items No.	£
(b) Unaccounted for Cabinet Office (incl OPS)	—	—	—	—	—	—	1	20	—	—	1	800	—	—	—	—
RAS	—	—	—	—	—	—	—	—	—	—	—	—	10	15,509	—	—
OHSA	—	—	1	686	—	—	—	—	—	—	—	—	—	—	—	—
CS College	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Chessington	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
SAFE	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
TBA	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
COI	—	—	—	—	12	864	—	—	1	1,441	—	—	3	276	—	—
Total (stolen)	0	0	1	686	12	864	1	20	1	1,441	1	800	13	15,785	0	0

Total (stolen)	1994–95 IT Material Number	£	Other items Number	£	1995–96 IT material Number	£	Other items Number	£	Total IT Material Number	£	Other items Number	£
(b) Unaccounted for	—	—	—	—	—	—	—	—	—	—	—	—
Cabinet Office (incl OPS)	—	—	2	210	—	—	1	90	—	—	5	1,120
RAS	4	1,597	—	—	4	3,265	—	—	18	20,371	—	—
OHSA	—	—	—	—	—	—	—	—	—	—	—	—
CS College	—	—	—	—	6	4,089	—	—	6	4,089	—	—
Chessington	—	—	—	—	—	—	—	—	—	—	—	—
SAFE	—	—	—	—	—	—	—	—	—	—	—	—
TBA	—	—	—	—	—	—	—	—	—	—	—	—
COI	4	1,549	—	—	11	386	—	—	31	4,516	—	—
Total (unaccounted)	8	3,146	2	210	21	7,740	1	90	55	28,976	5	1,120

£

	1993 IT material	Other items	1994 IT Material	Other items	1995 IT material	Other items	Total IT material	Other items
Calender year accounting								
HMSO[1,2]								
(a) Stolen	9,500	0	6,050	0	51,000	0	66,550	0

[1] The stolen IT items relating to each year for both SAFE and HMSO relate to stolen computer chips, the exact number of which is not available from current records.
[2] HMSO have no items otherwise unaccounted for.

TRANSPORT

Braer Disaster (Compensation)

Mrs. Ray Michie: To ask the Secretary of State for Transport what legal action the Government are taking against *(a)* the insurers of the Braer and *(b)* the international oil compensation fund in respect of the Braer disaster. [21482]

Mr. Norris: Under the international convention which establish the international oil pollution compensation fund, which are implemented in United Kingdom legislation in the Merchant Shipping Act 1995, rights to compensation are extinguished unless legal action is commenced within three years of the date on which the pollution damage occurred. The Government have initiated a legal action against the owners and third party liability insurers of the Braer and the international oil pollution compensation fund to protect the Government's claim for compensation for eligible costs incurred by the Department of Transport and the Scottish Office following the Braer incident.

Aircraft Safety Standards

Mrs. Dunwoody: To ask the Secretary of State for Transport, pursuant to his answer of 7 March 1996, *Official Report*, column *309*, if he will make a statement on the measures taken by his Department to assess whether aircraft are operated in accordance with international safety standards. [21362]

Mr. Norris: My answer of 7 March detailed the particular steps taken by the Department to check that aircraft for which permits are required to operate to the UK have the necessary safety certification. In addition, my noble Friend the Minister for Aviation and Shipping announced on 10 January a package of new measures to increase the oversight of safety standards of foreign aircraft operating to the UK.

In brief these measures are as follows:

The Department, in consultation with the Civil Aviation Authority, is arranging for more inspection of foreign aircraft where the observance of international safety standards is in doubt.

The UK is providing experts to the International Civil Aviation Organisation to assist in its recently commenced safety oversight programme.

As a result of a recommendation by the air accidents investigation branch, new procedures will clarify which airline is responsible for safety in operations where aircraft are leased with crew (wet-lease).

Induced Traffic

Mr. Allen: To ask the Secretary of State for Transport which schemes in the national roads programme have been reviewed to estimate the effects of induced traffic; and for each of these schemes by how much this review has changed the 30-year traffic level predictions and the net present value of the scheme. [22759]

Mr. Watts: The Highways Agency is carrying out Standing Advisory Committee on Trunk Road Assessment for all schemes in the national programme. So far, a total of 64 schemes have been provisionally assessed by the agency. These are listed in the schedule at annex A.

The volume of additional traffic induced by schemes is generally expected to be less than 10 per cent. and in many cases below 5 per cent.

The economic assessment process for induced traffic is developing and current appraisal techniques are being improved for the future. For now, where induced traffic

is a significant factor, the agency is undertaking sensitivity tests which impose a fairly severe test of scheme economics. For example, in some cases tests have been undertaken with significantly higher volumes of induced traffic than are expected in practice. So far none of the schemes assessed has failed the tests; even where unrealistically high levels of induced traffic have been assumed all have remained good value for money.

SCHEMES ASSESSED FOR INDUCED TRAFFIC

Scheme Title

A1 Gateshead Western Bypass
A120 Stansted—Braintree Improvement
A13 Ironbridge—Canning Town Improvement
A13/A112 Prince Regent Lane Junction Improvement
A13/A117 Junction Improvement
A14 M11—A10 Widening
A19 Norton—Parkway Interchange Improvement
A1 (M) Alconbury—Peterborough
A1 (M) Baldock—Alconbury
A1 (M) Ferrybridge—Hook Moor Improvement
A2 Lydden—Dover Improvement
A205 Catford Town Centre Improvement
A21 Lamberhurst Bypass
A23 Handcross—Warninglid Improvement
A249 Iwade Bypass—Queenborough Improvement
A259 Bexhill and Hastings Western Bypass
A259 Guestling Thorn and Icklesham Bypass
A259 Winchelsea Bypass
A27 Worthing—Lancing Improvement
A2/A282 Dartford Improvement
A3 Hindhead Improvement
A30 Honiton to Exeter Improvement
A303 Amesbury—Berwick Down Improvement
A303 Sparkford—Ilchester Improvement
A30/A303 Marsh Honiton and A35 Honiton Eastern Bypass
A34 Chieveley/M4 Junction 13 Improvement
A34 Newbury Bypass
A35 Chideock/Morcombelake Bypass
A35 Tolpuddle—Puddletown Bypass
A36 Salisbury Bypass
A40 Western Circus Junction Improvement
A417 North of Stratton—Nettleton Improvement
A419 Blunsdon Bypass
A419 Latton Bypass
A419/A417 Cirencester and Stratton Bypass
A43 Geddington Bypass
A43 Moulton—Broughton Improvement
A449/A456 Kidderminster, Blakedown and Hagley Bypass
A453 Clifton Lane Improvement
A46 Alcester—Stratford Improvement
A5225 Wigan—Westhoughton Bypass
A556(M) M6—M56 Link Improvement
A564 Derby Southern Bypass Contract A
A564 Doverridge Bypass
A595 Parton—Lillyhall Improvement
A6 Clapham Bypass
A63 Castle Street Hull Improvement
A65 Hellifield and Long Preston Bypass
A65 Manor Park Bends Improvement
A69 Haltwistle Bypass
A6(M) Stockport North/South Bypass
Western Orbital Route
M1 Junctions 10–15 Widening
M1 Junctions 25–28 Widening
M1 Junctions 6A–10 Widening
M11 Junction 5 North Facing Slip Roads
M2 Junctions 1–4 Widening
M23 Junctions 8–9 Widening
M25 Junction 15–16 Link Roads
M25 Terminal 5 Spur (HEATHROW)
M4 Junctions 8(9)–10 Widening
M6 Junctions 11A–16 Widening
M6 Junctions 16–19 and 19–20 Widening
M63 Junctions 6–9 Widening

Speed Limits, Central London

Mr. Harry Greenway: To ask the Secretary of State for Transport what are the current speed limits for *(a)* Park lane, *(b)* the Embankment, *(c)* the Mall and *(d)* Birdcage walk; and if he will make a statement. [23109]

Mr. Norris: The speed limit on these roads is 30 mph.

Vehicle Safety

Mrs. Dunwoody: To ask the Secretary of State for Transport (1) how many *(a)* coaches and *(b)* heavy goods vehicles have been found to be unsafe in each of the last five years; and how many prosecutions have resulted; [23302]

(2) if he will list by police force area, the number of wide prohibition notices issued for each year since 1992. [23301]

Mr. Norris: I have asked the chief executive of the Vehicle Inspectorate to write to the hon. Member.

Letter from Ron Oliver to Mrs. Gwyneth Dunwoody, dated 28 March 1996:

The Secretary of State has asked me to reply to your questions on the number of coaches and heavy goods vehicles found to be unsafe in each of the last 5 years, and the number of "wide" prohibitions notices by police force area.

The number of prohibitions issued in each of the last 5 years to vehicles inspected for their roadworthiness is shown in the attached table. There is no information for the past 5 years on any resulting prosecutions as we have not kept a separate register of roadworthiness prosecutions until this financial year.

I would be grateful if you could clarify your second question; I am not sure what is meant by "wide" prohibitions. I should also explain that we do not record data by police force area.

National roadworthiness prohibition figures 1990–91 to 1994–95

	HGV	*PSV*
1990–91	19,998	2,991
1991–92	21,284	3,445
1992–93	22,067	3,026
1993–94	22,260	3,295
1994–95	23,304	3,921

HGV figures include prohibitions for both motor vehicles and trailers.

Mr. Donohoe: To ask the Secretary of State for Transport (1) if he or his fellow Ministers at the Department of Transport have had meetings with

representatives of the motor manufacturing industry to discuss research being undertaken into the relative safety of different types of vehicle involved in side impact collisions; [23377]

(2) what research has been commissioned by his Department from the Transport Research Laboratory on the relative safety of different types of vehicle in side impact collisions; which agency stipulated the terms of the research; and how much this research has cost his Department; [23375]

(3) if he will make it his policy to release immediately public research undertaken by the Transport Research Laboratory into the relative safety of different types of vehicles involved in side impact collisions; [23376]

(4) for what reasons his Department has not released information relating to the relative safety of different makes of vehicle in side impact collisions; and what discussions officials of his Department have had with representatives of vehicle manufacturers relating to this research. [23378]

Mr. Norris: Research on the feasibility of a new car assessment programme, in which the safety of new models would be evaluated, is being done at TRL and was commissioned by the vehicle standards and engineering division of the Department. It includes side protection and is to see if the results give a reliable indicator of relative performance.

It is not possible readily to separate the costs of individual tests but the overall cost of the programme is £1.58 million over three years—1995 to 1998.

Neither I nor my colleagues have had meetings with representatives of the motor industry specifically to discuss this research. There have been discussions with vehicle manufacturers at official level, in particular a meeting in July 1995 at TRL to discuss the test procedure with major car manufacturers. Motor manufacturers have also been invited to witness tests on their own model.

Whether the published report on the research will include the test results of named car models will depend on the assessment emerging from the research of the reliability of the information as an indicator of performance. It could be misleading to publish information judged to be unreliable.

Railway Grants

Mr. Keith Hill: To ask the Secretary of State for Transport if he will list the grants made by his Department under section 8 of the Railways Act 1974 since 1992. [22565]

Mr. Watts: Since 1992, three grants have been awarded under section 8 of the Railways Act 1974. Subsequent awards have been made under section 139 of the Railways Act 1993. The full list of awards can be found in "Rail Freight Facilities Grants, England, Scotland and Wales, December 1995", available in the Library.

Mr. Hill: To ask the Secretary of State for Transport if he will list the freight facilities grants made by his Department. [22564]

Mr. Watts: A total of 155 freight facilities grants have been awarded by the Department since 1975. Grant assisted rail projects are listed in full in "Rail Freight Facilities Grants, England, Scotland and Wales, December 1995", a copy of which has been deposited in the Library.

Search and Rescue Helicopter (Portland)

Mr. Ian Bruce: To ask the Secretary of State for Transport if he will continue to provide a search and rescue helicopter at Portland after 31 March. [24009]

Mr. Norris: This temporary arrangement for the provision of a Coastguard search and rescue—SAR—helicopter at Portland will be extended for a further eight months, until the end of November. Longer-term decisions on the disposition of SAR helicopters will depend in part on the consultation on the interdepartmental review. We hope to publish the review's findings shortly.

Transport Council

Mr. Patrick Thompson: To ask the Secretary of State for Transport what was the result of the Transport Council held in Brussels on 11 March. [23813]

Sir George Young: The Transport Council met in Brussels on 11 March. My noble Friend the Minister for Aviation and Shipping represented the United Kingdom.

The Council reached a common position on a directive to harmonise roadworthiness tests for motor vehicles and their trailers.

The Council also reached a common position on three separate directives concerning market liberalisation, state aid rules and a vessel scrapping scheme in the inland waterways sector. The United Kingdom voted against the scrapping scheme because of our opposition in principle to Community funding for such schemes. The two other proposals were agreed without a vote.

The Council discussed the Commission proposal for a mandate to negotiate an air transport agreement between the European Community and the United States. The United Kingdom made clear its view that the Commission had not demonstrated that this would add value to the present bilateral arrangements. However a majority of member states were in favour of the principle of limited Community-level negotiations and the proposal was referred back to the Committee of Permanent Representatives—COREPER—for further work.

The Council also discussed the European Parliament's second reading opinion on the proposed Council/European Parliament decision on a transEuropean transport network. It was agreed that the presidency should work to reach agreement with the Parliament on a compromise text as soon as possible.

The Commission gave a progress report to the Council on the state of play in the negotiations between the European Community and Switzerland in respect of land and air transport agreements.

Following a general discussion, the presidency concluded that a regulation concerning the collection of aviation statistics should be reconsidered at the next

Transport Council to allow time for further consideration of a number of outstanding issues, including the application of the regulation to Gibraltar.

Other issues raised at the Council included Commission Green Papers on the citizens network and external costs in transport and a Commission White Paper on air traffic management. There was also an intervention by the German delegation on air traffic safety and a French intervention on ferry safety.

Trawlers

Mr. David Evans: To ask the Secretary of State for Transport how many trawlers were registered in *(a)* 1995 and *(b)* 1979. [21611]

Mr. Norris: I have asked the chief executive of the Marine Safety Agency to write to my hon. Friend.

Letter from R. M. Bradley to Mr. David Evans, dated 28 March 1996:

The Secretary of State has asked me to reply to your Question about the number of trawlers registered in (a) 1995 and (b) 1979.

The register of fishing vessels is not categorised by type. The total number of fishing vessels on the register at 31 December 1995, however was 8670.

Before April 1989, registration was the responsibility of HM Customs and Excise (C&E). The C&E records were transferred to the Registry of Shipping and Seamen. I regret that extracting the information relating to fishing vessels from the earlier records for a particular year could only be achieved at disproportionate cost.

Vehicle Inspectorate Testing Stations

Mrs. Dunwoody: To ask the Secretary of State for Transport how many Vehicle Inspectorate testing stations are currently in operation in the United Kingdom; and how many have *(a)* one, *(b)* two, *(c)* three, *(d)* four, *(e)* five and *(f)* six lanes. [23575]

Mr. Norris: I have asked the chief executive of the Vehicle Inspectorate to write to the hon. Member.

Letter from Ron Oliver to Mrs. Gwyneth Dunwoody, dated 28 March 1996:

The Secretary of State has asked me to reply to your question on the number of Vehicle Inspectorate testing stations in operation and how many lanes they have.

Details of the number of stations are given below:

Full-time stations

5 lane: 6

4 lane: 4

3 lane: 17

2 lane: 32

1 lane: 16

There are 15 part-time stations all with one lane.

EDS Ltd.

Mr. Redmond: To ask the Secretary of State for Transport, pursuant to his answer of 29 February to the hon. Member for Wallesey (Ms Eagle), *Official Report*, column *657–58*, what are the penalties involved should he seek early termination of the contract with EDS; what contracts, at what costs, with what duration and penalty his Department's agencies hold with EDS; and if he will make a statement. [23716]

Mr. Norris: The value of contracts and the provisions for termination are classified commercial in confidence.

There are four contracts between the Department's Agencies and EDS:

1. DVLA—duration five years
2. DSA—duration five years
3. VIEA—duration four years six months
4. VIEA—duration two years

Inquests

Mr. Allen: To ask the Secretary of State for Transport how many applications there have been in the last 10 years for judicial review of an inquest ruling; and how many have been successful. [22213]

Mr. Sackville: I have been asked to reply

Details of applications for the judicial review of inquest verdicts are not held centrally.

ENVIRONMENT

Waste Incinerators (Fires)

Mr. Jim Cunningham: To ask the Secretary of State for the Environment what discussions he has with his European counterparts with respect to fires at waste incinerators. [22277]

Mr. Clappison: I am in regular discussion with my European counterparts on environment issues. I have not found it necessary to discuss the question of fires at waste incinerators.

Mr. Cunningham: To ask the Secretary of State for the Environment (1) what research his Department has conducted into the environmental impact, both short and long-term, of fires at waste incinerators; and if he will make a statement on the findings and conclusions; [22285]

(2) what research his Department has conducted into the health implications of fires at waste incinerators; and if he will make a statement on the conclusions of such research. [22273]

Mr. Clappison: My Department has not conducted any research into this subject.

Mr. Cunningham: To ask the Secretary of State for the Environment what discussions he has with the Secretary of State for Health with respect to the health implications of fires at waste incinerators. [22281]

Mr. Clappison: I have had no recent discussions with the Secretary of State for Health on the health implications of fires at waste incinerators.

Mr. Cunningham: To ask the Secretary of State for the Environment what guidance his Department has given to hospitals with respect to the treatment of illness resulting from fires at waste incinerators. [22275]

Mr. Clappison: My Department has not given any advice to hospitals on the treatment of illness resulting from fires at waste incinerators.

Mr. Cunningham: To ask the Secretary of State for the Environment what representations he has had from individuals and organisations concerned with the safety of waste incinerators. [22283]

Mr. Clappison: The Health and Safety Executive's field operations division has no knowledge of any representations concerned with safety of waste incinerators. Such inquiries raised with HSE area offices are not recorded centrally. Most representations received by Her Majesty's inspectorate of pollution relate to emissions from the incinerators.

Mr. Cunningham: To ask the Secretary of State for the Environment what guidance he has given to local authorities with respect to the safety of waste incinerators and with respect to the implications of fires at waste incinerators. [22278]

Mr. Clappison: I have issued no guidance to local authorities on these matters.

Mr. Cunningham: To ask the Secretary of State for the Environment what discussions he has had with respect to the health implications of fires at waste incinerators. [22274]

Mr. Clappison: The Health and Safety Executive would expect fire authorities to issue appropriate guidance to the public and employees to avoid exposure to a smoke plume in the event of a fire at a waste storage location, and for the public health authorities to consider the implications for public health.

Mr. Cunningham: To ask the Secretary of State for the Environment who is responsible for investigating the safety of waste incinerators; with particular reference to fires. [22282]

Mr. Clappison: The health and safety of employees in the event of fire at storage locations at waste incinerators would be considered by Health and Safety Executive inspectors, but this would not normally be extended to matters of public health arising from exposure to any smoke. Storage of waste at municipal waste incinerators is covered by the authorisation granted to the operator by Her Majesty's inspectorate of pollution, which would take account of any findings relating to its authorisation. Appropriate action would then be taken.

Mr. Cunningham: To ask the Secretary of State for the Environment how many people have been treated in each of the last five years for sickness resulting from fires at waste incinerators. [22272]

Mr. Clappison: My Department does not keep these figures.

Mr. Cunningham: To ask the Secretary of State for the Environment what action he has taken following the recent fire at the Whitley refuse incinerator in Coventry; and if he will make a statement. [22280]

Mr. Clappison: Coventry city local authority is investigating the allegations of adverse health effect following the fire at the Whitley incinerator together with the director of pubic health for the area. Her Majesty's inspectorate of pollution will provide any information to assist in determining the likely effects and will consider these findings in relation to any further action.

Mr. Cunningham: To ask the Secretary of State for the Environment what assessment he has made of the long-term implications for health of fires at waste incinerators. [22276]

Mr. Clappison: Health and safety of employees in the event of fire at storage locations at waste incinerators would be considered by Health and Safety Executive inspectors. However, this does not normally extend to public health, which is a matter for the local authority environmental health department.

Forth Rail Bridge

Mr. Donohoe: To ask the Secretary of State for the Environment how much the Health and Safety Executive has spent on its study over the last year on the structural condition of the Forth rail bridge. [22844]

Sir Paul Beresford: Over the last year, the Health and Safety Executive has spent approximately £221,000 on its assessment of the structural integrity of the Forth bridge.

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for the Environment what was the total cost of answering parliamentary questions in each Session since 1989–90. [22903]

Sir Paul Beresford: This Department does not calculate the data requested, and they could be provided only at disproportionate cost.

Contracts

Mr. Donohoe: To ask the Secretary of State for the Environment (1) what guidelines are currently in force in his Department and its executive agencies relating to competitive tendering and the use of single negotiated tenders; on what grounds single negotiated tenders can be used; and what procedures are in place within his Department to ensure that the use of single negotiated tenders in competitive tendering processes is justified in all cases; [22854]

(2) how many contracts for goods or services have been awarded by his Department and its executive agencies on the basis of single negotiated contracts in each of the last three years; if he will list the companies involved and the value of the contract in each case; what percentage this represented of contacts awarded by his Department and its agencies after competitive tendering; and, in each case, why the contracts were awarded on the basis of a single negotiated tender. [22869]

Sir Paul Beresford: Information on the award of individual contracts is not held centrally and could be obtained only at disproportionate cost. The Department submits the purchase of all goods, materials, services and works to competition wherever possible. Single tender action is used where there is a single source of supply, a need for compatibility, or for one off purchases of very low value. These procedures are set out in the Department's purchasing guide.

Planning Inquiries

Mr. Vaz: To ask the Secretary of State for the Environment, pursuant to his answer of 28 February, *Official Report,* column *631,* if he will give, in each case of called-in application, the length of time which has elapsed following the local inquiries being completed and the decision from the inspector and the determination by his Department. [22913]

Sir Paul Beresford: Due to an administrative error within the Department, for which I apologise, the number of called-in planning applications awaiting decision by my right hon. Friend was incorrectly stated in my answer of 28 February, *Official Report,* column *631.*

The number of applications awaiting decision following receipt of the inspector's report was in fact 22, not 42. For these applications, the information requested is shown by Government office regions in the following table. None of these applications has yet been decided.

Region	*Development proposal*	*Date inquiry completed*	*Date Inspector's report received*
North West	Retail development, Cockermouth, Cumbria	3 February 1995	3 July 1995
West Midlands	Retail development, Oldbury, W. Midlands	14 July 1995	8 November 1995
East Midlands	Retail development, Daventry, Northants. (3 applications)	2 March 1995	5 June 1995
Eastern	Highway development, Baldock By-pass, Herts. (2 applications)	25 May 1995	23 November 1995
	Motorway service areas, M25, Epping, Essex (5 applications)	25 May 1995	25 January 1996
South West	Retail development, Tewkesbury, Gloucs.	11 August 1995	21 December 1994
	Retail development, Falmouth, Cornwall	26 July 1995	17 October 1995
	Residential development, Tredarrup, Cornwall	6 September 1995	24 November 1995
	Retail development, Chard, Somerset (2 applications)	20 September 1995	28 November 1995
South East	Gypsy site development, Dunsfold, Surrey	1 December 1995	22 January 1996
	Residential development, Wraysbury, Berks.	6 December 1995	29 January 1996
London	Leisure centre/ studcnt accommmodation, Elephant and Castle, SE1	2 December 1994	27 February 1995
	Residential/leisure complex, Battersea, SW11	3 August 1995	4 October 1995
	Leisure/retail complex, Beckton, E6	19 October 1995	28 November 1995

EC (Civil Service Employment)

Mr. McNamara: To ask the Secretary of State for the Environment what are the implications of the European Communities (Employment in the Civil Service) Order 1991 for service in local government. [22920]

Sir Paul Beresford: This order has relevance for the civil service, not local government.

Mortgage Interest Rates

Sir John Stanley: To ask the Secretary of State for the Environment when average mortgage interest rates were last at present levels. [23387]

Mr. Gummer: Figures from the Halifax Building Society show that mortgage rates are the lowest since April 1968.

Universal Houses (Asbestos)

Mrs. Jane Kennedy: To ask the Secretary of State for the Environment if he will undertake a survey of the health of tenants of those Universal houses built between 1925 and 1935 which contain asbestos. [23293]

Mr. Clappison: No. Asbestos materials in dwellings present a minimal risk to health. If there are particular local concerns, owners should refer to the comprehensive guidance issued by my Department on the management and treatment of such materials.

Mrs. Kennedy: To ask the Secretary of State for the Environment if he will list by local authority area in England the number of Universal houses built between 1925 and 1935 *(a)* currently standing, *(b)* currently occupied and *(c)* assessed by his Department as containing asbestos. [23292]

Mr. Clappison: This information is not centrally available.

Recycling

Ms Ruddock: To ask the Secretary of State for the Environment what were the recycling rates for *(a)* glass, *(b)* plastics, *(c)* steel cans, *(d)* aluminium cans, *(e)* paper and card, *(f)* batteries, *(g)* tyres, *(h)* vehicles and *(i)* electrical and electronic equipment for each OECD country at the latest available date. [23342]

Mr. Clappison: The OECD publishes information on the environment every two years. Limited information on the recycling of different materials, which is given in the table is published in the "OECD Environmental Data Compendium, 1995". Information may not be on a consistent basis from one country to another. Information on the United Kingdom is provided by trade associations and published in the "Digest of Environmental Statistics, 17, 1995".

Recovery of Paper and Cardboard and Glass in OECD countries

Country	*Year*	*Paper and cardboard (percentage)*	*Year*	*Glass (percentage)*
Canada	1992	32.0	1992	75.0
USA	1993	34.0	1993	22.0
Japan	1992	51.0	1992	56.0
Australia	1991	50.0	1992	36.0
Austria	1990	78.0	1994	76.0
Belgium	1993	11.0	1994	67.0
Denmark	1992	36.0	1994	67.0
Finland	1992	45.0	1994	50.0
France	1993	42.0	1994	48.0
Germany	1993	46.0	1994	75.0
Greece	1993	30.0	1994	29.0
Ireland	1991	3.0	1994	31.0
Italy	1991	47.0	1994	54.0
Netherlands	1991	53.0	1994	77.0
Norway	1993	32.0	1994	72.0

Recovery of Paper and Cardboard and Glass in OECD countries

Country	Year	Paper and cardboard (percentage)	Year	Glass (percentage)
Portugal	1992	41.0	1994	32.0
Spain	1993	78.0	1994	31.0
Sweden	1993	50.0	1994	56.0
Switzerland	1993	54.0	1994	84.0
United Kingdom	1993	35.0	1993	29.0

Housing (Right to Buy)

Sir John Stanley: To ask the Secretary of State for the Environment how many tenants in the United Kingdom have bought their homes under the right to buy since 1979. [23386]

Mr. Gummer: In the period between the introduction of the legislation in October 1980 and the end of September 1995, the latest date for which information is available, local authorities in England reported total right to buy sales of 1,235 million homes. In the same period, housing associations and new towns reported right to buy sales of 28,000 and 10,000 respectively.

For information on sales elsewhere in the United Kingdom, I refer the hon. Member to the Secretaries of State for Scotland, for Wales and for Northern Ireland.

Composting

Ms Ruddock: To ask the Secretary of State for the Environment if he will list the composting rates in each OECD country, at the latest available date. [23373]

Mr. Clappison: The OECD publishes information on the environment every two years. Data on the composting of municipal waste, which are given in the table are taken from the OECD Environmental Data Compendium, 1995". Information may not be on a consistent basis from one country to another. Information relating to composting in the United Kingdom is not collected centrally.

Amounts of municipal waste composted in OECD countries

Country	Year	Composted waste (000 tonnes)	Total collected (000 tonnes)
Canada	1992	218	18,800
USA	1993	5,821	187,790
Japan	1991	57	50,767
Austria	1990	85	2,506
Belgium	1994	96	1,160
Denmark	1993	206	2,377
Finland	1990	50	3,100
France	1992	1,300	20,500
Germany	1990	369	21,615
Luxembourg	1993	5	190
Netherlands	1991	475	7,602
Norway	1992	15	2,223
Portugal	1992	444	3,270
Spain	1993	1,560	14,256
Sweden	1990	100	3,200

Single Regeneration Budget

Mr. Hendry: To ask the Secretary of State for the Environment when the bidding guidance for round 3 of the single regeneration budget challenge fund will be published. [23585]

Mr. Curry: The bidding guidance for round 3 of the single regeneration budget fund will be published tomorrow, 29 March. Copies will be placed in the Library of the House.

Reigate and Banstead Borough Council

Sir George Gardiner: To ask the Secretary of State or the Environment if he has yet considered the response by Reigate and Banstead borough council to the notice served on the authority on 6 November 1995 under section 13 of the Local Government Act 1988; and if he will make a statement. [23588]

Sir Paul Beresford: My right hon. Friend has considered carefully the response which Reigate and Banstead borough council has made to the notice served on the authority on 6 November 1995. He is still of the view that the authorities' actions during the tender process for the two contracts, worth £363,000, had the effect of distorting and restricting competition.

He has today given the authority a direction, under section 14 of the Local Government Act 1988, requiring it to retender the work, included in the grounds maintenance contracts 1 and 2, which was the subject of the notice, so that new arrangements are in place by 1 January 1997, and to seek the Secretary of State's consent should it wish to reassign the work to the direct service organisation.

The Government are fully committed to fair and open competition for local authority services and we are determined to ensure that obstacles which stand in the way of such competition are removed.

Offshore Health and Safety

Mr. Butler: To ask the Secretary of State for the Environment if he will make a statement on progress in implementing Lord Cullen's recommendations on the review and reform of offshore health and safety legislation following his inquiry into the Piper Alpha disaster. [23586]

Sir Paul Beresford: Since the Government accepted in full the recommendations in Lord Cullen's 1990 report on the Piper Alpha disaster, a total of four sets of new health and safety regulations for the offshore sector have been made. The latest, the Offshore Installations and Wells (Design and Construction, etc) Regulations 1996 were laid before Parliament today. They mark a significant milestone in the review and reform programme undertaken by the Government as a result of Lord Cullen's report.

The new legislation effects fundamental changes in the management of safety offshore, as recommend by Lord Cullen. A safety case regime for offshore installations has been established. This requires all installation operators and owners to assess the risks arising from offshore installations, and demonstrate how those risks will be controlled. It is now unlawful to operate an installation without acceptance of its safety case by the offshore

safety regulator, the Health and Safety Executive. Provision has also been made for the prevention of fire and the explosion, for emergency response—areas of high risk identified by Lord Cullen as requiring specific legislation—and for management and administration issues. Moreover, the new regulations complete offshore implementation of a European directive concerned with health and safety in the extractive industries. Much old legislation has been revoked both by these new regulations and other reform initiatives in the programme.

The Government have therefore met their obligation to review and reform offshore health and safety legislation in the manner set out by Lord Cullen in his report. I commend the Health and Safety Commission for its efforts in taking forward this programme and all parts of the industry for their positive approach to it. Together, they have secured a legislative regime providing a firm foundation or the continued improvement of health and safety standards in the offshore sector.

Public Paths Regulations

Mr. Elletson: To ask the Secretary of State for the Environment when he will announce the results of the recent review of the Local Authorities (Recovery of Costs for Public Path Orders) Regulations 1993. [23959]

Mr. Clappison: We have accepted the central conclusion of the review into the operation of the Local Authorities (Recovery of Costs for Path Orders) Regulations, which is that the maximum charge for administrative cost does not, in most cases, cover the costs incurred by local authorities.

We therefore intend to amend the regulations to remove the current, £400, ceiling. Instead, local authorities will be required to draw up scales of charges, indicating the likely costs for unopposed orders and the maximum cost which they would charge.

This change will be implemented by amending regulations, which we hope to have in place by the summer.

Environment Agency

Mr. Elletson: To ask the Secretary of State for the Environment if he will make a statement about the Environment Agency charging schemes for 1996–97 for regulation under integrated pollution control and the Radioactive Substances Act 1993. [23960]

Mr. Clappison: The Environment Act 1995 requires the Environment Agency to make charging schemes so as to recover the costs of carrying out its regulatory functions.

The Government have consulted those who are likely to be affected by the schemes. In the light of that consultation, and with the consent of the Treasury, of my right hon. Friends the Secretaries of State for the Environment and for Wales and—with regard to the Radioactive Substances Act—of my right hon. Friend the Minister for Agriculture, Fisheries and Food, the Environment Agency has now made charging schemes for 1996–97 for regulation under integrated pollution control and the Radioactive Substances Act.

The schemes will take effect from 1 April 1996. I have placed copies of them in the Library of the House.

The schemes are similar to those which were previously administered by Her Majesty's inspectorate of pollution, and there are no changes to the levels of charges as they were set out in the equivalent schemes for 1995–96. This represents a reduction in real terms of around 3 per cent. and has been achieved by continuing improvements in efficiency.

Since responsibility for these schemes is shortly to pass from the inspectorate to the Environment Agency, now is an appropriate time to acknowledge the hard work which the inspectorate has done over the past three years to reduce the level of direct charges in real terms while maintaining a credible regulatory regime. I am also pleased to see the Environment Agency making these schemes, which demonstrates its intention to build upon the improvements in regulatory effectiveness and efficiency which were achieved by the inspectorate, and to limit any increases in charges to those which are essential in order to reduce pollution and to improve the environment.

Copies of the schemes will shortly be sent to relevant operators and to other interested bodies.

Anglian Water (Nitrates)

Mr. Lord: To ask the Secretary of State for the Environment what assessment he has made of Anglian Water's efforts to bring drinking water in Suffolk within the EU standard for nitrate levels; if he will reconsider the imposition of nitrate-vulnerable zones; and if he will make a statement. [22084]

Mr. Clappison: My right hon. Friend is satisfied that Anglian Water Services Ltd. has taken appropriate steps to ensure that drinking water supplies in Suffolk comply with the standard for nitrate in the EC drinking water directive. I announced on 22 March the Government's decision to designate 68 nitrate vulnerable zones in England and Wales. We have carefully targeted the designations in those parts of surface water catchments or aquifers where there is a danger of nitrate levels continuing to rise. Designation of the zones followed extensive consultation and advice from an independent review panel.

Skin Piercers

Dr. Lynne Jones: To ask the Secretary of State for the Environment what plans he has to bring in a registration scheme for skin piercers and to enable byelaws, including the imposition of a minimum age limit, to be made under the Local Government (Miscellaneous Provisions) Act 1982; and if he will make a statement. [22819]

Mr. Bowis: I have been asked to reply.

The Local Government (Miscellaneous Provision) Act 1982 gives local authorities in England and Wales the power to make byelaws requiring acupuncturists, tattooists, ear piercers and electrolysists to be registered. All the legislation relating to the registration of skin piercing by local authorities is currently being reviewed and a consultation paper will be issued shortly.

The Tattooing of Minors Act 1969 makes it an offence to tattoo someone below the age of 16. The Government have no plans to introduce an age limit for other forms of skin piercing.

SOCIAL SECURITY

Asylum Seekers

Mr. Chris Smith: To ask the Secretary of State for Social Security what progress he has made in establishing the funding formula for local authorities in respect of the costs that they face in connection with provision for asylum seekers. [19614]

Mr. Roger Evans: Meetings have taken place between local authority associations, the Department of the Environment and the Department of Health. It was decided that grants should be paid covering 80 per cent. of unavoidable additional expenditure, above a certain threshold, incurred by social services departments under the Children Act 1989, and 80 per cent. of the housing benefit subsidy forgone, above a certain threshold, by housing authorities who incur costs in respect of certain asylum seekers and other persons from abroad housed under the homelessness legislation. The precise details of the funding formula will depend on further discussions with local authority associations. Officials in the Department for the Environment and the Department of Health will be meeting the local authorities association to discuss the issue of the threshold.

Pension Schemes

Mr. Frank Field: To ask the Secretary of State for Social Security how many *(a)* men and *(b)* women individuals since 1988 have left their company pension scheme and opted to *(a)* a personal pension and *(b)* membership of the state earnings-related pension scheme. [22203]

Mr. Heald: Information is not available in the format requested. In the case of those moving from an occupational pension scheme to a personal pension, figures are available only where the appropriate personal pension was started in the same tax year as the termination of occupational pension scheme membership. The available information is given in the table:

The number of people leaving contracted-out occupational pension schemes, by year of scheme membership termination and subsequent scheme.

Thousands

Subsequent scheme	*1987–88*	*1988–89*	*1989–90*	*1990–91*	*1991–92*	*1992–93*
Men						
Appropriate Personal Pension	101	31	74	43	27	13
SERPS	309	332	329	264	246	n/a
Women						
Appropriate Personal Pension	51	14	40	24	15	10
SERPS	219	236	236	176	168	n/a

Notes:
1. Figures relate to the United Kingdom.
2. Figures show changes in active membership. They do not show whether past rights have been transferred or not.
3. SERPS figures include people who moved to a contribution position where non-contracted-out contributions have been paid either exclusively or in conjunction with class 2 or class 3 contributions or credits.
4. Figures are rounded to the nearest thousand.
5. Includes people who have changed employment and pension scheme, and those who have remained in the same employment and changed pension scheme.
6. Moves from appropriate personal pensions and SERPS to occupational pension schemes are not reflected in the above figures.
7. Movements to SERPS are defined as those where the person moves into SERPS after termination of occupational scheme membership and remains only in SERPS in the following tax year. Therefore, to establish whether a 1992–93 termination resulted in a move to SERPS, it is necessary to know the person's status in 1993–94 and this information is not yet available.

Source:
1 per cent. sample of national insurance records taken in February 1994.

Child Support Agency (Departures Scheme)

Mr. Bayley: To ask the Secretary of State for Social Security for what reasons the Child Support Agency's departures scheme makes no allowance for the cost of maintaining step-children taken on after April 1993; and if he will make a statement on who is expected to pay the cost of maintaining such stepchildren where the absent natural parent of those stepchildren is *(a)* dead, *(b)* unemployed and *(c)* living overseas. [23329]

Mr. Andrew Mitchell: Parents taking responsibility for stepchildren after April 1993 have done so in the full knowledge that the standard child support maintenance assessment makes no provision for any costs involved in caring for those children. The fact that child support maintenance cannot exceed 30 per cent. of net income leaves absent parents sufficient resources to make such choices.

Where payment of child support at the rate determined under the standard maintenance assessment would reduce an absent parent's income to such a level that he would be unable to provide adequate support for his new family, the protected income provisions come into play. The protected income assessment makes full allowance for the basic living expenses of all children in the absent parent's household, including any step-children.

WALES

Prescription Charges

Mr. Barry Jones: To ask the Secretary of State for Wales what has been the real terms increase in the price of NHS prescriptions since 1979 expressed as a cash figure and as a percentage. [21125]

Mr. Richards: The prescription charge per item has increased by 774 per cent. in real terms since 1979. Prescription charges in Wales in 1995–96 are expected to raise £18.3 million—money which would otherwise have to be found from within NHS resources.

Police Budgets

Mr. Llwyd: To ask the Secretary of State for Wales if he will list the annual budget for each of the Welsh police constabularies for each of the last five years; and if he will make a statement. [22373]

Mr. Gwilym Jones: The available information is given in the following table.

Police authority expenditure on a total standard spending basis:

£ millions

Police authority	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*[1]1996–97*
Dyfed-Powys	40.0	42.7	46.2	45.9	48.6
Gwent[2]	39.6	42.1	43.7	49.8	62.4
North Wales	57.3	59.6	62.4	66.0	69.3
South Wales	131.3	134.1	133.9	150.7	151.1

Notes:

[1] Figures reflect the transfer of responsibility for policing the district area of Rhymney Valley from south Wales to Gwent.

[2] Figures for 1992–93 to 1994–95 are taken from Gwent county council returns and do not include repayment of debt or the receipt of other local income.

Source:

Revenue outturn returns for 1992–93 to 1994–95 and budget returns for 1995–96 and 1996–97.

Equal Opportunities

Mr. David Shaw: To ask the Secretary of State for Wales what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22511]

Mr. Hague: No money has been paid out by my Department or its executive agency, CADW, in respect of breaches in equal opportunities.

Information on non-departmental public bodies is not held centrally.

Non-domestic Rates

Mr. Wigley: To ask the Secretary of State for Wales if he will list the sum total of revenue arising from non-domestic rates in Wales in each of the past five years, together with his latest estimate for the present financial year. [22198]

Mr. Hague: The information is as follows:

Total amounts received in respect of non-domestic rates

1990–91: £490,925,000

1991–92: £513,890,000

1992–93: £527,785,000

1993–94: £502,389,000

1994–95: £478,634,000

1995–96: £516,000,000[1].

[1] Estimate.

Child Abuse

Mr. Morgan: To ask the Secretary of State for Wales (1) if he will *(a)* obtain and *(b)* evaluate a copy of John Jilling's report into child sex and physical abuse at north Wales children's homes commissioned by Clwyd county council; [23379]

(2) what proposals he has to institute a judicial inquiry into the history of child sexual and physical abuse in north Wales children's homes, and if he will make a statement. [23147]

Mr. Hague: I have no plans at present to take any further action beyond the steps outlined in my statement of 11 December, columns *554-56*. I understand that Clwyd county council has decided to refer Mr. Jilling's report to the Department. I shall consider what action, if any, to take on it once we have received it.

Private Finance Initiative

Mr. Morgan: To ask the Secretary of State for Wales if he will list the numbers and grades of civil servants in the dedicated PFI department established in his Department. [23389]

Mr. Hague: Details of the officials in my Department's private finance unit are as follows: grade 5(1); grade 7(2); higher executive officer (1); administrative assistant (1). In addition, the unit has been strengthened recently by a secondee from the private finance panel executive.

Theatr Clwyd, Mold

Mr. Hanson: To ask the Secretary of State for Wales if he will now make available his Department's one-of contribution to Theatr Clwyd, Mold for 1996–97. [23374]

Mr. Gwilym Jones: Flintshire county council has until the end of March to provide details of an adequate funding package for Theatr Clwyd for 1996–97 and beyond; my right hon. Friend and I will decide whether to release the funding offered to discharge Theatr Clwyd's capital debt in the light of Flintshire's response.

Cardiff Bay Development

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his strategic guidance note of 13 March to the Cardiff Bay development corporation, what was the total estimated gross capital cost of the Gwent bird reserve on the assumption of a £5.7 million pubic sector contribution and private finance initiative scheme for the private capital investment. [23132]

Mr. Hague: The Cardiff Bay development corporation is committed to providing £5.7 million to the Gwent bird reserve scheme. If the private finance initiative option is pursued, this will be used to maximise the value for money from the public sector contribution.

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his strategic guidance note of 13 March to the Cardiff Bay development corporation, if he will list the later developments referred to as providing the justification alongside the corporation's 1995 corporate plan which led him to set the level of grant in aid for 1996–97 at £51.641 million. [23136]

Mr. Hague: Developments since August include the issue of a private finance initiative prospectus for the Bute avenue development; faster than expected progress on the £200 million NEG-Schott inward investment at Ocean park; and the prospect of a major private sector investment at Ely fields.

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his strategic guidance note of 13 March to the Cardiff Bay development corporation, by what amount he expects the corporation to *(a)* reduce its consultancy expenditure and *(b)* increase its direct running cost expenditure. [23137]

Mr. Hague: Cardiff Bay development corporation's planned budget in 1996–97 for consultancies has been reduced by £1 million and the budget for running costs increased by £0.49 million. This will reduce total planned expenditure on consultancies and running costs by £0.51 million.

Tourism

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to his strategic guidance note 1996–97 to the chairman of the Wales tourist board, if he will list the principal differences between the recommendations of the English tourist board hotel accommodation grading and classification scheme review and the Wales tourist board scheme; if he will arrange for copies of the English tourist board review and the Wales tourist board research into grading and classification schemes to be placed in the Library; if he will publish the findings of the Wales tourist board report to him in September 1996; and if he will make a statement. [23133]

Mr. Hague: The English tourist board has yet to present its proposals for revising its classification and grading schemes to Department of National Heritage Ministers. It will be doing so shortly, with the industry then consulted on any proposed changes.

The placing of the English tourist board review papers in the Library is a matter for my right hon. Friend the Secretary of State for National Heritage; however, I will arrange for copies of the Wales tourist board's research to be placed in the Library. When I receive the WTB's report I will consider its publication.

Cathays Park

Mr. Morgan: To ask the Secretary of State for Wales if he will list those departments which have moved into those areas of Cathays park previously occupied by staff of the Export Credits Guarantee Department and of NCM; and if he will list the numbers in each sub-department indicating the buildings that they previously occupied. [23134]

Mr. Hague: The fourth floor of Cathays park was vacated by NCM and the Export Credits Guarantee Department on 14 July 1995. As part of a programme of reorganisation of staff in Cathays park the following divisions have been located on the fourth floor.

Division	*Date relocation*	*Number of staff*	*Previous location*
Housing	28 July 1995	40	Cathays Park
Schools Performance	7 August 1995	22	Llanishen
Schools Administration	7 August 1995	34	Llanishen
Culture and Recreation	7 August 1995	21	Llanishen
Further and Higher Education	7 August 1995	13	Cathays Park
Records Management Unit	7 August 1995	10	Llanishen
Staff Training Unit	29 August 1995	7	Golate House
Local Government Finance	9 October 1995	22	Cathays Park
Local Government Reorganisation	9 October 1995	21	Cathays Park
Social Services Policy	9 October 1995	32	Cathays Park
Social Services Inspectorate	9 October 1995	16	Cathays Park
Health Services	16 October 1995	34	Cathays Park
Health Management	16 October 1995	27	Cathays Park
Health Professional Group	16 October 1995	36	Cathays Park
Health Financial Management	4 December 1995	40	Cathays Park
Health Commissioning	4 December 1995	25	Cathays Park
Primary and Community Health	4 December 1995	36	Cathays Park
Public Health	4 December 1995	30	Cathays Park
Nursing	4 December 1995	9	Cathays Park
Management Planning and Review	11 December 1995	17	Cathays Park
Total		492	

Corporate Plans

Mr. Morgan: To ask the Secretary of State for Wales what are the expected dates of *(a)* completion and *(b)* submission to him of the corporate plans of the (i) Welsh Development Agency, (ii) Development Board for Rural Wales, (iii) Wales tourist board, (iv) Land Authority for Wales and (v) Cardiff Bay development corporation. [23135]

Mr. Hague: The economic development non-departmental public bodies have been asked to complete and submit their corporate plans by the following dates:

	Date
Development Board for Rural Wales	31 March
Wales Tourist Board	31 March
Land Authority for Wales	31 March
Cardiff Bay Development Corporation	30 June
Welsh Development Agency	31 August

Corporate plans are the bodies own internal management documents which are submitted to the Department for information.

Government Expenditure

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to paragraph 1.06 of his departmental report, what assessment he has made of the *(a)* levels of identifiable and geographically attributable expenditure in Wales in 1994–95 in (i) social security, (ii) law and order and (iii) the protective services and *(b)* changes in those levels since 1993–94; what proposals he has to publish an update of his January publication, "Government Expenditure and Taxation—Wales 1993–94"; and if he will make a statement. [23385]

Mr. Hague: Further details on identifiable and geographically attributable Government expenditure in Wales are published by the Treasury in "Public Expenditure, Statistical Analyses 1996–97", Cm 3201. I have no plans to publish an update of "Government Expenditure and Taxation—Wales, 1993–94".

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to table 1.02 of his departmental report, what assessment he has made of the reason for the fall in the forecast outturn of his expenditure in 1995–96 on economic development relative to 1994–95. [23388]

Mr. Hague: The economic development chapter of the report provides details.

National Vocational Qualifications

Mr. Morgan: To ask the Secretary of State for Wales, pursuant to table 4.08 of his departmental report, what assessment he has made of the principal reasons for the fall in the numbers of school leavers obtaining NVQs levels 1 to 4 in his forecast outturn for 1995–96 relative to *(a)* the plans for 1995–96 and *(b)* the 1994–95 actual outturn. [23384]

Mr. Hague: Table 4.08 reports achievements in youth training. In 1995–96, the first full year of modern apprenticeships, significant numbers of young people have converted from YT to MA to aim for higher levels of NVQ attainment. In future years there should be relatively few such conversions. It is not possible at this stage to assess with accuracy how far this one-off factor has affected the 1995–96 NVQ/leaver ratio.

Investors in People

Mr. Win Griffiths: To ask the Secretary of State for Wales what percentage of organisations with *(a)* over 200 employee and *(b)* under 200 employees have achieved investors in people status. [23304]

Mr. Gwilym Jones: The Welsh Office is currently reviewing its database on investors in people performance in conjunction with the training and enterprise councils. The latest figures show that 43 organisations—almost 15 per cent. of those eligible—employing 200 or more people have achieved the investors in people standard. A total of 161 organisations employing less than 200 people have been recognised; a percentage figure is not available.

Menai Strait

Mr. Sweeney: To ask the Secretary of State for Wales what conclusion he has reached on the proposal by the Countryside Council for Wales to designate the Menai strait as a marine nature reserve. [24004]

Mr. Gwilym Jones: My right hon. Friend has announced that he intends to make a draft order under section 36 of the Wildlife and Countryside Act 1981 indicating his intention to designate the Menai strait as a marine nature reserve. Notices concerning the draft order, in accordance with the requirements of schedule 12 of the 1981 Act, will appear in local and national newspapers in the near future.

Local Government Boundary Commission

Mr. Sweeney: To ask the Secretary of State for Wales if he will make a statement about the membership of the Local Government Boundary Commission for Wales. [24005]

Mr. Hague: I have appointed Mr. Lloyd Fitzhugh as deputy chairman of the commission from 1 April in succession to Mr. Richard Hall Williams. Mr. Fitzhugh has been a member of the commission since 1994.

I have also appointed Mrs. Susan Smith as a member of the commission.

NATIONAL HERITAGE

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for National Heritage how much her Department has spent in total in answering parliamentary questions in each parliamentary Session since it was established. [22880]

Mr. Sproat: This Department does not calculate the data requested, and they could be provided only at disproportionate cost.

National Lottery

Mr. Tipping: To ask the Secretary of State for National Heritage how many applications for national lottery funding have been made to *(a)* the Sports Council, *(b)* the Arts Council, *(c)* the national heritage memorial fund, *(d)* the Millennium Commission and *(e)* the National Lottery Charities Board for each of the national lottery regions. [22604]

Mr. Sproat *[holding answer 25 March 1996]:* This information is not held centrally. The Department of National Heritage is currently developing a lottery database that will make these figures available shortly.

TRADE AND INDUSTRY

Leg Irons

Mr. Cohen: To ask the President of the Board of Trade if he will institute an inquiry into the allegations contained in the "Dispatches" programme on the export of leg irons; and if he will make a statement. [20352]

Mr. Oppenheim: I refer the hon. Member to the answer given by my hon. Friend the Under-Secretary of State for Trade and Technology to the hon. Member for Cynon Valley (Mrs. Clwyd) on 31 January 1995, *Official Report*, column *614*. There has been no evidence of a breach of export controls and I do not propose to institute an inquiry unless clear evidence comes to light of the breach of export controls.

Torture Equipment Exports

Mr. Cohen: To ask the President of the Board of Trade what reports he has received alleging involvement of *(a)* British Aerospace and *(b)* Royal Ordnance in the sale of torture equipment abroad; and if he will make a statement. [20353]

Mr. Oppenheim: I am aware of allegations made in the Channel 4 television programme "Dispatches" originally screened on 11 January 1995. British Aerospace's Royal Ordnance made public denials of the allegations. We will, of course, act on clear evidence of breaches of export controls.

Military Ordnance (Nigeria)

Mr. O'Hara: To ask the President of the Board of Trade (1) what measures Her Majesty's Government have taken since November 1995 to prevent the undertaking by British companies of contracts for the supply to the Government of Nigeria of equipment which is likely to be used in support of the use of military ordnance; [22094]

(2) what measures Her Majesty's Government have taken since November 1995 to prevent the undertaking by British companies of contracts for the supply of military ordnance to the Government of Nigeria; [22095]

(3) what measures Her Majesty's Government have taken since November 1995 to prevent the fulfilment by British companies of contracts for the supply of military ordnance to the Government of Nigeria. [22093]

Mr. Oppenheim: I refer the hon. Member to the answer I gave to the hon. Member for Bradford, West (Mr. Madden) on 21 February 1996, *Official Report*, column *249*.

Export Licences

Ms Walley: To ask the President of the Board of Trade how many export licences have been granted to British companies involved in the construction of arms *(a)* between 1980 and 1984, *(b)* between 1985 and 1989 and *(c)* since 1990. [21052]

Mr. Oppenheim: Records of export licences issued for the earliest period requested were routinely destroyed. The remainder of the question could be answered only at disproportionate cost.

Mr. Llew Smith: To ask the President of the Board of Trade if he will list each type of end user certification sought when export licences are being considered, stating in each case *(a)* the countries and *(b)* the type of export to which the type of certification applies. [19242]

Mr. Oppenheim: I refer the hon. Member to the answer I gave to the hon. Member for Oxford, East (Mr. Smith) on 11 January 1996, *Official Report*, column *293*. The specified end user undertakings required in support of applications for individual export licences depend on the goods involved. A standard general undertaking covers most goods but in certain circumstances a specific undertaking is necessary. Specified formats are required to cover:

Chemical Specific Customer End User

Chemical Trader/Distributor

Biological Specific Customer End User

Biological Trader/Distributor.

Equal Opportunities

Mr. David Shaw: To ask the President of the Board of Trade what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22508]

Mr. John M. Taylor: The DTI, non-departmental public bodies and other organisations sponsored by the DTI—excluding those sponsored by the Office of Science and Technology and the DTI's executive agencies—for which I am accountable have not made any payments in respect of equal opportunities breaches over the past three years.

The chief executives of DTI executive agencies will respond direct to the hon. Member.

It would involve disproportionate cost to provide a response in respect of the NDPBs sponsored by OST.

Letter from P. R. S. Hartnack to Mr. David Shaw, dated 28 March 1996:

I am responding for the Patent Office to your question to the President of the Board of Trade about amounts of money paid out in respect of equal opportunities breaches. No money has been paid out by the Patent Office for alleged, or actual, breaches of equal opportunities legislation since the Office was established as an executive agency in 1990.

Letter from D. Durham to Mr. David Shaw, dated 28 March 1996:

You recently asked the President of the Board of Trade about amounts of money that have been paid out by Executive Agencies to staff because of alleged equal opportunities breaches whether or not they have been taken to tribunals or courts. I am replying as Chief Executive of Companies House.

This Agency is very aware of its responsibilities under the equal opportunities regime and to date we have not had to make any such payments.

Letter from Peter Joyce to Mr. David Shaw, dated 28 March 1996:

The President of the Board of Trade has asked me to reply to your question concerning the payments made to existing and/or former members of staff in respect of alleged equal opportunities breaches which did not proceed to tribunals or courts and equal opportunities breaches which proceeded to tribunals or courts.

The Insolvency Service assumed responsibility for matters relating to equal opportunities on 1 January 1995. Since that date no payments have been made to any person previously or currently employed by The Service in respect of equal opportunities breaches, alleged or otherwise.

Letter from Jim Norton to Mr. David Shaw, dated 28 March 1996:

To ask the President of the Board of Trade what amounts of money have been paid out to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts.

The Radiocommunications Agency has not paid any money to any staff in respect of equal opportunities breaches.

Letter from R. D. Worswick to Mr. David Shaw, dated 26 March 1996:

The President of the Board of Trade has asked me to reply to your question about discrimination payments with respect to the Laboratory of the Government Chemist (LGC).

LGC has not paid out, either in the current financial year or the two previous years, any money in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or court.

Letter from Seton Bennett to Mr. David Shaw, dated 28 March 1996:

The President of the Board of Trade has asked me to reply on behalf of the National Weights and Measures Laboratory to your question about payments to staff or former staff in respect of equal opportunities breaches. I am pleased to be able to say that this Agency has not made any such payment, nor have we had any cases of alleged equal opportunities breaches in either of the categories in your question.

Insolvency Practitioners

Sir Peter Fry: To ask the President of the Board of Trade what plans he has to increase the effectiveness of the monitoring of licensed insolvency practitioners. [22533]

Mr. Oppenheim: Officials are, and will continue to be, in close contact with the recognised professional bodies as part of the on-going development of monitoring of practitioners. In particular, there is in place a programme of visits by officials to the bodies to look at monitoring procedures and appropriate recommendations are made where there appears to be scope for improvement.

Sir Peter Fry: To ask the President of the Board of Trade how many licensed insolvency practitioners have had their licenses suspended or withdrawn in each of the last five years for which figures are available. [22534]

Mr. Oppenheim: The number of insolvency practitioners who have had their authorisations revoked or their application for renewal of their authorisation refused is as follows:

Year ended 31 December 1991: 1
Year ended 31 December 1992: 0
Year ended 31 December 1993: 2
Year ended 31 December 1994: 8
Year ended 31 December 1995: 11.

Sir Peter Fry: To ask the President of the Board of Trade how many licensed insolvency practitioners who have been subject to monitoring have been found not to have complied fully with the Insolvency Act 1986 and other related statutes; and how many such practitioners have had disciplinary action taken against them. [22535]

Mr. Oppenheim: This information is not maintained in this form.

The monitoring of insolvency practitioners is undertaken in order to assist the authorising body in determining whether a practitioner is and continues to be fit and proper and to promote compliance not only with statutory obligations but with best practice.

Where a failure in compliance is identified, this is reported and undertakings are sought where appropriate from the practitioner. The authorising body will consider whether further action is appropriate in more serious cases.

Sir Peter Fry: To ask the President of the Board of Trade how many licensed insolvency practitioners there are; and how many have had monitoring visits from the supervisory bodies in the last three years for which figures are available. [22536]

Mr. Oppenheim: As at 31 December 1995, there were 1,939 individuals authorised to act as insolvency practitioners.

The figures show the number of monitoring visits to practitioners carried out by the recognised professional bodies and by officials on behalf of the Secretary of State. Some practitioners will have been visited on more than one occasions during the period in question.

Year ended 31 December 1993: 199
Year ended 31 December 1994: 459
Year ended 31 December 1995: 527.

Insolvency Service

Mr. Harvey: To ask the President of the Board of Trade if he will list the areas of discussion between his Department and trade unions in the Insolvency Service during the period of consideration of contractorisation of the Insolvency Service. [22756]

Mr. Oppenheim: During the period from October 1994, when the Government announced their intention to pursue the study of the preferred contracting out option identified by consultants, to the announcement on 28 February 1996 of the outcome of the contracting-out study, the Insolvency Service had a number of meetings with the trade unions. The main areas of discussion were:

Matters arising from the feasibility study report prepared by Stoy Hayward;

Potential conflicts of interest and implications for insolvency practitioners;

The possible application of the Police and Criminal Evidence Act 1984 in interviews with insolvents and other investigation implications;

The timetable for the exercise;

Staffing matters, including the application of the Transfer of Undertakings (Protection of Employment) Regulations 1981, equal opportunities, competencies, changes to terms and conditions of service and the practice of rotating specialist staff between vetting and investigations duties;

Matters arising from the preparation of an enabling order, including consultation with officials receivers;

The question of rights of audience for any successful contractor;

Matters arising from the draft specification of requirements and subsequent invitation to tender;

Management-employee buyouts;

The possibility of pilot schemes;

Matters connected with a residual service in the event of any contracting out;

The benchmarking methodology used by the service;

The identity of the final six bidders;

Insider dealing;

Provisional post-contracting out consultation arrangements.

In addition, there was discussion of issues not related to the contracting out exercise including pay and grading, reporting standards, health and safety issues, the use of the service's dedicated IT systems, the user survey conducted by the service and the service's management information system for Ministers (resource) bids.

EU Funding

Dr. Lynne Jones: To ask the President of the Board of Trade if he will list the projects approved and projects awaiting approval and their value in each region under rounds 1 and 2 of objective 2 programmes of the European regional development fund. [22826]

Mr. Oppenheim: A list of all ERDF projects approved and awaiting approval could be obtained only at disproportionate cost, and publication of the latter category would be in breach of commercial confidentiality.

The ERDF projects which have been approved in the west midlands are:

Applicant	*Project title*	*Grant (£)*
Birmingham City Council	West Northfield Area Regeneration	7,000.467
Birmingham City Council	Jewellery Quarter Resource Centre, Birmingham	200.000
Birmingham City Council	Destination Marketing	1,707.207
Birmingham City Council	Inward Investment Marketing Initiatives	400.000
Birmingham City Council	Small Business Assistance Scheme	2,165.000
Birmingham City Council	Aston Science Park Phase 7 Site	1,754.958
Birmingham Heartlands Development Corporation	Central South Heartlands Star Site	4,880.375
Birmingham Settlement Ltd.	Business Debtline	120.000
Birmingham TEC	Creating a World Class Supplier Base in the WM	5,840.000
Birmingham Voluntary Service Council	Voluntary Sector European Support Unit	14.820
Black Country Co-operative Development Agency Ltd.	Business Enterprise Development, Black Country	251.000
Black Country Development Corporation	Small Industrial Units Development Package	1,276.200
Black Country Development Corporation	Automotive Components Park Phase 2 Infrastructure	2,621.000
Black Country Development	BCSR Corridor Reclamation and Infrastructure	3,404.000
British Coal Enterprise Ltd.	HEM Heath Enterprise Park	913.000
Cannock Chase Council	Hednesford Brickworks Reclamation	3,100.000
CBSO Society Ltd.	CBSO Centre	750.000
Coventry City Council	Manufacturing Investment Programme	122.200
Coventry City Council	Inward Investment Aftercare Programme and Network	38.474
Coventry City Council	Loss Control Services to SME in Manufacturing	193.600
Coventry City Council	World Class Manufacturing Programme	187.000
Coventry University	Starting with an Advantage: Development and Pilot of GES	345.016
Coventry University	Starting with an Advantage: Development and Pilot of GES	1,639.760
Dudley College of Technology	Integrated Technological Man Systems Centre, Dudley	96.800
Dudley MBC	Brierley Hill Town Centre Renewal	189.500
Dudley MBC	Castle Gate/ Infrastructure, Dudley	3,722.337
Dudley MBC	Canal Based Regeneration	755.910
Dudley MBC	Glass Quarter	85.000
Dudley MBC	Invest in Dudley Bureau—(IDSS)	148.500
Dudley Training and Enterprise Council Ltd.	Centre for Competitive Manufacturing (Revenue)	198.721
East Staffordshire Borough Council	International Business Development Project, Burton on Trent	67.000
East Staffordshire Borough Council	Canal Street—Small Industrial Units	52.296
Economic Development Partnership	Post Start Business Support	485.000
Groundwork	Environmental Management Scheme	100.400
Heart of England Tourist Board	Themed Tourism Marketing Campaigns, HETB	240.323
Heart of England Tourist Board	Tourism Enterprise Growth Support Services	475.304
Ikon Gallery	New Premises for Ikon Gallery	991.500
Newcastle Borough Council	Silverdale Small Firms Centre (Phase 1)	282.000

Applicant	Project title	Grant (£)
Rowley Regis College	Advanced Technology and Design Centre, Rowley Regis	122.000
Sandwell College of FE and HE	The West Midlands Digital Imaging Centre, Sandwell	212.070
Sandwell Enterprise Limited	Management and Admin. of Financial Support Fund for SMEs	19.635
Sandwell Enterprise Limited	Innovation Support Services—New and Indigenous Businesses	9.900
Sandwell MBC	Technology Support and Innovation Project	255.000
Sandwell MBC	Brook Street Business Centre Phase 2 and 3	727.000
Sandwell MBC	Environmental Business Advice Project	38.302
Sandwell MBC	Black Country Automotive Components Unit, Sandwell	160.300
Shropshire County Council	Support for Small Businesses	31.100
Shropshire TEC	Step into Innovation	4.740
South Staffordshire Council	Hilton Cross Premium Peripheral Site	400.000
Staffordshire County Council	Holditch: reclamation, access servicing and redevelopment	2,500.000
Staffordshire University	Support for Innovation in Manufacturing	49.700
Stoke on Trent	Trentham Lakes	3,000.000
Stoke on Trent City Council	Etruria Valley	3,500.000
Stoke on Trent City Council	Gladstone Environmental Improvements	160.056
Stoke on Trent City Council	Burslem Resource and Exhibition Centre	18.346
The Institution of Electrical Engineers	Kingston Blds. Birmingham	817.200
University of Birmingham,	Environmental Research, Management and Technology	105.500
University of Birmingham	Nanoscale Physics Research Centre, Birmingham	560.000
University of Birmingham	Environment Research Man. and Technology, Birmingham	120.000
University of Central England in Birmingham	A Research and Support Centre for Multi-Media	585.000
University of Central England in Birmingham	A Research and Support Centre for Multi-Media	325.000
University of Warwick	International Manufacturing centre phase 1, Warwick University	890.500
Walsall College of Arts and Technology	Euro Design and Industrial Training Centre	700.000
Walsall MBC	Advice for new and ethnic minority businesses, Walsall	289.000
Walsall MBC	Pleck Gas Works	1,650.000
Walsall MBC	Economic Regeneration Initiative, Walsall	370.600
Warwickshire County Council	North Warwickshire Investment Campaign	40.700
West Midlands Enterprise Board Ltd.	Loss Control Support for SMEs	110.333
West Midlands Passenger Transport Executive	Midland Metro Line 1	31,033.000
West Midlands Passenger Transport Executive	Dudley–Rugeley Railway Line	1,062.500
West Midlands Passenger Transport Executive	Minor Rail Corridor improvement—6 Corridors	1,156.562
West Midlands Passenger Transport Executive	Birmingham City Centre Rail Station improvements	239.000
Wolverhampton MBC	Molineux Managed Workspace and Youth Enterprise Centre	901.300
Wolverhampton MBC	Wolverhampton Privately Led Site Infrastructure Improvements	725.000
Wolverhampton MBC	Springvale-site Preparation and Infrastructure	2,250.000
Wolverhampton MBC	Clothing Centre Cadcam Enhancement	69.600
Wolverhampton MBC	Environmental and Resource Management	194.000
Wolverhampton MBC	Engineering Industry Development	432.000

Dr. Jones: To ask the President of the Board of Trade if he will make a statement on the administrative arrangements for objective 2 programmes of the European regional development fund. [22827]

Mr. Oppenheim: Structural funds objective 2 programmes are administered by the Government offices in England and by the Scottish and Welsh offices and the Government of Gibraltar.

The programmes are monitored by monitoring committees in accordance with the Council regulations governing the funds and the requirements of single programming documents which set out the amounts, purposes and conditions of the grants.

Military Exports (Indonesia)

Mrs. Clwyd: To ask the President of the Board of Trade on how many occasions export licences have been granted for the export of military, security or police equipment to Indonesia since 1987. [23025]

Mr. Oppenheim: It has been the policy of successive Administrations not to disclose details of applications for export licences unless the requirements of confidentiality are outweighed by the public interest.

A statistical analysis of all export licences issued in 1995 has been placed in the Library of the House. A similar analysis for earlier years could be obtained only at disproportionate cost.

Mrs. Clwyd: To ask the President of the Board of Trade how many export licences have been granted for the export or transhipment of anti-ambush grenades to Indonesia since 1988. [23029]

Mr. Oppenheim: Since the beginning of 1991—the point from which full records are readily available—there have been no licences issued for anti-ambush grenades to Indonesia.

Information on earlier years could be obtained only at disproportionate cost.

Mrs. Clwyd: To ask the President of the Board of Trade how many export licences have been granted for the export or transhipment of anti-personnel fragmentation grenades to Indonesia since 1988. [23030]

Mr. Oppenheim: Since the beginning of 1991—the point from which full records are readily available—there have been no licences issued for anti-personnel fragmentation grenades to Indonesia.

Information on earlier years could be obtained only at disproportionate cost.

Police and Security Equipment (Arabian Peninsula)

Mrs. Clwyd: To ask the President of the Board of Trade what *(a)* funding and *(b)* authorisation his Department gave to the report "Police and Public Security Requirements for Equipment and Services in the Countries of the Arabian Peninsula", published in June 1994. [23031]

Mr. Oppenheim: The report was partially funded through the export marketing research scheme under the terms and conditions applicable at the time for trade associations using the scheme for the first time—75 per cent. The report covered six countries in the Arabian peninsula and was restricted to marketing research only.

The Department's role is to facilitate and encourage the use of export marketing research. It does not confer any "authorisation" to the result of that research.

Goods with potential military or public order applications normally require an export licence. The Government's policy is not to permit the export of such goods which may be used for the purposes of internal repression.

Parliamentary Questions

Mr. Donohoe: To ask the President of the Board of Trade how much his Department has spent in total in answering parliamentary questions in each parliamentary Session since 1989–90. [22877]

Mr. John M. Taylor: My Department does not calculate the data requested, and they could be provided only at disproportionate cost.

Competition Law

Mr. Faber: To ask the President of the Board of Trade what progress he has made with issuing a consultation document on the reform of competition law. [24008]

Mr. John M. Taylor: I have now issued the consultation document: "Tackling Cartels and the Abuse of Market Power: Implementing the Government's Policy for Competition Law reform." Copies have been placed in the Library of the House.

Director General of Telecommunications

Mr. Faber: To ask the President of the Board of Trade if he has yet received a report by the Director General of Telecommunications for the year 1995, as required under section 55 of the Telecommunications Act 1995. [24006]

Mr. Ian Taylor: Yes. The 12th report by the Director General of Telecommunications is being published today. It covers the period 1 January to 31 December 1995. Copies of the report have been laid before each House of Parliament.

Firework-related Injuries

Mr. Faber: To ask the President of the Board of Trade how many fireworks-related injuries were referred to hospitals in the period around 5 November 1995; and if he will make a statement. [24007]

Mr. John M. Taylor: An analysis of the figures for 1995 and for the previous four years will be placed today in the Library of the House.

Accident and emergency units in hospitals in Great Britain treated 1,530 people for injuries caused by fireworks, a decrease of 3 per cent. over the total reported for 1994. I am heartened that, despite the increases in sales of fireworks in recent times, we have seen a small reduction in the figures this year, and no fatalities. I believe this is in part due to the successful publicity campaign run by my Department and the fireworks industry, and planning for the 1996 fireworks safety campaign is already under way.

Nevertheless, I am concerned that firework injuries remain near 1994 levels. Particularly worrying is that a third of the injuries appear to be due to illegal misuse.

In addition, I am conscious of a number of wider concerns, illustrated by the representations my Department receives on the power and variety of fireworks now available to the general public and, in particular, growing concerns about whether the public should have access to types of fireworks which can cause particular distress to people and animals alike and have the potential to cause serious injury.

In the light of these considerations, and mindful of the review of explosives legislation which the Health and Safety Executive is carrying out and which may have implications for fireworks, I believe the time is now right for a review of the effectiveness of both voluntary and legislative measures dealing with the availability of fireworks. Accordingly, I have asked my officials, working with those in other interested Departments, to put in hand such a review.

I intend that we should seek views about the current controls on fireworks, and on possible ways in which such controls might be improved, from a wide range of interested groups and individuals. These consultations will take place during the summer.

Company Support (South-West)

Mr. Jamieson: To ask the President of the Board of Trade what was the total amount of financial support given by his Department to companies in the south-west in each of the last eight years; and how many companies received such financial support in each of those years. [20794]

Mr. Oppenheim *[holding answer 14 March 1996]:* Financial support in the south-west under each of the Department's principal regional, enterprise and technology schemes is shown in the table. Companies may have received support under more than one scheme or have received more than one payment under the same scheme; the absolute number of companies receiving support in any one year could be established only at disproportionate cost.

Regional Selective Assistance

Year	Number of payments	Total amount paid £ million
1988	77	3.054
1989	91	4.733
1990	95	5.035
1991	107	6.324
1992	94	4.346
1993	108	6.016
1994	118	7.058
1995	125	7.470

Regional Enterprise Grant

Year	Number of payments	Total amount paid £ million
1988	9	0.030
1989	70	0.284
1990	134	0.713
1991	161	0.931
1992	136	0.830
1993	124	0.700
1994	110	0.817
1995	105	0.834

Regional Development Grant Scheme II

Year	Number of payments	Total amount paid £ million
1988	683	6.929
1989	247	2.906
1990	81	2.391
1991	25	0.363
1992	2	0.003
1993	0	0.000
1994	1	0.209
1995	0	0.000

(Regional development grant scheme I closed in 1988, although relatively small volumes of payments continued after that date).

Small firms Merit Award for Research and Technology

Year	Number of businesses	Total amount paid £ million
1988	0	0
1989	2	0.075
1990	15	0.575
1991	30	1.228
1992	28	1.205

Small firms Merit Award for Research and Technology

Year	Number of businesses	Total amount paid £ million
1993	30	1.466
1994	33	1.487
1995	47	1.790

Support for Products under Research

Year	Number of businesses	Total amount paid £ million
1988	0	0
1989	0	0
1990	0	0
1991	0	0
1992	1	0.040
1993	4	0.163
1994	9	0.501
1995	18	1.225

Loan Guarantee Scheme

Financial year	Number of loan guarantees issued	Total value of guarantees £ million
1988–89	213	5.62
1989–90	350	9.46
1990–91	389	8.92
1991–92	472	10.16
1992–93	373	6.90
1993–94	617	21.91
1994–95	959	33.66
1995–96 (to date)	568	19.43

Consultancy Assistance (closed to new applications from September 1994)

Year	Number of completed projects	Total amount paid £ million
1988–89	15	0.778
1989–90	1,181	2.777
1990–91	1,028	3.420
1991–92	1,183	4.476
1992–93	903	3.670
1993–94	840	2.956
1994–95	361	0.931
1995–96	n/a	n.a

1. n/a = not available.
2. For RSA, REG, RDG and the enterprise initiative consultancy scheme the figures shown are of the number of payments made in any year. The same company may have received more than one payment in any year.
3. For LGS, the figures shown are of the number of loans guaranteed. A company may have had more than one loan guaranteed.
4. For EICS, the figures shown are of number of completed projects. Projects may have involved more than one payment. The total amount figures include the cost of initial business reviews which were free to companies. EICS payments were to the contractor consultants employed by DTI and not direct to companies who met the balance of the cost.

Firearms

Mr. Corbyn: To ask the President of the Board of Trade how many *(a)* handguns, *(b)* semi-automatic weapons and *(c)* automatic weapons were imported into the United Kingdom for non-military activity for each year since 1985; and if he will make a statement. [21713]

Mr. Oppenheim *[holding answer 19 March 1996]:* The information is not available because the system of classification under which United Kingdom trade is recorded does not separately identify handguns, semi-automatic and automatic weapons.

The total figures are given:

UK Imports of Non-MilitaryArms

Year	*Number*	*Year £000*
1985	192,605	12,578
1986	192,001	16,093
1987	182,203	16,438
1988	179,696	13,584
1989	178,153	14,986
1990	167,799	14,504
1991	167,796	13,081
1992	184,161	11,753
1993	R	12,657
1994	R	13,845
1995	R	15,599

Notes:
1. Non-Military arms are defined by heading 894.6 of the Standard International Trade Classification (Revision 2) for 1985–1987, and heading 891.3 of SITC (REV 3) for 1988–1995.
R = Restricted due to commercial confidentiality.
Source:
Overseas Trade Statistics of the United Kingdom.

Loan Guarantee Scheme

Mr. Jamieson: To ask the President of the Board of Trade what was the value of the loan guaranteed by his Department to Queensbury International Ltd., Plymouth under the loan guarantee scheme in 1994. [22568]

Mr. Oppenheim *[holding answer 25 March 1996]:* This information is commercially confidential between the Department and the lender.

Merseyside Dock Dispute

Mr. Parry: To ask the President of the Board of Trade what is the latest development at the Advisory, Conciliation and Arbitration Service in respect of the Merseyside dock dispute; and if he will make a statement. [22124]

Mr. John M. Taylor *[holding answer 26 March 1996]:* I understand that the independent Advisory, Conciliation and Arbitration Service is in touch with the parties and is available to become involved if both sides so wish.

Departmental Secondment

Mr. Caborn: To ask the President of the Board of Trade if, pursuant to his answer of 14 February, *Official Report,* columns *637–40,* he will describe the role of those on temporary secondment to his Department through *(a)* the export promoter initiative and *(b)* the programme of interchange of staff with the private sector; and if he will state the duration of the secondments. [22789]

Mr. John M. Taylor *[holding answer 27 March 1996]:* The role of individuals seconded into the Department as part of the export promoter initiative is to identify export opportunities and to advise UK companies on the best ways in which to pursue them. The role of individuals seconded into the Department as part of the on-going programme of interchange of staff with the private sector varies according to the division in which they work. Details can be provided only at disproportionate cost.

The duration of export promoters' secondment is usually about two years. Other secondments vary in length, and are usually between one and three years.

FOREIGN AND COMMONWEALTH AFFAIRS

Cyprus

Mr. John D. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy in respect of the retention of *(a)* sovereign bases and *(b)* troops at sovereign bases in Cyprus. [23040]

Mr. Soames: I have been asked to reply.

Under the 1960 treaty concerning the establishment of the Republic of Cyprus—Cmnd. 1252—the United Kingdom retained two sovereign base areas at Akrotiri and Dhekelia for use solely as military bases. The bases and the associated garrisons provide facilities for strategic communications, including the major airfield at RAF Akrotiri, as well as hot weather training. We do not envisage any significant changes in the requirement for the sovereign base areas.

NORTHERN IRELAND

Consultations

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland, pursuant to the oral statement by the Prime Minister on 28 February, *Official Report,* columns 900–12, if he will list the names of the Northern Ireland parties which are qualified to be involved in the intensive consultations beginning on Thursday 4 March; and if he will list the names of those parties with a mandate which have not been invited to participate in the consultations. [18931]

Sir Patrick Mayhew: The following parties were involved in the intensive consultations announced in the Prime Minister's statement of 28 February 1996:

the Alliance party of Northern Ireland, Democratic Left, Progressive Unionist party, Northern Ireland Conservative Association, Social Democratic and Labour party, Ulster Democratic Unionist Party, Ulster Democratic party, Ulster Unionist party, Workers' party and Mr. Robert McCartney QC MP.

Because of the ending of the IRA ceasefire, Sinn Fein excluded itself from the consultation process and no other parties were invited to participate.

Quangos

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many quasi-autonomous non-governmental organisations there are in Northern Ireland; and how many there were *(a)* five and *(b)* 10 years ago. [22441]

Sir John Wheeler: The current number of quasi-autonomous non-governmental organisations in Northern Ireland is 98. In 1990 and 1985 respectively, the number was 116 and 117.

Sir Len Peach

Mr. William Ross: To ask the Secretary of State for Northern Ireland by what means Sir Len Peach is informed that persons proposed for public appointments are the nominees of the Government of the Irish Republic; and how many such persons have been appointed to which posts since Sir Len Peach took up his office. [22138]

Sir John Wheeler: The role of Sir Len Peach as Commissioner for Public Appointments for Northern Ireland is to monitor, regulate and approve departmental appointments procedures, to publish guidance for Departments on the new procedures they will be expected to follow in making public appointments from July of this year, and to produce a code of practice and an annual report. The commissioner will not be involved in the process of making any public appointments and will not, therefore, receive identifying information on persons proposed by the Irish Government. Departments' procedures will be subject to audit. In addition, the commissioner will be able to investigate and deal with complaints.

Four persons proposed by the Irish Government have taken up public appointments since 18 December 1995, the date on which Sir Len Peach took up office. It is not my practice to publish details of individuals so appointed.

Public Bodies

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how much money non-departmental public bodies in Northern Ireland distributed *(a)* in the last financial year, *(b)* five and *(c)* 10 years ago. [22437]

Sir John Wheeler: The information requested is as follows:

1994–95: £208,054,987

1989–90: £132,339,172

1984–85: £241,383,006.

Mr. Taylor: To ask the Secretary of State for Northern Ireland how many complaints concerning non-departmental public bodies have been received by the Parliamentary Commissioner for Administration in Northern Ireland in the last year for which figures are available; how many complaints were upheld; and what were the equivalent figures for *(a)* five and *(b)* ten years ago. [22439]

Sir John Wheeler: The Northern Ireland Parliamentary Commissioner for Administration investigates complaints of alleged injustice as a consequence of maladministration by Northern Ireland Departments, including their agencies, while the Northern Ireland Commissioner for Complaints investigates similar complaints against local and public bodies.

In 1995, the Commissioner for Complaints received 291 complaints against non-departmental public bodies and, of these, 24 were upheld. The equivalent figures for five years ago and 10 years ago are as follows: 256 complaints received in 1990 of which seven were upheld; 338 complaints received in 1985 of which 10 were upheld.

Mr. Taylor: To ask the Secretary of State for Northern Ireland how many people sit on the boards of non-departmental public bodies in Northern Ireland; how many people are on more than one non-departmental public body; and if he will list the names of those sitting on more than one non-departmental public body indicating the organisations concerned. [22438]

Sir John Wheeler: The information requested by the right hon. Gentleman has been placed in the Library of the House.

McBride Principle

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will list those American-owned businesses in Northern Ireland which operate the McBride principle. [22158]

Mr. Ancram: This information is not held by the Government. It is a matter for the companies concerned.

Marine Pollution

Mr. Dafis: To ask the Secretary of State for Northern Ireland if he will publish details of the measures taken in Northern Ireland following the recommendations of the 1995 world Government meeting on land-based sources of marine pollution; and if he will make a statement. [22232]

Mr. Moss: The UK delegation took a leading part in the conference organised by the UN Environment Programme in Washington DC on 23 October to 3 November 1995, which adopted the global programme of action for the protection of the marine environment from land-based activities. This programme of action reflects the approach being adopted throughout the United Kingdom, and by the other states in north-west Europe, to this task. Implementation in Northern Ireland will, therefore, be achieved by continuing our present policies.

Equal Opportunities

Mr. David Shaw: To ask the Secretary of State for Northern Ireland what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22505]

Sir John Wheeler: Within the Northern Ireland Office, Northern Ireland Department and their agencies, information in respect of alleged equal opportunities breaches which did not proceed to tribunals or courts is as follows:

Northern Ireland Office and Northern Ireland Departments

	(a) Northern Ireland Office and Northern Ireland Departments	*(b)Next steps agencies*
1995—96		
Staff	1	—
Amount (£)	3,400	—
1994–95		
Staff	2	2
Amount (£)	11,500	11,000

Northern Ireland Office and Northern Ireland Departments

	(a) Northern Ireland Office and Northern Ireland Departments	*(b)Next steps agencies*
1993–94		
Staff	4	—
Amount (£)	31,500	—

There have been no alleged equal opportunities breaches that have proceeded to a tribunal or court which have resulted in payment of a compensatory award.

Information regarding non-departmental public bodies and other organisations is not held centrally and could be obtained only at disproportionate cost.

Students

Mr. Bryan Davies: To ask the Secretary of State for Northern Ireland what estimate he has made of the total assessed parental contribution to higher education student's maintenance awards. [22222]

Mr. Ancram: The total assessed parental contribution for 1994–95, the last complete year for which information is available, was £13.3 million.

Special Educational Needs

Mr. Worthington: To ask the Secretary of State for Northern Ireland what is the current provision for children in Northern Ireland with special educational needs. [22557]

Mr. Ancram: A wide range of provision is available for children in Northern Ireland with statements of special educational needs.

Education and library boards may place such children at special schools, at special education units attached to mainstream schools or in mainstream schools themselves. Special education may also be provided other than at grant-aided schools in Northern Ireland; such provision may, where appropriate, take the form of tuition in a hospital or at home, at an independent school in Northern Ireland or at an educational institution outside Northern Ireland.

Teachers (Early Retirement)

Mr. Worthington: To ask the Secretary of State for Northern Ireland how many teachers in Northern Ireland have taken premature retirement due to *(a)* ill-health and *(b)* other reasons in each of the past 10 years. [22561]

Mr. Ancram: The number of teachers who have taken premature retirement due to ill health and for other reasons in each of the last 10 years is set out in the table:

Financial year	*Ill health retirements*	*Other retirements*
1986–87	58	226
1987–88	82	224
1988–89	70	314
1989–90	105	306
1990–91	103	409
1991–92	85	383
1992–93	115	280
1993–94	136	248
1994–95	159	258
1995–96	191	229

Nursery Education

Mr. Worthington: To ask the Secretary of State for Northern Ireland how many nursery places are currently available in Northern Ireland. [22591]

Mr. Ancram: A total of 6,600 full-time equivalent places are available at grant-aided nursery schools and nursery units attached to grant-aided primary schools.

Department of Finance and Personnel

Mr. Nigel Evans: To ask the Secretary of State for Northern Ireland what progress has been made in establishing the social and statistics division of the Department of Finance and Personnel as a next steps agency. [23319]

Sir John Wheeler: The social and statistics division of the Department of Finance and Personnel, including the census office and general register office, will be established as an executive agency on 1 April 1996. It will be known as the Northern Ireland Statistics and Research Agency.

I have set a number of key performance targets for the agency to achieve in its first year. These are as follows:

- 85 per cent. of key Government users of the agency surveyed rating its overall service as satisfactory or better;
- 80 per cent. of registered non-Government users of the agency surveyed rating its overall service as satisfactory or better;
- to produce at least 40 statistical publications;
- to process 95 per cent. of general register office postal and personal applications within eight and three working days respectively;
- to reduce by 2 per cent. the unit cost of producing certificates by the general register office;
- to achieve a minimum 3 per cent. efficiency saving.

Copies of the framework document, which sets out the terms within which the agency will operate, will be placed in the Library, along with its first corporate and business plan.

Accident and Emergency Services

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many patients each hospital trust is contracted to treat in accident and emergency in the Eastern health and social services board area; how many each treated in accident and emergency in the last year for which figures are available; and what was the percentage difference from contract in each case. [22921]

Mr. Moss: Contracts for accident and emergency services do not specify the number of patients to be treated, as such services are demand led. However, some contracts may include indicative figures based on the number of patients treated in the previous year. These may in some cases be used as a basis for renegotiating contract values during the year.

The number of actual attendances at accident and emergency departments at each of the hospital trusts in the Eastern board area in 1994–95 were as follows:

	Number
Belfast City Hospital HSS trust	51,036
Ulster, North Down and Ards Hospitals HSS trust	80,281
Royal Group of Hospitals HSS trust	105,462
Down Lisburn HSS trust	53,470
Mater Infirmorum Hospital HSS trust	42,491

Births

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many births occurred in each of the last five years in each health and social services board area; and what this was as a percentage of the total population in each area. [22922]

Sir John Wheeler: The general register office for Northern Ireland collects information on the population and the number of births occurring in each of the district council areas in Northern Ireland. The figures have been aggregated for each of the four health and social services board areas.

As the most recent information available is for 1994, the data requested are as follows:

Live births occurring in each area

Health and social services board area	*1990*	*1991*	*1992*	*1993*	*1994*
Eastern	10,133	10,273	9,888	9,511	9,179
Northern	6,196	6,038	6,052	5,918	5,881
Southern	5,301	5,248	5,007	4,844	4,868
Western	4,869	4,706	4,625	4,636	4,361
Northern Ireland	26,499	26,265	25,572	24,909	24,289

Live births occurring in each area as a percentage of the total population in each area

Health and Social Services Board Area	*1990*	*1991*	*1992*	*1993*	*1994*
Eastern	1.56	1.57	1.5	1.43	1.38
Northern	1.57	1.52	1.5	1.46	1.44
Southern	1.86	1.82	1.72	1.65	1.64
Western	1.87	1.79	1.74	1.73	1.62
Northern Ireland	1.67	1.64	1.58	1.53	1.48

Family Planning

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what was the spending on the provision of family planning services in each health and social services area in the last year for which figures are available. [22923]

Mr. Moss: Health and personal social services providers spent £1,537,770 on the provision of family planning services in the 1994–95 financial year.

The breakdown over health and social services areas is given in the table.

Family planning services expenditure 1994–95

Area	*Expenditure £*
Northern board	189,759
Southern board	249,447
Eastern board	891,667
Western board	206,897
Total	1,537,770

EC (Civil Service Employment)

Mr. McNamara: To ask the Secretary of State for Northern Ireland what are the implications of the European Communities (Employment in Civil Service) Order 1991 for a person born and resident in Northern Ireland but holding a passport issued by the Republic of Ireland in respect of employment in the Northern Ireland civil service; and if he will list all the posts and departmental agencies to which the order applies. [22925]

Sir John Wheeler: Persons born and resident in Northern Ireland, but holding a passport issued by the Republic of Ireland, provided they still hold British nationality, are eligible for employment in any post in the Northern Ireland civil service in the same way as any other British national. Those who surrender British nationality in favour of Irish citizenship come within the ambit of the European Communities (Employment in the Civil Service) Order 1991 and are eligible, with nationals of other EC—now EEA since the European Economic Area Act 1993—member states and certain members of their families, for appointment to approximately 24,500 posts in the Northern Ireland civil service, or 75 per cent. which do not constitute "employment in the public service" in EC treaty terms. The posts in question are spread across all Northern Ireland Departments and the Northern Ireland Office and their agencies and could be listed only at disproportionate cost.

A8

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will make a statement on the Department of the Environment Northern Ireland roads service plans for upgrading the A8 from Gingles corner, Larne, to Corrs corner. [21025]

Mr. Moss *[holding answer 18 March 1996]:* Proposals for the upgrading of the A8 Larne to Belfast road are included in the Department's six to 15-year major road works programme where their priority will be determined as part of a detailed review to be completed later this year.

HEALTH

Pharmacists

Mr. Pearson: To ask the Secretary of State for Health if he will publish his Department's calculations of the working capital requirements for pharmacists; and what have been the changes to the calculated requirements since 1989. [19209]

Mr. Malone: Updating the results of the previous cost enquiries gives a working capital for the median pharmacy of £22,533 in 1989–90 and £35,741 in 1994–95. The cost of servicing working capital is dependent on variations in interest rates.

NHS Managers and Clinicians

Mr. Meale: To ask the Secretary of State for Health if he will list by health authority the numbers and amounts of irregular special payments made to NHS managers and clinicians in each of the last three years. [19663]

Mr. Malone: I refer the hon. Member to the Comptroller and Auditor General's reports on the NHS summarised accounts for England for 1994–95, 1993–94 and 1992–93, his report on the inquiry commissioned by the NHS chief executive into matters concerning the former Yorkshire regional health authority and the Department of Health appropriation accounts for 1994–95, 1993–94 and 1992–93, copies of which are available in the Library.

Adoption

Mr. Thurnham: To ask the Secretary of State for Health what representations he has received about the directive on adoption issued by his Department to directors of social services on 1 February; and if he will make a statement. [22236]

Mr. Bowis: The Department has received three letters, two of which were from voluntary adoption agencies, following the issue of the guidance on adoption matters on 1 February. A response to these will be sent shortly.

NHS Staff

Mr. Barron: To ask the Secretary of State for Health what remedies are available to *(a)* himself, *(b)* the NHS chief executive and *(c)* chief officers of local health service bodies, to recover money wrongly paid to NHS employees when they (i) change employer within the NHS or (ii) leave the employ of the NHS. [22738]

Mr. Malone: Each national health service trust or health authority is an independent statutory body for the purposes of employment law. Chief officers of health service bodies have the normal remedies in law available to them to recover moneys wrongly paid to their employees, whether they are now employed by another NHS body or have left the employ of the NHS. Neither my right hon. Friend the Secretary of State for Health nor the chief executive employ NHS staff.

Estates Officers

Mr. Spellar: To ask the Secretary of State for Health (1) how many NHS estates officers have been made redundant in the last five years; and what has been the cost of the redundancy packages involved for these officers; [22887]

(2) how many estates officers are currently employed in the NHS; and what was the equivalent figure five years ago. [22886]

Mr. Malone: Information on the numbers of estates officers made redundant and the costs involved is not available centrally. The Department of Health's annual hospital and community health services non-medical work force census collects information on the number of estates officers—known in the census as works staff—employed by the HCHS. Census results for September 1994, the latest year for which figures are available, and earlier years are published in the Department of Health's NHS HCHS non-medical work force census statistical bulletin 1984–1994, which is available in the Library.

NHS Maintenance

Mr. Spellar: To ask the Secretary of State for Health what are the latest figures for the backlog of maintenance work in the NHS. [22888]

Mr. Horam: The latest figures collected relating to backlog maintenance are for the year ending 31 March 1995. These total £2.32 billion for all buildings in the national health service estate.

Information

Mr. Miller: To ask the Secretary of State for Health if patient consent is required before identifiable health information held by his Department is shared with other Government Departments. [22911]

Mr. Horam: The Department of Health does not routinely hold information about individual patients. The sharing of any such information is covered by the Department's guidance, "The Protection and Use of Patient Information", published on 7 March, copies of which are available in the Library.

Tuberculosis

Mr. Spellar: To ask the Secretary of State for Health how many new cases of tuberculosis were identified in each of the last three years; what steps his Department is taking to reduce the incidence; and what evidence his Department has evaluated in respect of the emergence of drug-resistant forms. [22893]

Mr. Horam: The numbers of notifications of cases of tuberculosis—excluding chemoprophylaxis—in England in each of the last three years are shown in the table.

Year	*Number of notifications*
1993	5,721
1994	5,409
1995 (provisional)	5,426

Source:
OPCS.

The table lists notifications made during a single year, it does not show when infection occurred.

The United Kingdom has an excellent record of tuberculosis control. This has been achieved and maintained through treatment of identified cases and screening of their close contacts, screening and treatment for immigrants, the BCG immunisation programme and active surveillance of TB.

In response to the small rise in tuberculosis notifications in the early 1990s, the United Kingdom health departments set up an interdepartmental working group on tuberculosis with a remit to consider policies for TB control in the UK and to recommend best practice. The first reports from the working group, which are entitled "Recommendations for the Prevention and Control of Tuberculosis in Districts" and "Tuberculosis and Homeless People", will be published shortly and copies will be placed in the Library.

The public health laboratory service has heightened surveillance of drug-resistant tuberculosis which remains at low levels in the UK. An expert working group has been set up under the interdepartmental working group on tuberculosis to make specific recommendations for the prevention and control of drug-resistant tuberculosis based on all the available evidence.

Asthma

Mr. Gordon Prentice: To ask the Secretary of State for Health if he will make asthma a notifiable disease. [22953]

Mr. Horam: No. Asthma is not infectious or otherwise communicable. It would not be appropriate to make it a notifiable disease.

NHS Trusts

Mr. Timms: To ask the Secretary of State for Health (1) what proposals he has to reflect more fully the costs of *(a)* homelessness and *(b)* working with patients with a poor knowledge of English in the funding of NHS trusts; [23344]

(2) what plans he has to introduce needs weighting to the community element of the NHS weighted capitations formula. [23381]

Mr. Horam: The formula takes account of the officially homeless in temporary accommodation and from 1996–97, health authority allocations reflect a new adjustment to take account of homeless "rough sleepers."

A study is being undertaken to look at unavoidable variations in provider costs, including those associated with treating patients from ethnic minorities, with the intention of reflecting such variations in health authority allocations. Work is also in hand to develop a needs weighting for community health services and it may be possible to have an interim needs weighting available to inform 1997–98 allocations.

North Tees General Hospital

Mr. Frank Cook: To ask the Secretary of State for Health how many vacancies there are for *(a)* nurses, *(b)* junior doctors, *(c)* middle-range doctors and *(d)* consultants at North Tees general hospital, Stockton on Tees; if his Department is meeting patient charter requirements for waiting times in accident and emergency; and if he will make a statement about the future of accident and emergency services at the hospital. [23303]

Mr. Horam: Vacancies for nurses, junior doctors, middle-range doctors and consultants at North Tees general hospital are a matter for North Tees Health national health service trust. The hon. Member may wish to contact Mrs. Judyth Graham-Bowman, chairman of the trust, for details.

Details of the proportion of patients assessed within five minutes of arrival in accident and emergency departments are contained in the NHS performance guide 1994–95, copies of which are available in the Library.

Accident and emergency services on Teeside are a matter for Tees health authority. The hon. Member may wish to contact the chairman of the authority, Mr. Tom O'Connor, for details.

Adoption Bill

Mr. Deva: To ask the Secretary of State for Health what arrangements he has to publish the Adoption Bill for England and Wales; and if he will make a statement. [24067]

Mr. Bowis: I am pleased to announce that the Adoption Bill has been published today in the form of a consultation document and is being distributed widely. Copies will be placed in the Library. Comments on the content of the Bill will be welcome and three months will be allowed for this.

Committee on Safety of Medicines

Mr. Simon Hughes: To ask the Secretary of State for Health, pursuant to his answer of 11 December, *Official Report*, column *522*, if Dr. Janet Derbyshire, Professor Michael Rawlins or Professor Michael Langman were present at the meeting of the Committee on Safety of Medicines held on 13 October 1995. [22525]

Mr. Malone: Proceedings of the committee are confidential.

Mr. Hughes: To ask the Secretary of State for Health, pursuant to his answer of 14 December, *Official Report*, column *811*, how many orders under schedule 1 to the Medicines Act 1968 have been made with respect to sub-committees of advisory committees set up under the terms of section 4 of the Medicines Act 1968; and if ministerial approval has been given for the establishment of any sub-committee of the Committee on Safety of Medicines as provided for by *(a)* regulation 6 of the Medicines Commission and Committee Regulations 1970 and *(b)* paragraph 1(c) of schedule 1 to the Medicines Act 1968. [22526]

Mr. Malone: Schedule 1 to the Medicines Act 1968 does not contain any power to make orders but I refer the hon. Member to the reply I gave the hon. Member for Gordon (Mr. Bruce) on 14 December 1995 at column *811*, which stated that one set of regulations has been made under that schedule.

Ministers have approved the establishment of each of the three sub-committees of the Committee on Safety of Medicines as required by regulation 6(1) of those regulations.

Bovine Spongiform Encephalopathy

Mrs. Ewing: To ask the Secretary of State for Health what have been the levels of expenditure in 1996 prices of Government-sponsored medical research into the incidence of *(a)* scrapie in sheep, *(b)* BSE in cattle and *(c)* Creutzfeldt-Jakob disease in humans for each five-yearly period since 1970; and if he will provide a breakdown of that research with regard to (i) epidemiological and (ii) neuro-pathological studies. [23369]

Mr. Horam: The Government have carried out extensive veterinary and basis biological research on the epidemiology of scrapie and bovine spongiform encephalopathy. Much of this work has been done at the Central Veterinary Laboratory and the Biotechnology and Biological Sciences Research Council's—formerly the Agricultural Food Research Council's—Institute of Animal Health. Details of the funding of this work broken down in the way requested for the years specified would

be available only at disproportionate cost. However, from 1991 to the present, the Ministry of Agriculture Fisheries and Food has spent about £20 million on research in these areas.

The Department of Health had provided £809,000[1] for epidemiological studies and £658,000[1] for neuropathological studies in relation to Creutzfeldt-Jakob disease—CJD—in the period covering the financial years 1990–91 to 1995–96. As my right hon. Friend the Secretary of State announced on 20 March, the Department is making an additional £4.5 million available for further research.

The Medical Research Council contributes approximately £600,000 per year to the core costs of the joint Biotechnology and Biological Sciences Research Council—BBSRC/MRC—neuropathogenesis unit which carries out research related to the epidemiology and neuropathology of CJD. In addition, the MRC awarded the national CJD unit £229,000 in January 1993 for a two-year study to investigate the prion protein in human spongiform encephalopathies. The MRC also awarded the NPU £274,000 in March 1994 for a three-year study to investigate the strain characterisation of the CJD agent by transmission to mice. The MRC funded a project in the 1980s on the epidemiology of CJD, risk factors and person to person transmission. Further information from the MRC could be provided only at disproportionate cost.

[1] Expenditure expressed in 1996 prices.

Mr. Simon Hughes: To ask the Secretary of State for Health how many cases of Creutzfeldt-Jakob disease have been detected in each European country in each of the last 10 years; and how many people are estimated to have died in each country in each of the last 10 years as a result of this disease. [23196]

Mr. Horam: Since 1993, the European Community has funded a project to co-ordinate the surveillance of Creutzfeldt-Jacob disease in those European countries with existing or proposed national CJD surveillance programmes, that is, France, Germany, Italy, the Netherlands and the United Kingdom. This project is co-ordinated by the national CJD surveillance unit in Edinburgh. The data collected for 1993 and 1994 were published in the national CJD surveillance unit's fourth annual report in August 1995, copies of which have been placed in the Library. The incidence of CJD in the UK is similar to that in the other European countries taking part in the project. The figures for 1995 are not yet available.

Dr. Strang: To ask the Secretary of State for Health further to his oral statement of 20 March, *Official Report*, column 378, that the facts upon which the Spongiform Encephalopathy Advisory Committee based its deliberations would be made public, if he will set out which journals and on what dates each paper will be published. [23206]

Mr. Horam: Arrangements are in hand to publish the evidence about a previously unrecognised form of Creutzfeldt-Jakob disease in a scientific journal as soon as is practicable.

Public Bodies

Dr. Wright: To ask the Secretary of State for Health if he will list those of his Department's advisory non-departmental public bodies which *(a)* the Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish their response to advice supplied by them. [21858]

Mr. Horam *[holding answer 21 March 1996]:* The Government are required to:

Consult the following advisory non-departmental public bodies prior to legislative proposals:

Committee on the Safety of Medicines;

Medicines Commission;

Publish its response to advice supplied by advisory non-departmental public bodies:

none.

AGRICULTURE, FISHERIES AND FOOD

Common Agricultural Policy

11. **Mr. David Atkinson:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the external factors which will require common agricultural policy reform. [21614]

Mr. Douglas Hogg: The current general agreement on tariffs and trade constraints, particularly on subsidised exports, will require reform of CAP regimes in due course to prevent re-emergence of unsaleable food surpluses. World Trade Organisation negotiations designed to take forward the process of reducing subsidies and protection, due to start in 1999, and enlargement of the EU will intensify the pressures for reform.

13. **Mr. Dykes:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to ensure that common agricultural policy reform is addressed by the Commission. [21616]

18. **Mrs. Gorman:** To ask the Minister of Agriculture, Fisheries and Food if he will list those elements of the common agricultural policy which he has assessed as requiring to be reformed. [21622]

Mr. Baldry: I refer my hon. Friends to the answer that my right hon. and learned Friend gave today to the hon. Member for Bradford, South (Mr. Sutcliffe).

Sea Bass

12. **Mr. Barry Field:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to preserve the breeding stocks of sea bass. [21615]

Mr. Baldry: Recent estimates indicate a substantial increase in the size of the bass stock since conservation measures were introduced in 1990, with possibly as much as a doubling of the resource in the eastern English channel, which includes the waters around the Isle of Wight.

Welsh Lamb

14. **Mr. Martyn Jones:** To ask the Minister of Agriculture, Fisheries and Food what representations were made to the European Commission by his Department to have Welsh lamb designated as a regional product. [21618]

Mrs. Browning: None, but we have received a couple of applications in the last few weeks for Welsh meat and my officials are actively discussing these with the applicants.

I should add that when I visit food fairs and exhibitions abroad, I lose no opportunity to promote and point out the unique qualities of Welsh lamb, which I do to a receptive audience.

Hill Livestock Compensatory Allowances

15. **Mr. Nicholls:** To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received concerning the level of hill livestock compensatory allowance. [21619]

Mr. Boswell: I receive many representations concerning the levels of hill livestock compensatory allowances.

Battery Cage Systems

17. **Mr. Ashby:** To ask the Minister of Agriculture, Fisheries and Food what action he is taking to instigate a review of the welfare of chickens in battery cage systems within the Council of Ministers. [21621]

Mrs. Browning: I have pressed the European Commission to update the scientific assessment prepared in 1992 and to bring forward proposals to the Council. The Commission has responded by setting the Scientific Veterinary Committee to work.

Fisheries Policy

19. **Mr. Nicholas Winterton:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on fisheries policy. [21623]

Mr. Baldry: The Government's policy is to promote more efficient and sustainable exploitation of fisheries resources to benefit both the UK industry and the marine environment.

Countryside Stewardship Scheme

20. **Sir Michael Shersby:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to expand the countryside stewardship scheme. [21624]

Mr. Boswell: When the scheme transfers to the Ministry on 1 April, it will be considerably expanded to become the main incentive scheme for the wider countryside outside environmentally sensitive areas. We have substantially increased funding for the scheme, enabling new agreements costing £5 million annually to be approved in each of the next two financial years. We will expand the existing priority landscapes and features to cover all old meadows and pastures on neutral and acid soils in England, stone walls and banks throughout England, and arable field margins. We consulted widely on our detailed proposals by issuing a consultation paper on 8 December.

Animal Welfare

21. **Mr. Deva:** To ask the Minister of Agriculture, Fisheries and Food what proposals he has to add a protocol on animal welfare to the treaty of Rome; and what has been the response of animal welfare groups in the United Kingdom. [21625]

Mrs. Browning: The White Paper "A Partnership of Nations" published on 12 March confirmed our intention to propose that a protocol be added to the treaty of Rome placing an obligation on the Council of Ministers to give full regard to considerations of animal welfare in the exercise of its powers on agriculture, transport, research and the single market.

Southall Horse Market

22. **Mr. Harry Greenway:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the current tethering, watering, feeding and demonstration arrangements at the Southall horse market; and if he will make a statement. [21626]

Mrs. Browning: Ministry officials regularly visit the market to assess compliance with the Welfare of Horses at Markets (and Other Places of Sale) Order 1990. No problems were reported on the most recent visit to the market.

Common Fisheries Policy

23. **Dr. Godman:** To ask the Minister of Agriculture, Fisheries and Food if, when he last met representatives of the fishing industry, they discussed matters relating to the common fisheries policy and fish stock conservation; and if he will make a statement. [21627]

Mr. Baldry: I last met representatives of the National Federation of Fishermen's Organisations and of the Scottish Fishermen's Federation on 14 March. We discussed a range of matters relating to the common fisheries policy and fish stock conservation.

Agricultural Wages Board

24. **Mr. MacShane:** To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the impact on the agriculture industry of pay settlements agreed by the agricultural wages board; and if he will make a statement. [21628]

Mr. Boswell: Following each pay settlement, the Ministry makes an assessment of the overall cost to the agricultural industry. We also commission more detailed, and external, studies from time to time. The most recent study was carried out by the London school of economics in 1993. This considered the overall impact of minimum wages on employment in the agricultural industry, as part of our wider review of the operation of the agricultural wages board. A copy of this study was placed in the Library of the House in July 1994.

Horticulture Industry

25. **Mr. Luff:** To ask the Minister of Agriculture, Fisheries and Food what studies he has conducted into the impact of enlargement of the European Union on the British horticulture industry. [21629]

Mr. Boswell: The enlargement of the European Union will present challenges and opportunities to the British horticulture industry. Its impact will, as for other sectors, depend on a number of factors including economic developments in the industry, the policies pursued both here and in the prospective new member states in the pre-accession period and the arrangements for horticultural products agreed during the enlargement negotiations. The European Council in Madrid has requested the Commission further to evaluate the effects of enlargement on Community agricultural policies and these reports will be reviewed at its next meetings.

Live Animal Transport

26. **Dr. Spink:** To ask the Minister of Agriculture, Fisheries and Food what action he plans to take to improve the welfare of farm animals during transportation. [21630]

Mrs. Browning: We are currently engaged, in consultation with all organisations with an interest, in developing our plans for implementing the improved welfare requirements laid down by EU directive 95/29 on the protection of animals during transport.

Hedgerows and Headlands

Mr. Corbyn: To ask the Minister of Agriculture, Fisheries and Food what advice he has given to farmers regarding the preservation of hedgerows and headlands. [21620]

Mr. Boswell: The preservation of hedges and headlands is given priority under relevant agri-environment schemes and during free on-farm conservation visits.

Food Processing

Mr. Hawkins: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the food processing sector in *(a)* the Untied Kingdom and *(b)* other EU member states. [21605]

Mrs. Browning: The food and drink manufacturing industry contributes nearly 3 per cent. to gross domestic product. The value added by the industry—at about £14 billion—is the second largest among EU member states.

Research Establishments

Mrs. Anne Campbell: To ask the Minister of Agriculture, Fisheries and Food which former public sector research establishments in his Department have been privatised since 1979; and which public sector research establishments in his Department are currently undergoing reviews with a view to placing them in the private sector. [21951]

Mr. Boswell: There have been no such establishments privatised during the period in question. As regards on-going reviews, I refer the hon. Member to the timetable of prior options reviews outlined by my right hon. Friend the President of the Board of Trade in his reply on 26 January, *Official Report*, columns *421–23*. Each review will address the relationship of establishments to others working in similar or related fields and consider, among other things, the potential for privatisation or rationalisation.

Bovine Spongiform Encephalopathy (Abattoir Workers)

Mr. Bayley: To ask the Minister of Agriculture, Fisheries and Food what safeguards have been introduced to protect abattoir workers from the risk of infection by the BSE virus; when these safeguards were introduced; and how they are monitored and enforced. [21661]

Sir Paul Beresford: I have been asked to reply.

Guidance for abattoir workers recommending the precautions to be taken to avoid the remote risk of transmission of BSE from bovine carcases was first issued in March 1990. The guidance was prepared by the Health and Safety Executive in co-operation and with the endorsement of the Department of Health and the Ministry of Agriculture, Fisheries and Food and was published by the British Meat Manufacturing Association.

No cases of occupational transmission to humans have been identified. However, following the statement by my right hon. Friend the Secretary of State for Health to the House on 20 March, *Official Report*, columns 375–86, the HSE has asked the Advisory Committee on Dangerous Pathogens to review the guidance which has been issued to all occupational groups, including abattoir workers.

Inspection of abattoirs with regard to all aspects of human health and safety is the responsibility of HSE inspectors. The Health and Safety at Work, etc. Act 1974 and regulations made under it apply.

Written Answers to Questions

Friday 29 March 1996

NORTHERN IRELAND

Primary Education

Mr. Worthington: To ask the Secretary of State for Northern Ireland what percentage of children at *(a)* primary level and *(b)* post-primary level are in integrated education in Northern Ireland. [22559]

Mr. Ancram: The percentage of children in integrated education is *(a)* 1.6 per cent. at primary level and *(b)* 1.8 per cent. at post-primary level.

Education (Cross-community Contact)

Mr. Worthington: To ask the Secretary of State for Northern Ireland what sums of money were spent in each of the education and library board areas of Northern Ireland on education for mutual understanding and cross-community contact in each of the last five years. [22563]

Mr. Ancram: Expenditure is not available by board area. However, overall expenditure on cross-community contact in the last five years was as follows:

Financial year	*Expenditure £*
1991–92	391,571
1992–93	856,507
1993–94	1,265,268
1994–95	1,579,327
1995–96 (Estimated)	1,721,000

Support for education for mutual understanding as a cross-curricular theme is provided by the curriculum advisory and support services operated by the education and library boards, separate costs are not available.

Mr. Worthington: To ask the Secretary of State for Northern Ireland if he will list the number of *(a)* primary schools and *(b)* secondary schools in each of the education and library board areas in Northern Ireland which have participated in the cross-community contact scheme in each of the last three years. [22562]

Mr. Ancram: The information requested is as follows:

Education and Library Board	*1992–93*		*1993–94*		*1994–95*	
	Primary	*Secondary*	*Primary*	*Secondary*	*Primary*	*Secondary*
Belfast	44	24	69	30	82	31
Western	47	31	76	30	82	28
North-Eastern	42	45	63	39	75	30
South-Eastern	57	41	107	26	104	29
Southern	52	36	91	34	99	38

Education Expenditure

Mr. Worthington: To ask the Secretary of State for Northern Ireland if he will list the expenditure on education in Northern Ireland as a percentage of the total expenditure in Northern Ireland for each of the last five years. [22560]

Mr. Ancram: The information is set out in the table:

Year	*Department of Education, Northern Ireland expenditure*[1]	*As of NI*[2] *expenditure (percentage)*
1990–91	1,004	18.2
1991–92	1,124	18.7
1992–93	1,203	18.3
1993–94	1,248	17.6
1994–95	1,295	17.5

[1]Youth training programme expenditure has been excluded as responsibility for this activity transferred to Department of Economic Development from 1992–93.

[2]Includes Northern Ireland Office expenditure.

Orders

Mr. Win Griffiths: To ask the Secretary of State for Northern Ireland how many orders under the negative resolution procedure have been brought into effect on the day they have been made since January 1995. [23312]

Sir John Wheeler: Since January 1995, six orders—statutory rules or orders—under the negative resolution procedure have been brought into effect on the day that they have been made.

Social Fund

Mr. Nigel Evans: To ask the Secretary of State for Northern Ireland what the Northern Ireland social fund discretionary budget will be for 1996–97. [24345]

Mr. Moss: I am pleased to announce that the social fund gross discretionary budget for 1996–97 will be £36.71 million. Some £9.76 million will be allocated to grants; £26.85 million to loans; and £0.1 million will be held as a contingency reserve. The new allocations represent an increase nearing £5 million over the gross budget set at April 1995.

Details of the individual district budget allocations, together with a note explaining the basis on which they have been made, will be placed in the Library today.

NATIONAL HERITAGE

Orders

Mr. Win Griffiths: To ask the Secretary of State for National Heritage how many orders under the negative resolution procedure have been brought into effect on the day they have been made since January 1995. [23317]

Mr. Sproat: None.

National Lottery

Mr. David Nicholson: To ask the Secretary of State for National Heritage if she will make statement about the breach of its 1994–95 running costs limit by the Office of the National Lottery. [24289]

Mrs. Virginia Bottomley: The gross running cost limit for the Office of the National Lottery within class XI, vote 8 will be decreased by £130,000 from £2,440,000 to £2,310,000. The decrease arises from the imposition of a penalty following the breach of the gross running costs limit in the previous year, 1994–95. Oflot did not exceed its overall cash limit. Running costs were exceeded because of the difficulty in accurately estimating the costs associated with the launch of the national lottery. The Office of the National Lottery has reported that it has reviewed its systems and procedures to prevent a recurrence of the breach.

TRANSPORT

Road Building

Mr. Allen: To ask the Secretary of State for Transport how many new starts on road building have been made *(a)* by the Highways Agency and *(b)* under the design, build, finance and operate programme in each of the financial years for which figures are available. [22758]

Mr. Watts: For the two financial years 1994–95 and 1995–96 that the Highways Agency has been in existence, 13 conventionally funded schemes started in 1994–95 and one in 1995–96. No design, build, finance and operate projects were let in 1994–95 but four DBFO projects have so far been let in 1995–96.

Railtrack Incident Logs (Staffordshire)

Ms Walley: To ask the Secretary of State for Transport if he will place in the Library copies of the Railtack incident logs for incidents occurring in Staffordshire in the last six months. [23087]

Mr. Watts: Railtrack incident logs are internal documents and are not for publication. All statutorily reportable accidents and incidents are reported to the Health and Safety Executive's railway inspectorate.

Train-mounted Cranes (Staffordshire)

Ms Walley: To ask the Secretary of State for Transport how many train-mounted cranes are currently available in Staffordshire; and what is the estimated response time of the cranes for an incident occurring at Stoke-on-Trent station. [23088]

Mr. John Watts: Railtrack does not currently have any train-mounted cranes based in Staffordshire. However, the nearest crane is based at Crewe and the estimated response time for an incident occurring at Stoke-on-Trent Station is one to two hours.

Railway Staff (Safety)

Ms Short: To ask the Secretary of State for Transport what checks the Health and Safety Executive makes on the working practices of safety-critical rail staff. [23118]

Mr. Watts: Inspecting officers of Her Majesty's railway inspectorate frequently visit railway sites such as signalboxes, maintenance depots, track work and signalling installations. At such times, and when travelling in driving cabs, they consider, among many other matters, the competence of, and working arrangements for, persons carrying out safety-critical work. In addition, they look at managers' arrangements for monitoring compliance with the Railways (Safety Critical Work) Regulations 1994, and provide advice and guidance.

Ms Short: To ask the Secretary of State for Transport what measures are taken by Railtrack to ensure that staff carrying out designated safety-critical work, employed by Railtrack or its contractors, are fit to do so. [23119]

Mr. Watts: The Railways (Safety Critical Work) Regulations 1994 place responsibility on employers for ensuring that their employees are competent and fit to undertake safety-critical work.

Railtrack has railway group standards in place which set out competence and medical fitness standards, and which apply to its own staff, staff of train and station operators and staff of infrastructure contractors, who carry out safety-critical work on the Railtrack network. Group standards require employers to monitor fitness for work on a regular basis. Periodic re-examination of medical fitness and reassessment of competence is also mandatory.

Railtrack's safety and standards directorate carries out audits of compliance with group standards by the Railtrack zones, and operators and contractors.

Roads (Speed Limits)

Mr. Harry Greenway: To ask the Secretary of State for Transport if he will set out the speed limits in respect of each type of road; and if he will make a statement. [23110]

Mr. Norris: Speed limits for all types of road are set out in the Highway Code (page 53). Realistic speed limits and sensible driving can and do make a significant contribution to road safety.

Traffic Light Switching Device

Mr. Allen: To ask the Secretary of State for Transport if the new scheme to fit fire engines in Nottinghamshire with a device to switch traffic lights to green will be expanded *(a)* nationally and *(b)* to passenger carrying vehicles; and if he will make a statement. [23333]

Mr. Norris: The introduction of such facilities is the responsibility of the local highway authority and bus companies concerned. Similar schemes are already providing buses with benefits in London and other cities.

Bull Bars

Mr. Allen: To ask the Secretary of State for Transport what assessment he has made of Jersey's decision to ban bull bars from cars and vans by the end of the year. [23342]

Mr. Norris: I recognise the interest in road safety which has prompted Jersey to take action against aggressive bull bars.

Passenger Carrying Vehicle Drivers

Mr. Allen: To ask the Secretary of State for Transport in what circumstances *(a)* EU and *(b)* United Kingdom drivers' hours regulations apply to PCV drivers. [23340]

Mr. Norris: EU drivers' hours rules apply to drivers of vehicles with 18 or more seats on regular national services over 50 km and on non-regular services. They also apply to international journeys in vehicles with 10 or more seats. UK drivers' hours rules apply to drivers of public service vehicles and to motor vehicles—other than public service vehicles—constructed or adapted to carry more than 12 passengers, on journeys which are outside the scope of the EU regulations.

Islands British Rail Line

Mr. Barry Field: To ask the Secretary of State for Transport what progress has been made in franchising the Islands British Rail line. [24285]

Mr. Watts: The franchising director has today announced the draft passenger service requirement for the Island line franchise. The draft PSR sets out the proposed level of passenger rail services the franchise operator must provide and for which subsidy will be made. The operator will have the opportunity to run additional services to those set out in the PSR to respond to passenger requirements and develop his business.

Comments are invited by 24 May.

Cash Limits

Mr. Riddick: To ask the Secretary of State for Transport what proposals he has to change his Department's cash limits. [24346]

Sir George Young: The cash limit for class VI, vote 5 (roads and local transport) is reduced by £1,300,000 from £512,615,000 to £511,315,000. The reduction will offset cash limited expenditure on class VI, vote 6 in relation to the clean-up operations necessary following the recent grounding of the oil tanker, Sea Empress.

Orders

Mr. Win Griffiths: To ask the Secretary of State for Transport how many orders under the negative resolution procedure have been brought into effect on the day they have been made since January 1995. [23310]

Mr. Norris: None.

HOUSE OF COMMONS

Upper Waiting Hall Exhibition

Mr. Hendry: To ask the Chairman of the Administration Committee if he has considered an application for an exhibition relating to the 40th anniversary of the Catholic Housing Aid Society to be displayed in the Upper Waiting Hall. [24133]

Mr. Michael J. Martin: I understand that, under procedures agreed by the Administration Committee, arrangements have been made for the exhibition to be held in the Upper Waiting Hall from Monday 6 May to Friday 10 May 1996.

EDUCATION AND EMPLOYMENT

National Vocational Qualifications

Mr. Bryan Davies: To ask the Secretary of State for Education and Employment how many full general national vocational qualifications have been awarded in each year since their introduction at each level; and how many awardees have been taught in (i) further education and sixth form colleges, (ii) secondary schools and (iii) other. [23081]

Mr. Paice: The first five GNVQs began their pilot phase at intermediate and advanced levels in 1992. The GNVQ awarding bodies estimate that the number of full GNVQs awarded since 1993 is as follows (rounded to the nearest 100):

	1993	*1994*	*1995*
Advanced	—	2,000	15,400
Intermediate	1,800	18,600	41,700
Foundation	—	700	3,600

Information on the type of GNVQ centre attended by individual awardees is not collected centrally at present. The Department is developing a GNVQ database which will enable this information to be supplied in future.

Mr. Davies: To ask the Secretary of State for Education and Employment what is her Department's estimate of public expenditure on pre-16 general national vocational qualifications provision. [23083]

Mr. Paice: The Department has made no such estimate.

Mr. Simon Hughes: To ask the Secretary of State for Education and Employment (1) when her Department or its predecessor began its assessment of the need for an education lead body for the development of S/NVQs for *(a)* the youth service and *(b)* youth work; [23167]

(2) what are the implications of the creation of S/NVQs for *(a)* the youth service or *(b)* youth work for public funding for the voluntary youth service sector; [23170]

(3) what representations she has received alleging disadvantages faced by the voluntary youth sector as a result of the absence of S/NVQs for the youth service or for youth work; [23169]

(4) what targets have been set by her or by those responsible in her Department for the date by which S/NVQs for *(a)* the youth service and *(b)* youth work should be in place. [23168]

Mr. Paice: In 1994, the former Employment Department funded the National Youth Agency to commission a feasibility study by Professor Eraut of Sussex university to explore the scope for developing NVQ standards for youth and community work. He recommended that a comprehensive occupational and functional analysis of the field should be completed, together with a cost-benefit analysis. Following extensive consultation with the youth service field, including the voluntary sector, there is now general agreement that such an analysis should take place. No targets have been set for the introduction of NVQs for youth work or of a lead body for this occupational sector.

The Department would fund any occupational and functional mapping exercise, a cost-benefit analysis, the development of standards and qualifications and the implementation of those qualifications. Funding is also normally available to assist with the training costs of assessment.

The Government are committed to completing the NVQ framework and I am pleased to say that the voluntary sector has been generally supportive of the need to develop NVQs in the youth service.

General Certificate of Secondary Education Results

Mr. Blunkett: To ask the Secretary of State for Education and Employment what were the average point scores for *(a)* GCSE English language, *(b)* GCSE mathematics, *(c)* both subjects and *(d)* all GCSEs together of each 20th group (i) of all 15-year-olds, (ii) boys and (iii) girls when ranked according to (d) indicating the average number of entries per pupil in each group and in *(a)* to *(d)*, the number of pupils in each group and in total and the average score for *(a)* to *(d)* for all such pupils (1) in England, (2) in the local education authority maintained sector, (3) in the grant-maintained sector, (4) in the whole maintained sector and (5) in the independent sector for each year from 1991 to 1995. [23346]

Mr. Paice: I will write to the hon. Member as soon as possible and place a copy of the answer in the Library.

School Closures and Mergers

Mr. Blunkett: To ask the Secretary of State for Education and Employment how many schools in England have *(a)* closed and *(b)* merged for each year since 1985, giving the totals for (i) primary, (ii) secondary and (iii) special schools. [23390]

Mr. Robin Squire: Information on the number of maintained schools closing each year is available only from 1987 onwards. For years before 1993, full information is not available to show whether closures occurred as the result of a merger or other closure. The total number of closures recorded in each year since 1987 is as follows:

Year	*Primary*	*Secondary*	*Special*
1987	192	n/a	31
1988	198	176	47
1989	152	96	18
1990	265	127	31
1991	229	67	41
1992	318	108	27
1993	258	23	20
1994	253	26	24
1995 (provisional)	128	26	23

This table excludes 111 primary, 15 secondary and 21 special schools which closed during this period for which the precise closure date is not readily available.

The following table breaks down closures since 1993 between those recorded as mergers and other closures.

Year	*Primary*		*Secondary*		*Special*	
	Mergers	*Other*	*Mergers*	*Other*	*Mergers*	*Other*
1993	196	62	7	16	1	19
1994	205	48	12	14	6	18
1995 (provisional)	87	41	9	17	6	17

Orders

Mr. Win Griffiths: To ask the Secretary of State for Education and Employment how many orders under the negative resolution procedure have been brought into effect on the day they have been made since January 1995. [23307]

Mr. Robin Squire: Since January 1995, no orders made by my right hon. Friend subject to the negative resolution procedure have been brought into effect on the day on which they were made.

Training and Enterprise Councils

Sir Mark Lennox-Boyd: To ask the Secretary of State for Education and Employment what progress Bradford and District training and enterprise council and Lancashire Area West training and enterprise council are making in meeting the criteria for the award of a three-year licence. [24219]

Mr. Paice: I am pleased to announce the award of a three-year licence to Bradford and District TEC and LAWTEC who have now completed the process of meeting the rigorous standards we set.

TRADE AND INDUSTRY

Equitas

Mr. Butterfill: To ask the President of the Board of Trade if he has taken a decision under the Insurance Companies Act 1982 on the authorisation of Equitas; and if he will make a statement. [24286]

Mr. Nelson: I have considered carefully the proposals made by Lloyd's for the authorisation of Equitas Reinsurance Ltd. and Equitas Ltd. ("Equitas"). Lloyd's proposes to reinsure the market's 1992 and prior non-life liabilities into Equitas, and to provide matching assets together with an additional solvency margin of free assets. Equitas would be a pure reinsurer, and Lloyd's application does not seek authorisation for it to undertake any subsequent business.

Lloyd's proposals are based on a thorough review of the 1992 and prior liabilities and in particular of exposure to US asbestos and pollution claims. This review has been assisted by work undertaken by a number of leading firms of consulting actuaries and chartered accountants.

I have decided to authorise Equitas on the basis of Lloyd's proposals, subject to certain conditions which Lloyd's does not expect to fulfil before August this year. Of these, the most important are, first, that the contracts reinsuring names' liabilities into Equitas cannot be completed until Lloyd's can demonstrate that the assets available to Equitas are such as to ensure it has the minimum solvency margin I have required. Lloyd's statement of assets available to Equitas will be subject to independent review by Coopers and Lybrand, which is to be appointed as Equitas' auditors once the contracts are completed. Secondly, there are conditions to ensure that if developments between now and August should lead to an increase in the estimate of the overall level of liabilities, then a matching increase in the assets would have to be provided. In addition, there is a condition making any dividend to any shareholders or return premium to reinsured names subject to DTI consent. Any future proposal that Equitas should undertake further business would require DTI consent.

Under section 32 of the Insurance Companies Act 1982, UK insurance companies are required to maintain a minimum margin of free assets, calculated according to a formula. The formula was not devised with circumstances such as the Equitas proposal in mind, and is likely to produce widely fluctuating requirements over the first four years of Equitas' life. I have therefore decided to exercise the discretion to which I am entitled under the Act to make a direction under section 68 to modify the normal requirements in 1996 and 1998.

In reaching this decision, I have been mindful of my responsibilities under the Insurance Companies Act 1982 in relation to the authorisation of new insurance companies and the protection of policyholders in general. In this case, I have to consider whether policyholders would be better protected if Equitas is authorised than if it is not. I must also be satisfied that all the statutory requirements for authorisation under the Act have been met.

The main reasons for my decision are as follows.

First, policyholders will benefit from substantial additional funds which would not otherwise be likely to be forthcoming. The provisions made for 1992 and prior liabilities have been increased by more than £1.5 billion. Equitas will be funded to meet its estimated liabilities and to provide the additional margin of free assets. Some £1 billion plus of the funding is to be provided from sources which have no obligation to support 1992 and prior losses, together with approaching a further £2.5 billion deriving from new money from names, the settlement of the current litigation and from 1993–94–95 profits which would not otherwise be necessarily or immediately available to support these losses. The Equitas proposals will also ensure that the assets to cover these provisions will be fully paid, in contrast to the present position in which some £4 billion of Lloyd's assets is represented by uncalled losses or unpaid cash calls. Furthermore, subject to the division of Equitas' assets between US, Canadian and UK trust funds, the assets of Equitas will be fully mutualised and all available to support all of Equitas' liabilities to policyholders.

Secondly, the creation of Equitas offers a strong prospect of lower claims handling costs and higher investment yields than would otherwise be the case, the benefits of which will accrue to policyholders in the first instance.

Overall, I am satisfied that the resources available to support 1992 and prior policyholders through Equitas will be greater and more certain than without its authorisation. The Government Actuary takes the view that there is a reasonable prospect that Equitas will be able to pay off its liabilities in full as they fall due.

Thirdly, if, against expectation, the liabilities of Equitas at some future point should appear to be on the point of exceeding the assets available, arrangements will have been built into the reinsurance contract with names designed to ensure that policyholders would continue to receive an uninterrupted flow of claims payments, albeit at less than 100 per cent., with the residual balance of claims falling back on to the reinsured names. These arrangements would provide a much superior outcome for all policyholders, including reinsured names, than conventional insolvency proceedings for Equitas.

Fourthly, the creation of Equitas as proposed will very significantly improve the security of 1993 and subsequent policyholders at Lloyd's, by substantially removing the risk that further deterioration in the 1992 and prior liabilities would affect them.

Last, if Equitas does not proceed, Lloyd's has acknowledged that there is a significant risk that Lloyd's as a whole would have to cease underwriting. In that event, the subsequent run-off would face an uncertain future. I therefore consider Lloyd's proposals are a well-judged response to this situation in the interests of existing Lloyd's policyholders, and of reinsuring names as policyholders.

It is now for the members of Lloyd's to decide whether to support Lloyd's proposals as the next step before Equitas can go live later this year.

Iraq (Exports)

Mr. Wigley: To ask the President of the Board of Trade what guidelines covered the provision by United Kingdom companies of computer services for the Iraqi air force immediately before the outbreak of the Gulf war; what dispensation had been *(a)* sought by and *(b)* given to the ICL company at West Gorton, Manchester; and if he will make a statement. [21295]

Mr. Lang: The provision of services to Iraq before the imposition of UN sanctions in August 1990 was not controlled and there were no guidelines.

ICL and other computer companies applied for many licences under the Export of Goods (Control) Orders to export computer equipment to Iraq. These applications are included in appendix A, part A of Sir Richard Scott's report and were considered in the same way as other equipment with potential for military use. Sir Richard Scott looks at some of the licence applications submitted by ICL in sections D2.403.10 and D6.269.76 of his report.

Proprietary and Mutual Companies

Mr. French: To ask the President of the Board of Trade what legal provisions prevent a proprietary company from calling itself mutual. [21253]

Mr. Nelson: None.

Employment Legislation

Sir Roger Moate: To ask the President of the Board of Trade what representations he has received about the cost to British companies caused by the application to contracting for services of the Transfer of Undertakings (Protection of Employment) Regulations 1981 and the acquired rights directive; what is the policy of Her Majesty's Government in this matter; what progress is being made in securing changes to the directive; and if he will make a statement. [23589]

Mr. John M. Taylor: My Department has received a great many representations concerning the financial and practical implications of the application of the EC acquired rights directive to contracting for services. The Government do not believe that the directive was generally intended to apply to the contracting out of a service or to the transfer from one provider to another of a contract to supply services, nor is it suitable for such circumstances.

Despite several rulings by the European Court of Justice, uncertainty still exists about the application of the directive. The Government believe that such uncertainty can be resolved only by amendment of the directive itself, and have sought, with the support of several other member states, changes to it. The European Commission brought froward a proposal in September 1994 to amend the directive in a number of respects. It has not been possible to reach agreement on the basis of that text but the Government will continue to press for changes to the directive. We expect the Commission to bring forward a revised proposal shortly.

Orders

Mr. Win Griffiths: To ask the President of the Board of Trade how many orders under the negative resolution procedure have been brought into effect on the day they have been made since January 1995. [23314]

Mr. Lang: One.

Overseas Visits

Mr. Hall: To ask the President of the Board of Trade if he will place in the Library a list of all overseas visits made by all Ministers of his Department since 1990, including *(a)* details of the places visited and brief reasons for the visit, *(b)* details of the size, composition and cost to public funds of the delegation and *(c)* the names of non-ministerial members of each delegation and the capacity in which each was present. [17484]

Mr. Lang *[holding answer 1 March 1996]:* The lists for the years 1992 to present have been placed in the Library of the House. Recovery of data for the years 1990 to 1992 would incur disproportionate costs. Details of the size, composition and function of each delegation would also incur a disproportionate cost. Business people accompanying Ministers are not normally paid for by public funds and the need for officials to accompany Ministers is reviewed on a case-by-case basis.

DUCHY OF LANCASTER

China and Taiwan

Sir Nicholas Scott: To ask the Deputy Prime Minister if he will make clear to the Government of China during his forthcoming visit that the attempts of China to interfere by the threat of force in the democratic politics of Taiwan are unacceptable to the United Kingdom, that a programme of interference in recognised international sea and air routes by firing shells and missiles is also unacceptable and that any renewal of either of these will result in restrictions on investment in trade with China. [22207]

The Deputy Prime Minister: We have already made very clear to the Chinese Government our grave concerns about their recent military activity. We will continue, on every appropriate occasion, to urge restraint and an early resumption of dialogue with Taiwan.

HMSO

Mr. Patrick Thompson: To ask the Chancellor of the Duchy of Lancaster what changes he plans to HMSO's external finance limit for 1995–96. [24344]

Mr. Freeman: Due to adverse trading conditions and costs associated with an on-going redundancy programme, HMSO is now expected to have a positive external finance requirement in the current year. An external finance limit will therefore be set for 1995–96 at £20,000,000. The increased requirement will be funded from the reserve and will not therefore add to the planned total of public expenditure.

Civil Service Management Functions

Mr. Waterson: To ask the Chancellor of the Duchy of Lancaster which civil service management functions he proposes to delegate to Departments and agencies from 1 April 1996. [24343]

Mr. Freeman: I have agreed that, under the terms of the Civil Service (Management Functions) Act 1992, Ministers and office holders in charge of Departments should have delegated authority from 1 April 1996:

(a) to prescribe the qualifications (so far as they relate to age, knowledge, ability, professional attainment, aptitude and potential) for the appointment of home civil servants (with the exception of the fast stream development programme) in their respective departments; and

(b) to determine in respect of home civil servants in their respective departments the number and grading of posts outside the senior civil service and the terms and conditions of employment in so far as they relate to the following:

(i) classification of staff, with the exception of the senior civil service;

(ii) remuneration and allowances, with the exception of the senior civil service;

(iii) allowances for the senior civil service in respect of service overseas;

(iv) expenses;

(v) holidays, hours of work and attendance;

(vi) part-time and other working arrangements;

(vii) performance and promotion;

(viii) retirement age and redundancy;

(ix) re-deployment of staff within and between departments.

A revised management code, taking account of the new delegations and the creation of the senior civil service, has been issued to Departments and agencies. Copies are available in the Libraries of both Houses.

ENVIRONMENT

Secondary Liquid Fuels

Mr. Gordon Prentice: To ask the Secretary of State for the Environment if he will require manufacturers of secondary liquid fuels to make publicly available their chemical composition. [22954]

Mr. Clappison: If a cement or lime kiln is to use secondary liquid fuel, the operator sends the fuel specification to Her Majesty's inspectorate of pollution. This specification includes the technical data that the inspectorate needs for the statutory regulation of the process at the kiln. The specification is put on the public register. Chemical analyses are provided if they are relevant. If the inspectorate decides to authorise the process, the authorisation, which includes the details of the fuel, also appears on the public register. A further requirement would impose upon industry without returning regulatory benefit to the public.

Mr. Bennett: To ask the Secretary of State for the Environment on what date trials of secondary liquid fuel began at Barrington cement works. [23248]

Mr. Clappison: Trials began on 9 November 1993, for 25 per cent. substitution of fuel.

Mr. Bennett: To ask the Secretary of State for the Environment on what date use of secondary liquid fuel at Barrington was approved. [23246]

Mr. Clappison: Her Majesty's inspectorate of pollution issued a variation to the company's authorisation for the burning of secondary liquid fuel on 8 November 1995, which came into effect on 13 November 1995.

Environmental Pollution Reports

Mr. Elletson: To ask the Secretary of State for the Environment on which criteria and within which time scale he expects to respond to reports produced by the royal commission on environmental pollution. [23063]

Mr. Clappison: We have told the chairman of the royal commission that our general aim is to respond to its reports in nine to 12 months, but that a different timetable may be appropriate in particular cases.

Mr. Elletson: To ask the Secretary of State for the Environment if he will list the number and title of the reports of the royal commission on environmental pollution to which the Government have *(a)* responded and *(b)* not responded indicating for *(b)* the factors underlying the absence of response. [23064]

Mr. Clappison: The Government have responded to the following reports by the royal commission on environmental pollution:

First Report.

2nd Report: "Three Issues in Industrial Pollution".

3rd Report: "Pollution in some British Estuaries and Coastal Waters".

4th Report: "Pollution Control: Progress and Problems".

5th Report: "Air Pollution Control: an Integrated Approach".

6th Report: "Nuclear Power and the Environment".

7th Report: "Agriculture and Pollution".

8th Report: "Oil Pollution of the Sea".

9th Report: "Lead in the Environment".

10th Report: "Tackling Pollution—Experience and Prospects".

11th Report: "Managing Waste: The Duty of Care".

12th Report: "Best Practicable Environmental Option".

13th Report: "The Release of Genetically Engineered Organisms to the Environment".

14th Report: "GENHAZ—a system for the critical appraisal of proposals to release genetically modified organisms into the environment".

15th Report: "Emissions from Heavy Duty Diesel Vehicles".

16th Report: "Freshwater Quality".

17th Report: "Incineration of Waste".

The Government have not yet responded to the following:

18th Report: "Transport and the Environment". The Government are considering the royal commission report in the light of responses to the national transport debate. A report drawing together all the threads of the national debate will be produced during 1996.

19th Report: "Sustainable Use of Soil". The Government are considering this report, which was published on 29 February, and will respond in due course.

Orders

Mr. Win Griffiths: To ask the Secretary of State for the Environment how many orders under the negative resolution procedure have been brought into effect on the day they have been made since January 1995. [23313]

Sir Paul Beresford: None.

Civil Estate (Efficiency Scrutiny)

Mr. Mans: To ask the Secretary of State for the Environment when the report of the implementation of the recommendations of the efficiency unit's scrutiny of the management of the civil estate will be available. [24288]

Mr. Gummer: Following the scrutiny of the management of the civil estate, the responsibilities for

property on the civil estate currently exercised by the Department of the Environment's property holdings are being transferred to departments. This transfer will take effect on 1 April 1996. I have placed in the Library of the House the final report of the scrutiny action manager on the action taken to implement the 84 detailed recommendations of the scrutiny.

Office Waste Minimisation Strategy

Ms Ruddock: To ask the Secretary of State for the Environment if he will make a statement on the office waste minimisation strategy being adopted by his Department; and if he will list each of the targets. [23371]

Mr. Clappison *[holding answer 28 March 1996]:* I expect to announce the waste minimisation target for my Department shortly.

WALES

Development Board for Rural Wales

Mr. Llwyd: To ask the Secretary of State for Wales how much was allocated to the Development Board for Rural Wales in *(a)* 1993, *(b)* 1994 and *(c)* 1995 in real terms by his Department; and if he will make a statement. [23180]

Mr. Gwilym Jones: The resources allocated to the DBRW are shown in the following table. Figures are at 1995–96 prices and have been calculated using the latest GDP deflator.

£ million

Year	*Grant-in-aid*	*Housing subsidy*
1993–94	14.506	2.588
1994–95	14.808	2.540
1995–96	7.980	2.368

The grant in aid provision for 1995–96 reflected the decision to transfer responsibility and funding for all economic and social grants to the local authorities and tourism activities to the Wales tourist board and the higher levels of self-generated receipts which have been used to re-invest in the economy of Wales.

Orders

Mr. Win Griffiths: To ask the Secretary of State for Wales how many orders under the negative resolution procedure have been brought into effect on the day they have been made since January 1995. [23308]

Mr. Gwilym Jones: None.

SOCIAL SECURITY

Equal Opportunities

Mr. David Shaw: To ask the Secretary of State for Social Security what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22507]

Mr. Burt: DSS headquarters and the independent statutory bodies have made no payments in respect of equal opportunities breaches over the years 1993–94 to 1995–96. Two payments of £2,000 and £2,250 have been made by the Department's executive agencies to members of staff, both in 1994–95. Neither case proceeded to a tribunal or court.

Contracts

Mr. Donohoe: To ask the Secretary of State for Social Security how many contracts for goods or services have been awarded by his Department and its executive agencies on the basis of single negotiated contracts in each of the last three years; if he will list the companies involved and the value of the contract in each case; what percentage this represented of contracts awarded by his Department and its agencies after competitive tendering; and, in each case, why the contracts were awarded on the basis of a single negotiated tender. [22866]

Mr. Burt: It is not possible to say how many contracts have been awarded in each of the last three years since information on numbers of contracts is not available in the format requested. Any contracts entered into on the basis of single tender negotiated procedures are subject to regulations specified in the DSS purchasing and supply manual and the relevant EC legislation.

Orders

Mr. Win Griffiths: To ask the Secretary of State for Social Security how many orders under the negative resolution procedure have been brought into effect on the day they have been made since January 1995. [23311]

Mr. Burt: None.

Age Allowance

Mr. Chris Smith: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Harlow (Mr. Hayes) of 18 March, *Official Report*, column *17*, what would be the estimated cost to the Exchequer of paying the age-related premium on the basic pension in a lump sum at the same fixed point in the year for all pensioners. [23603]

Mr. Heald: There would be no cost to the national insurance fund as the effect of paying some individuals in advance would be counterbalanced by the effect of paying other individuals in arrears.

If the lump sum is not treated as weekly income for the purposes of calculating entitlement to income-related benefits, the timing of payment would not affect the impact on income-related benefits expenditure.

Source: Government Actuary's Department.

AGRICULTURE, FISHERIES AND FOOD

Orders

Mr. Win Griffiths: To ask the Minister of Agriculture, Fisheries and Food how many orders under the negative resolution procedure have been brought into effect on the day they have been made since January 1995. [23305]

Mr. Boswell: None.

SCOTLAND

Equal Opportunities

Mr. David Shaw: To ask the Secretary of State for Scotland what amounts of money have been paid out by *(a)* his Department and *(b)* executive agencies, non-departmental public bodies and other organisations for which he is accountable to Parliament, to how many staff or former staff in respect of (i) alleged equal opportunities breaches which do not proceed to tribunals or courts and (ii) equal opportunities breaches which proceeded to tribunals or courts in (1) the current year and (2) the two previous years. [22506]

Mr. Michael Forsyth: This information can be provided only at disproportionate cost.

Higher Education (Inquiry)

Mr. Stewart: To ask the Secretary of State for Scotland what representations he has received concerning a Scottish advisory committee to the Committee of Inquiry into Higher Education in the United Kingdom; and what response he intends to make. [22429]

Mr. Michael Forsyth: We have received so far 63 representations from bodies in Scotland about the composition and draft terms of reference of the Government's Committee of Inquiry into Higher Education, and how the distinctive nature of higher education in Scotland should be taken into account. My right hon. Friends and I expect to announce the outcome of the consultations after Easter.

Prisons

Mr. McFall: To ask the Secretary of State for Scotland (1) what time scale he is applying to the private finance initiative for future prisons; and what estimate he has made of the capital costs and annual running costs of these prisons in each of the years of the private finance initiative; [22840]

(2) pursuant to his answer of 28 February, *Official Report,* column *618,* what representations he has received advocating that prison staff secure the management contract to run any future private finance initiative prison; [22841]

(3) pursuant to his answer of 28 February, *Official Report,* column *618,* if he will make it his policy to allocate the contract for the management of any future finance initiative prison to the prison staff. [22842]

Lord James Douglas-Hamilton: The new prison is not expected to open before 1999 at the earliest. Early cost estimates are around £18 million to £20 million per annum. Payments would be revalued using an appropriate indicator over the contract period, which is expected to be 25 years. The Secretary of State met the Scottish Prison Officers Association on 29 September 1995, following which he has received no further representations. However, representations from SPOA have been received on this matter by the Scottish Prison Service chief executive. The option of involving Scottish Prison Service staff in a privately financed prison has not been ruled out.

Local Government Finance

Mr. Donohoe: To ask the Secretary of State for Scotland what allocations the new unitary councils received from the Scottish Office in their notional budgets in 1995–96 for meeting the costs of operating valuation appeals committees. [22908]

Mr. Kynoch: The notional amounts for each of the new mainland councils which were prescribed in the notional amounts report 1996 approved by the House on 28 February, were based on the actual 1995–96 budgets of the outgoing councils.

It is not possible to identify the costs of operating valuation appeals committees within these notional amounts but the table gives details of each of the new councils notional 1995–96 budgets for both lands valuation and council tax valuation as returned to the Scottish Office by the outgoing councils.

Notional 1995–96 budgets

	Lands valuation £000	*Council tax valuation £000*	*Total notional budget £000*
Unitary Authority			
Aberdeen City	455	482	202,484
Aberdeenshire	542	574	201,628
Angus	178	179	105,178
Argyll and Bute	323	123	104,552
Scottish Borders	516	232	107,026
Clackmannanshire	242	76	48,972
West Dunbartonshire	405	106	116,276
Dumfries and Galloway	431	493	152,773
Dundee City	361	360	176,033
East Ayrshire	284	104	122,900
East Dunbartonshire	284	104	97,602
East Lothian	708	[1]0	80,196
East Renfrewshire	116	70	74,043
Edinburgh City	4,251	[1]0	418,673
Falkirk	700	228	133,326
Fife	1,223	927	349,893
Glasgow City	1,676	618	800,138
Highland	921	691	234,571
Inverclyde	200	78	96,974
Midlothian	488	[1]0	81,875
Moray	235	247	85,001
North Ayrshire	354	118	135,130
North Lanarkshire	649	235	327,768
Perth and Kinross	267	266	126,006
Renfrewshire	521	152	179,046
South Ayrshire	344	95	108,964
South Lanarkshire	643	231	294,836
Stirling	405	127	85,495
West Lothian	1,100	[1]0	154,004
Total	18,822	6,916	5,201,363

[1]Lothian regional council was unable to disaggregate the regional assessor's budget. As a result the figure shown against lands valuation also includes registration of electors and council tax valuation.

Mr. Donohoe: To ask the Secretary of State for Scotland what operational expenses will be incurred by each joint valuation board in Scotland in meeting the costs of valuation appeals committees operating within their areas in 1996–97. [22907]

Mr. Kynoch: Responsibility for determining the costs associated with valuation appeal panels and committees drawn from them, as well as the funding of them, rests with the appropriate council or joint board as the appropriate valuation authority.

Justices of the Peace

Mr. Donohoe: To ask the Secretary of State for Scotland if he will make a statement indicating how many justices of the peace have been appointed by his Department in each year since 1979; how many of these appointments are permanent; and what other bodies are entitled to make nominations for justices of the peace. [22927]

Lord James Douglas-Hamilton: Justices of the peace are appointed by either the Secretary of State for Scotland under section 9 of the District Courts (Scotland) Act 1975 or under section 11(2) of the same Act by local authorities. Appointments made by the Secretary of State are permanent unless the JP resigns or is removed by order of the Secretary of State. In making appointments, the Secretary of State takes advice from local JP advisory committees. Local authorities are entitled to nominate up to one quarter of their elected members to serve as ex officio JPs for as long as they remain a member of the local authority and retain their authority's nomination. Once appointed, ex officio JPs are governed by the same statutory provisions as JPs appointed by the Secretary of State.

The table below details the total number of JP appointments in Scotland since 1983. Figures for the period 1979 to 1982 could be obtained only at disproportionate cost.

Year	*Secretary of State appointments*	*Ex-officio appointments*
1983	95	7
1984	148	112
1985	118	6
1986	136	15
1987	88	8
1988	175	125
1989	96	1
1990	144	11
1991	134	3
1992	141	109
1993	126	6
1994	97	15
1995	110	4

Orders

Mr. Win Griffiths: To ask the Secretary of State for Scotland how many orders under the negative resolution procedure have been brought into effect on the day they have been made since January 1995. [23306]

Lord James Douglas-Hamilton: None of the orders I have made since January 1995 which have been subject to the negative resolution procedure have been brought into effect on the same day that they were made.

TREASURY

EU Finance

Mr. Rowlands: To ask the Chancellor of the Exchequer what assistance has been received per head of population from *(a)* the common agricultural policy and *(b)* European structural and cohesion funds since the Edinburgh conclusions by (i) Ireland, (ii) Wales and (iii) the United Kingdom. [22432]

Mr. Heathcoat-Amory: The available information in respect of the these territories is as follows:

£ per head (provisional)

CAP expenditure in	*1993*	*1994*	*1995*
Republic of Ireland	361.46	317.60	320.93
the UK[1 2 3]	36.84	36.73	40.88

Note:
[1] Underlying CAP expenditure taken from the 1993 and 1994 annual FEOGA financial reports, and show our actual expenditure; 1995 figures are based on provisional estimates from the European Commission.
[2] Sterling figures converted from European Currency Units (ECU's) using the exchange rates in the FEOGA reports—1993, 1 ecu = £0.78627; 1994, 1 ecu = £0.76626; 1995 (estimated), 1 ecu = £0.80802.
[3] Population statistics taken from EUROSTAT: 32nd edition (published 1995) of D basic statistics of the European Union.

£ per head (estimated)

CAP expenditure in	*1993–94*	*1994–95*	*1995–96*
Northern Ireland[1 2]	54.88	72.79	88.51
Wales[1 2]	55.03	56.99	69.89

Note:
[1]Underlying CAP expenditure taken from the annual departmental reports for Wales and Northern Ireland. CAP expenditure in Wales and Northern Ireland is available only on the basis of financial years. The information excludes expenditure administered by the intervention board in the UK as a whole, which cannot be identified separately.
[2]Population statistics taken from EUROSTAT: 32nd edition (published 1995) of D basic statistics of the European Union.

£ per head (estimated)

European structural and cohesion funds in	*1993*	*1994*	*1995*
Republic of Ireland[1 2 3]	335.95	217.45	253.55
The UK[1 2 4]	22.95	22.84	30.11
Northern Ireland[1 2 4]	109.47	81.52	139.15
Wales[1 2 4]	36.89	30.78	40.12

Note:
[1]Annual allocations made under the 1989 to 1993 and 1994 to 1999 Community support frameworks, single programming documents and Community initiatives—various Community documents. Payments in respect of the allocations are made over a period of years from the date the allocations are set.
[2]Sterling figures converted from ecus using the annual average exchange rates contained in the annual White Paper "Statement on the Community Budget".
[3]Population statistics taken from EUROSTAT: 32nd edition (published 1995) of D basic statistics of the European Union.
[4]Population statistics from the population estimates unit, OPCS.

Interest Rates

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer if he will estimate the impact of an immediate reduction of 2 per cent. in nominal interest rates on United Kingdom *(a)* output and *(b)* employment within (i) 12 months and (ii) 24 months. [22964]

Mrs. Angela Knight: We never speculate about interest rates.

Interest rates are only one of many influences on economic growth, and the impact of an interest rate reduction on the economy depends on the interaction with these other factors. The Government will continue to set interest rates at a level consistent with meeting the target for inflation of $2\frac{1}{2}$ per cent. or less.

Open-ended Investment Companies

Mr. Carrington: To ask the Chancellor of the Exchequer what progress has been made on legislation to introduce open-ended investment companies. [24218]

Mrs. Angela Knight: Following consultations in the second half of 1995, the Treasury is nearing completion of a review of the draft regulations under the European Communities Act 1972, which will permit open-ended investment companies—OEICs—to be set up in Great Britain. The Northern Ireland Department of Economic Development will prepare separate regulations, also under the ECA, to permit OEICs to be set up in Northern Ireland. The Securities and Investments Board is studying parallel responses to its draft product regulations published in October 1995. Responses to the consultations, which have been encouraging and constructive, have raised a number of important issues.

In reviewing the Treasury's draft ECA regulations, my firm intention has been to maximise flexibility where possible without reducing the level of protection for investors. During the consultations, there was great interest in the corporate structure of the British open-ended investment company. After careful consideration, I have decided to allow greater flexibility than initially proposed. The revised regulations will require a minimum of one director. This will enable an oeic either to appoint a single director—provided that the director is a corporate body authorised under the Financial Services Act 1986—or to appoint more than one director. Promoters of OEICs will therefore be able to choose the structure most appropriate to their particular circumstances. The product regulations to be introduced by SIB will be relevant to the powers and duties of directors.

The interests of an OEIC's shareholders will also be protected by a fully independent depositary—also authorised under the Financial Services Act. The OEIC's annual general meeting will enhance accountability to its shareholders.

I am also considering a number of minor and technical amendments to the draft ECA regulations. The aim where possible is to increase flexibility, backed up by greater emphasis on disclosure. The draft ECA regulations will be laid before Parliament in draft when revision of the text is complete, probably in the early summer. I believe that this initiative will give the UK fund management industry new opportunities to compete in international markets. At the same time, UK investors will gain access to a modern flexible vehicle for pooled investment, with opportunities for access to expertise and economies of scale with the same high standards of investor protection that currently apply to authorised unit trusts.

Public Interest Immunity Certificates

Mr. Byers: To ask the Chancellor of the Exchequer on what occasions civil servants or Ministers have signed public interest immunity certificates to deny documents to the defence in the case of Inland Revenue *v.* Michael Allcock; what other powers are being used to deny documents requested by the defence; who authorised these actions; and if he will make a statement. [18100]

Mr. Jack *[holding answer 29 February 1996]:* No such certificates or affidavits have been signed. The hon. Member's question relates to a prosecution pending at the central criminal court which is being conducted by the Crown Prosecution Service, not by the Inland Revenue, and it would not be appropriate to comment further on the case.

On the general issue of public interest immunity, where a need arises for information to be withheld from the defence, the issue of whether that information should be disclosed by the prosecution falls to be determined by the trial judge. According to the circumstances such a claim may be made by means of a certificate or affidavit, or by prosecuting counsel making a direct application to the court.

Inheritance Tax

Mr. Tipping: To ask the Chancellor of the Exchequer which tourist information centres have been informed of the locations of countryside open to the public by virtue of conditional exemption from inheritance tax; and when it became his policy to pass such information to them. [22676]

Mr. Jack *[holding answer 25 March 1996]:* The owner of land conditionally exempted from inheritance tax—or capital transfer tax—must publicise the agreed public access arrangements. The agreement may include provision for publicity through tourist information centres. This has been the position since 1975 when capital transfer tax replaced estate duty.

Each case is considered individually by the appropriate heritage advisory agency, taking account of all relevant factors, including the existing level of publicity. Although the extent of public access may already be widely known, for example where substantial public access is already given, the owner will generally be required to take specific steps to publicise the public access arrangements, for example by advertising the access arrangements in a local tourist office or town hall. For new designations of scenic land in England, owners are required to display at all points of entry on to their land map boards showing the agreed public access.

It is for the owner to take the necessary steps to provide the agreed form and level of publicity and, where appropriate, to inform the relevant tourist centre(s). The

advisory agencies monitor owners' compliance with the agreed public access arrangements including matters relating to publicity

I am unable to provide the requested information about tourist information centres as it is not held centrally. And, in any event, providing such information may help identify individual cases of tax exemption, thus compromising the normal rules on taxpayer confidentiality.

Mr. Tipping: To ask the Chancellor of the Exchequer if he will list the total area of land and the number of locations in *(a)* England, *(b)* Scotland and *(c)* Wales which have been granted conditional exemption from inheritance tax on the basis of public access having been granted. [22677]

Mr. Jack *[holding answer 25 March 1996]:* The area of land exempted from inheritance tax—or capital transfer tax—and to which public access arrangements apply is around 56,000 hectares in England; 48,000 hectares in Scotland; and 2,000 hectares in Wales.

The information requested about the number of locations which have been granted conditional exemption is not available. This is because in some cases, a designation may cover more than one site. However, there have been 153 designations of land for conditional exemption from inheritance tax—or capital transfer tax—in England; 28 in Scotland and eight in Wales.

Income Tax (Savings and Investments)

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the annual cost of exempting the first *(a)* £200, *(b)* £250, *(c)* £400, *(d)* £500, *(e)* £750, and *(f)* £1,000 of income from savings and investments from income tax. [22775]

Mr. Jack *[holding answer 26 March 1996]:* The full-year costs at 1996–97 income levels are given in the table. The estimates do not take account of any behavioural effects which might result from the introduction of such an exemption.

Exemption limit £	*Cost in full year at 1996–97 income levels* £ *million*
200	620
250	720
400	990
500	1,100
750	1,500
1,000	1,700

HEALTH

Yorkshire Regional Health Authority

Mr. Redmond: To ask the Secretary of State for Health if he will instruct the NHS executive heads to report the details of the irregular payments to the top managers of the Yorkshire regional health authority to the fraud squad of the North Yorkshire policy authority. [21722]

Mr. Malone: The police were notified of certain details concerning the former Yorkshire regional health authority. The majority of issues covered in the inquiry set up by the chief executive of the national health service were, however, not criminal in nature.

Mr. Barron: To ask the Secretary of State for Health for which health service bodies each of the 17 persons in receipt of irregular payments from the former Yorkshire regional health authority now works. [22731]

Mr. Malone: The Information is as follows:

	Number
York Health Services NHS trust	1
Royal Hull Hospitals NHS trust	2
Northallerton Health Services NHS trust	2
East Yorkshire Hospitals NHS trust	1
Harrogate Healthcare NHS trust	1
Bradford Hospitals NHS trust	1
Alexandra Healthcare NHS trust	1
North Yorkshire Ambulance Service NHS trust	1
Trent RHA (until 31 March 1996)	1
North Yorkshire HA	1
United Leeds Teaching Hospitals NHS trust	1
Northern and Yorkshire RHA (until 31 March 1996)	1
No longer in NHS	2
Place of employment unknown	1

Mr. Barron: To ask the Secretary of State for Health if the last chairman of the Yorkshire regional health authority was provided with a car in connection with his chairmanship; and what was the cost of such provision. [22912]

Mr. Malone: Sir Bryan Askew was not provided with a lease car in connection with his chairmanship of the former Yorkshire regional health authority.

Mr. Barron: To ask the Secretary of State for Health when he expects the reports of the district auditor into cases of irregular severance payments to the former director of personnel of the former Yorkshire regional health authority, and to the former district general manager of Scunthorpe district health authority, to be available. [23431]

Mr. Malone: This is a matter for the auditor.

Mr. John Greetham

Mr. Cousins: To ask the Secretary of State for Health how many miles have been travelled on national health service business by Mr. John Greetham since he became chair of the Northern and Yorkshire regional health authority. [22894]

Mr. Malone: According to the latest information available, John Greetham travelled 29,885 miles on national health service business between April 1994 and November 1995.

Mr. Cousins: To ask the Secretary of State for Health what national health service appointments have previously been held by Sir John Greetham; what national health service posts he currently holds; what posts he will hold

on 1 April; and if he will indicate the remuneration received for membership of each such post. [22896]

Mr. Malone: The information requested is listed below:

Post	*From*	*To*	*Annual remuneration entitlement*
Regional Chairman for the Northern and Yorkshire region of the NHS executive	1 April 1996	31 March 1998	£20,925
Chairman, Northern and Yorkshire regional health authority	1 April 1994	31 March 1996	£20,925
Chairman, St. James' University Hospital NHS trust	17 December 1990	31 March 1994	£19,285
Non-executive member, York district health authority	1990	1990	Nil
Non-executive member and later vice-chairman, Yorkshire regional health authority	1984	1990	Nil
Non-executive member, Scarborough district health authority	1980	1984	Nil
Non-executive member, North Yorkshire family practitioner committee	1978	1980	Nil

Electronic Systems

Mr. Miller: To ask the Secretary of State for Health what plans he has to link electronic systems holding identifiable health information in his Department to other Government Departments. [22910]

Mr. Horam: The Department of Health's network does not handle identifiable health information, being concerned only with anonymised statistical aggregates. Identifiable health information is used by NHS organisations under strict rules set out in recent guidance from the Department of Health. Where the care and treatment of individuals is shared between NHS staff and local authority care staff, identifiable health information has to pass between the responsible clinicians and care workers. Any proposals to use the NHS networking system for this purpose have to follow the very strict controls laid down in the guidance.

Contracts

Mr. Donohoe: To ask the Secretary of State for Health what guidelines are currently in force in his Department and its executive agencies relating to competitive tendering and the use of single negotiated tenders; on what grounds single negotiated tenders can be used; and what procedures are in place within his Department to ensure that the use of single negotiated tenders in competitive tendering processes is justified in all cases. [22852]

Mr. Horam: The Government's public purchasing policy consolidated guidelines require goods and services to be acquired by competition unless there are convincing reasons to the contrary. In addition, the EU procurement directives and the World Trade Organisation Government procurement agreement require most contracts above specified thresholds to be awarded following competition, subject to certain specified exceptions. The central unit on procurement's guidance note No. 40 provides an overview of best practice in the competitive tendering process.

Two internal publications within the Department of Health, the "Purchasing and Supply Manual" and "Guidance Notes on the use of Management Consultants", provide guidance to staff in the Department and its executive agencies on the whole range of procurement matters.

Single negotiated tenders are permissable only where: (i) when the work is an extension of a recently completed project and it can be clearly demonstrated that the value of staying with the same supplier outweighs any possibility of reduced costs that would occur from competitive tendering—further work must be shown to be essential to complete the project; (ii) the expertise is not available from any other source; (iii) unforeseeable circumstances that require extreme urgency of action. A trained purchaser must be involved if the contract value exceeds £50,000.

Mr. Donohoe: To ask the Secretary of State for Health how many contracts for goods or services have been awarded by his Department and its executive agencies on the basis of single negotiated contracts in each of the last three years; if he will list the companies involved and the value of the contract in each case; what percentage this represented of contracts awarded by his Department and its agencies after competitive tendering; and, in each case, why the contracts were awarded on the basis of a single negotiated tender. [22867]

Mr. Horam: This information could be provided only at disproportionate cost.

GP Fundholders

Mr. Bayley: To ask the Secretary of State for Health if he will break down the figure of £159.7 million in paragraph 36 of the report of the Comptroller and Auditor General in the "NHS (England) Summarised Accounts 1994–95" to show the amount of money paid in each financial year between April 1990 and March 1995 by each family health service association to enable general practitioner fundholders to meet the additional costs incurred in managing their funds; and if he will list the fundholding practices in each family health service association area which received the largest amount of money for this purpose between April 1990 and March 1995 indicating the amount of money received by each of those practices. [22991]

Mr. Malone: Information about general practitioner fundholder management allowance payments by family health services authority will be placed in the Library.

Payments to individual practices are governed by a maximum level of reimbursement which is set out in guidance annually. Detailed information about practice level payments is not available centrally.

General Practitioners (Premises)

Mr. Timms: To ask the Secretary of State for Health how many general practitioner premises fall into each of the condition categories in each of the London boroughs. [23350]

Mr. Malone: This information is not available centrally.

Ambulance Costs

Mr. Redmond: To ask the Secretary of State for Health if he will list the ambulance costs per mile for each ambulance authority for 1994–95. [23343]

Mr. Horam: This information is not available centrally.

Bovine Spongiform Encephalopathy

Ms Harman: To ask the Secretary of State for Health what diseases in humans his Department classifies as associated with BSE. [23427]

Mr. Horam: None.

Mr. Dalyell: To ask the Secretary of State for Health for what reasons he did not alert the EEC before making a statement on the health consequences of BSE. [23758]

Mr. Horam: I understand that the Commissioner of Agriculture and Rural Development was informed before statements were made to the House on 20 March.

EDS Software

Mr. Redmond: To ask the Secretary of State for Health what out-sourcing contracts his agencies have with the EDS software computer system; what is the current cost; when the contract ends; what are the penalties involved should he seek early termination of the contract; and if he will make a statement. [23725]

Mr. Horam: None.

Creutzfeldt-Jakob Disease

Ms Harman: To ask the Secretary of State for Health how many cases of Creutzfeldt-Jakob disease have occurred in each of the last 10 years in the United Kingdom. [23425]

Mr. Horam: The information requested is published in the fourth annual report of the national Creutzfeldt-Jakob disease surveillance unit—August 1995—copies of which are available in the Library. The provisional figures for 1995 are 37 sporadic cases, four iatrogenic cases and one case of Gerstmann-Sträussler-Schneiker syndrome.

NHS Network

Mr. Barron: To ask the Secretary of State for Health if he will place in the Library a copy of the written technical specification which has been prepared or approved for the AT and T clearing house system for the NHS network. [23684]

Mr. Horam: The NHS-wide clearing service is a managed service provided by AT and T ISTEL under the private finance initiative. The specification of the service is the "user requirement", the details of which are contained in the invitation to offer; copies will be placed in the Library. The contract specifies rigorous acceptance trialling to ensure AT and T ISTEL's technical design fully meets the user requirement.

Rural Pharmacies

Mr. David Nicholson: To ask the Secretary of State for Health what measures he is taking *(a)* to develop adequate pharmacy provision in rural areas and *(b)* to ensure that there is satisfactory co-operation and co-ordination between rural pharmacies and general practitioners including dispensing general practitioners. [23576]

Mr. Malone: The essential small pharmacy scheme helps to protect the income of small pharmacies in rural areas. I have recently met both the General Medical Services Committee and the Pharmaceutical Services Negotiating Committee to discuss relationships between community pharmacists and general medical practitioners in rural areas.

Cancer

Mr. Cousins: To ask the Secretary of State for Health what consultations he has held with the royal colleges on guidelines on the appropriateness of diagnosis and treatment of cancer; if he will list those consultations which are ongoing and with which royal college; and when he expects them to report to him on this matter. [23574]

Mr. Horam: None. The production of guidelines on appropriate methods of diagnosis and treatment of cancer is a matter for the professions.

Orders

Mr. Win Griffiths: To ask the Secretary of State for Health how many orders under the negative resolution procedure have been brought into effect on the day they have been made since January 1995. [23309]

Mr. Horam: None.

Human Embryos

Mr. Alton: To ask the Secretary of State for Health if he will make a statement on the means by which the Human Fertilisation and Embryology Authority collects and records the creation and fate of human embryos and the reliability of any statistics produced by the Human Fertilisation and Embryology Authority. [23594]

Mr. Horam: Information about in vitro fertilisation treatment and donors is collected on forms prepared for the purpose by the Human Fertilisation and Embryology Authority and these are completed by licensed clinics. The HFEA also monitors the use of embryos in research. These arrangements are checked by the HFEA through validation of the forms and inspection of centres.

Mr. Alton: To ask the Secretary of State for Health what factors led to the giving of incorrect figures to his office by the Human Fertiliszation and Embryology Authority for provision of answers to parliamentary questions on the number and fate of embryos created between 1991 and 1994. [23590]

Mr. Horam: The mistakes were due to human error. The Human Fertilisation and Embryology Authority has assured me that there is no underlying problem with its database.

Mr. Alton: To ask the Secretary of State for Health (1) how many embryos created before August 1991 were still in existence in August 1991; [23591]

(2) if he will give the number of embryos created before August 1991 used from that date until 1994 for *(a)* research, *(b)* treatment cycles and *(c)* freezing as well as the number of such embryos destroyed by 1994. [23592]

Mr. Horam: This information is not available.

Mr. Alton: To ask the Secretary of State for Health how many embryos frozen up to 1994 were subsequently used in *(a)* treatment cycles and *(b)* research up to 1994. [23593]

Mr. Horam: Between 1 August 1991 and 1994 inclusive the number of frozen embryos used in in vitro fertilisation treatment cycles was 22,019. I refer the hon. Member to the reply I gave him on 25 March, *Official Report*, columns *422–23* which stated that the number of embryos donated for research in the same period was 27,524. This figure includes fresh and frozen embryos.

Dioxins

Dame Peggy Fenner: To ask the Secretary of State for Health when he expects the report of the chief medical officer on dioxins to be available. [23429]

Mr. Horam: The chief medical officer's expert advisory Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment reported on its most recent review of dioxins last year. The report was published in the August 1995 edition of the MAFF—Department of Health food safety information bulletin.

Copies of the COT's report will be placed in the Library.

Cause of Death

Sir Ralph Howell: To ask the Secretary of State for Health what were *(a)* the 20 most usual causes of death in descending order and *(b)* the 20 least usual causes of death in ascending order; and what was (i) the number and (ii) the percentage of deaths from each cause for each of the last 10 years. [23601]

Mr. Horam: The ninth revision of the international classification of diseases categorises causes of death and disease into 17 broad chapters which individually cover diseases of the various body systems, infectious diseases, congenital anomalies, injury and poisoning.

Individual causes within each chapter have their own three-digit code and most of these three-digit codes are further subdivided by a fourth digit.

Ranking causes in terms of the comparative numbers of deaths can be done in terms of individual three-digit codes, four-digit codes, or groups thereof. According to which level of detail is chosen, different rankings will result.

Causes of death at both the three and four-digit levels can be found in table 2 of "Mortality statistics: cause', series DH2, copies of which are available in the Library. A table giving five leading causes is published each year in the appendix tables of the Department of Health's volume "On the State of the Public Health", copies of which are available in the Library.

NHS Management (Salaries)

Ms Jowell: To ask the Secretary of State for Health what is the total number of staff on each point of the senior managers scale in the NHS pay spine; and what is the number of female staff on each spine point. [23731]

Mr. Malone: This information is not available centrally.

NHS Divisional Chief Executives

Ms Harman: To ask the Secretary of State for Health if he will list the pay of each regional chief executive of NHS regional suppliers in each of the last five years. [23420]

Mr. Horam: This information is not available centrally, as it is an operational matter for national health service supplies. Divisional chief executives of NHS supplies are paid on the same scale as a district general manager 2, which from 1 September 1995 ranges from £47,980 to £69,180.

Health Authority Chief Executives (Remuneration)

Ms Harman: To ask the Secretary of State for Health if he will list the total remuneration for each district health authority's chief executive for 1993–94. [23554]

Mr. Malone: I refer the hon. Member to the reply I gave the hon. Member for Don Valley (Mr. Redmond) on 16 February 1995, column *808*.

NHS Trusts (Executive Pay)

Mr. Milburn: To ask the Secretary of State for Health if he will list the payments made in each NHS trust to *(a)* chairs, *(b)* non-executive directors, *(c)* chief executives and *(d)* executive directors in each year since 1993–94. [21562]

Mr. Malone *[holding answer 18 March 1996]:* Information as extracted from the annual accounts of national health service trusts for 1994–95 will be placed in the Library. The payments listed represent remuneration in respect of the total gross salary, bonus payments, monetary value of benefits in kind, taxable expenses allowances and pension contributions in relation to the offices described rather than to an individual. They may also include remuneration in respect of services other than directorships, such as clinical duties.

DEFENCE

Departmental Staff (Working Hours)

Mr. Gordon Prentice: To ask the Secretary of State for Defence how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents. [21505]

Mr. Arbuthnot: This is a matter for the chief executive of the Pay and Personnel Agency. I have asked the chief executive to write to the hon. Member.

Letter from A. P. Isaacs to Mr. Gordon Prentice, dated 29 March 1996:

You asked the Secretary of State for Defence how many persons in his Department worked in excess of 48 hours per week in any of the last 52 weeks; and what percentage of the staff employed this represents.

2. The number of staff recorded as being paid for overtime which took their hours worked to over 48 hours in a week is 10,624 non-industrials and 21,716 industrial staff, which represents approximately 10% and 58% respectively of the Department's staff employed in these groups during the 52 weeks up to the end of February 1996.

3. However, no records are held centrally of the hours worked either by senior staff not eligible for paid overtime or those on flexible working schemes.

Unmanned Aerial Vehicles

Mr. Cousins: To ask the Secretary of State for Defence what *(a)* research, *(b)* development and *(c)* procurement studies for unmanned aerial vehicles his Department has (i) commissioned and (ii) evaluated. [22590]

Mr. Arbuthnot: My Department maintains an active programme of research into technologies relevant to unmanned aerial vehicles, focusing on uses in support roles such as surveillance, target acquisition and communication relay. Development studies are in progress on more realistic targets for air-to-air weapon systems, which could have wider application to UAVs. A study into alternative systems to meet the Army's Phoenix requirement has been undertaken, while an agreed programme of work is conducted by the contractor at its own expense. This study assessment has been completed and is now being evaluated.

Anti-personnel Fragmentation Grenades

Mrs. Clwyd: To ask the Secretary of State for Defence what advice his Department has given to Compass Safety International in respect of the description of anti-personnel fragmentation grenades since 1987. [22972]

Mr. Arbuthnot: I am not aware of any advice provided by my Department to Compass Safety International in respect of the description of anti-personnel fragmentation grenades.

Mrs. Clwyd: To ask the Secretary of State for Defence what is his Department's classification of anti-personnel fragmentation grenades. [22970]

Mr. Arbuthnot: Anti-personnel fragmentation grenades are classified as high explosives.

Married Quarters

Mr. Robathan: To ask the Secretary of State for Defence what study has been carried out into examples overseas, with particular reference to Australia, of selling the armed forces married quarters estate to private property developers; and what have been its conclusions. [23068]

Mr. Arbuthnot: We have studied the defence housing arrangements of both the French and the Australian Governments, and in particular the latter's experience in establishing a defence housing authority. We are not aware of any overseas parallels to our current proposals for the transfer of the married quarters estate in England and Wales to the private sector.

Mr. Raynsford: To ask the Secretary of State for Defence if he will make a statement on the main terms proposed for the sale of the married quarters estate, indicating the variations from the terms of sale of local authority housing by means of large-scale voluntary transfer under sections 135 and 136 of the Leasehold Reform, Housing and Urban Development Act 1993. [23106]

Mr. Arbuthnot: The main terms proposed for the sale of the married quarters estate in England and Wales were set out in the preliminary information memorandum published on 30 November 1995, a copy of which was placed in the Library of the House. The proposed sale cannot readily be compared with large-scale voluntary transfers, as is illustrated by the fact that those properties which are required to accommodate service families will be transferred on a leasehold basis and rented back to my Department.

Mr. Raynsford: To ask the Secretary of State for Defence what assumptions his Department has made on the anticipated level of income from rents from the married quarters estate over the period *(a)* five, *(b)* 10, *(c)* 20 and *(d)* 30 years. [23105]

Mr. Arbuthnot: The level of married quarters charges recovered from occupants by my Department in future years will depend upon future recommendations on charges by the Armed Forces Pay Review Body, and on the take-up of married quarters by entitled personnel. Our assumptions concerning the level of rents payable by my Department to the future owners of the married quarters estate in England and Wales are commercially confidential.

Mr. Raynsford: To ask the Secretary of State for Defence what assistance is being offered to potential purchasers of the married quarters estate towards the cost of renovating the properties; and under what provisions this is being offered. [23104]

Mr. Arbuthnot: Under the terms of the sale, maintenance and renovation of quarters leased by my Department will be its responsibility for the duration of the relevant leases. Maintenance and renovation of surplus quarters which are passed over to the owners of the estate—whether at the outset or subsequently on the termination of leases—will be a matter for those owners.

Portland Naval Base

Dr. David Clark: To ask the Secretary of State for Defence when he expects to sign a contract with Portland Port Ltd. for the sale of Portland naval base; and if he will make a statement. [23553]

Mr. Arbuthnot: Contracts for the sale of Portland naval base to Portland Port Ltd. will be exchanged today, when the purchaser will take possession and accept responsibility for the site.

Service Children (Education)

Mr. Colvin: To ask the Secretary of State for Defence if he will make a statement about Defence Agency status for service children's education. [24412]

Mr. Soames: On 1 April 1996, the existing Service Children's Schools (North West Europe) defence agency and the Service Children's Education Authority will be merged to become a new defence agency to be known as Service Children's Education. The aim of SCE will be to provide or ensure an efficient and effective education service for dependent children residing with MOD personnel serving outside the United Kingdom; and to provide advice and support to service parents on the provision of local education authority, grant-maintained and independent education to service children in the United Kingdom. The new defence agency will be owned by the Adjutant General on behalf of the Secretary of State for Defence. The location of the SCE headquarters is under review but it will initially be based at Rheindahlen in Germany, with a small advisory branch in Worthy Down, Hampshire. The defence agency's 58 schools will be responsible for educating some 14,500 pupils and are located in Germany, the Netherlands, Belgium, Sardinia, Cyprus, Gibraltar, Belize, Falklands, Brunei, Naples and Viborg.

The chief executive will be required to build upon the SCS(NWE) and SCEA reputation for providing a high standard of service and to achieve even better value for money. The chief executive has been set the following key targets for the first year of operation:

1. To sustain an effective education service overseas which is comparable to sound UK practice, the agency will:

   Exceed the United Kingdom Local Education Authority average percentage of pupils gaining GCSE grades A to C in five or more subjects by 2 per cent.

   Achieve A-level pass rates at grades A to C that equal the UK average percentage.

   Achieve an overall percentage pass rate for BTEC diploma of 90 per cent.

   Exceed the UK average percentage pass rate at standard attainment tasks and tests at ages seven, 11 and 14 in English, maths and science by 2 per cent.

   Achieve as a minimum a satisfactory standard in each Ofsted school inspection.

2. Formulate policy and seek approval for an overseas nursery education scheme by 30 June 1996.
3. Have three establishments and supporting organisations gaining accreditation in investors in people.
4. Introduce comprehensive monitoring, reporting and evaluation management procedures by 31 March 1997.
5. Achieve an overall efficiency improvement of 4 per cent. of which 2.5 per cent. will be achieved through a reduction in unit costs and the remainder through improved academic performance.
6. Introduce a new estate management system by 31 March 1997.
7. Implement an educationally sound programme of contact between all schools and their host nations, "partner" schools or local communities by 31 March 1997.
8. Achieve an index of satisfaction with service children's education within the Army's wives continuous attitude survey above 350.
9. Achieve the Treasury accounts direction by 31 March 97.

I have arranged for copies of the agency's framework document to be placed in the Library of the House.

Mortar Ammunition

Dr. David Clark: To ask the Secretary of State for Defence what account he has taken of Britain's future ammunition capability in his decision to procure 81mm mortar ammunition. [23259]

Mr. Arbuthnot *[holding answer 28 March 1996]:* Tenders for the supply of 81mm ammunition are being conducted in accordance with our policy of securing value for money through competition where possible. Tenderers' proposals will be assessed in the light of all relevant factors including consideration of industrial implications. I expect contracts to be in place by the end of April.

Arms Sales

Mr. Malcolm Bruce: To ask the Secretary of State for Defence what is his estimate of the total annual cost of all forms of United Kingdom Government support for the export of armaments and all forms of defence sales. [22683]

Mr. Arbuthnot *[holding answer 26 March 1996]:* Within the Ministry of Defence, promotion of defence equipment exports is principally undertaken by the Defence Export Services Organisation, the net running costs of which are around £16 million a year. Other branches and individuals are from time to time involved in specific activities but it is not possible to estimate the cost. In addition, estimated receipts of about £1.5 million in 1995–96 have been forgone for commercial and policy reasons in connection with assistance to foreign Governments in respect of training.

HOME DEPARTMENT

Al Fayed Brothers (Citizenship Application)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department if he will exceptionally give reasons for the refusal of United Kingdom citizenship to the Al Fayed brothers. [20066]

Mr. Kirkhope: No.

Prisoners

Ms Janet Anderson: To ask the Secretary of State for the Home Department what estimate he has made of likely changes in the prison population over the next three years. [22707]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Janet Anderson, dated 29 March 1996:

The Home Secretary has asked me to reply to your recent Question asking what estimate has been made of likely changes in the projected prison population of England and Wales over the next three years.

The latest long term prison population projections will be published in Home Office Statistical Bulletin 4/96 'Projections of the Long Term Trends in the Prison Population to 2004' on 2 April. A copy will be placed in the House of Commons Library.

The average prison population is expected to be 53,500 in 1997; 54,300 in 1998; and 55,100 in 1999. The long-term prison population projections do not take account of the sentencing proposals to be outlined in the forthcoming White Paper.

Prison Visitors

Ms Janet Anderson: To ask the Secretary of State for the Home Department what advice is given to prison governors about the searching of visitors to prisons. [22664]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Janet Anderson, dated 29 March 1996:

The Home Secretary has asked me to reply to your recent Question about advice given to prison governors on the searching of visitors to prisons.

Instructions on the searching of visitors can be found in section 69 of the Prison Service Manual on Security, copies of which are held in the Library of the House.

Women Prisoners (Domestic Violence)

Ms Janet Anderson: To ask the Secretary of State for the Home Department if he will commission a study into the number and percentage of women prisoners who have been the victims of domestic violence. [22665]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Janet Anderson, dated 29 March 1996:

The Home Secretary has asked me to reply to your recent Question asking if he will commission a study into the number and percentage of women prisoners who have been the victims of domestic violence.

There are no plans to conduct such a study.

Doncaster Prison

Mr. Redmond: To ask the Secretary of State for the Home Department on how many occasions to date *(a)* cell lock or *(b)* other door or gate lock keys have been lost at Doncaster prison since it opened; and if he will make a statement. [23070]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from A. J. Butler to Mr. Martin Redmond, dated 29 March 1996:

The Home Secretary has asked me, in the absence of the Director General from the office, to reply to your recent Question about the loss of cell locks, door locks and gate lock keys at Doncaster prison.

No keys which permit access to cells or which would open gates have ever been lost. One key, which opened a store-room, was mislaid on 17 January 1996. The lock was changed immediately. Enquiries revealed that a member of staff had inadvertently removed the key from the prison. It was subsequently returned.

Prisoners (Drug Tests)

Mr. Llwyd: To ask the Secretary of State for the Home Department how many prisoners have tested positive for using class A drugs as a result of mandatory drug testing over the last 12 months; and if he will make a statement. [23173]

Miss Widdecombe: Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked for a reply to be given.

Letter from Richard Tilt to Mr. Elfyn Llwyd, dated 29 March 1996:

The Home Secretary has asked me to reply to your recent Question about the number of prisoners who have tested positive for using class A drugs in the last 12 months.

Between February 1995 and January 1996 there were 470 random test results positive for opiates, methadone, cocaine and LSD, the class A drugs tested for. Results for February 1996 are not yet available.

Orders

Mr. Win Griffiths: To ask the Secretary of State for the Home Department how many orders under the negative resolution procedure have been brought into effect on the day they have been made since January 1995. [23315]

Mr. Howard: None.

Irish Prisoners

Mr. Madden: To ask the Secretary of State for the Home Department, pursuant to his answer of 25 March, *Official Report,* column 404, what conditions were imposed by the discretionary lifer panel on the release of Noel Gibson, Sean Kinsella and Stephen Nordare; when those conditions were removed; what decision has been made in respect of Brendan Dowd; when the Northern Ireland Parole Board is going to consider the case of Paul Norney; and if he will make a statement. [23760]

Miss Widdecombe: In addition to the standard conditions imposed on all life licensees, Noel Gibson, Sean Kinsella and Stephen Nordone were required to live initially at addresses in England or Wales in order to comply with the provisions of the Criminal Justice Act 1991. In response to recommendations from the Probation Service and the Parole Board, these conditions were removed on 18 March, thus allowing the men to leave the country.

Mr. Dowd's request to be repatriated to the Irish Republic has been granted and he has consented to this. It is now for the Irish Government to confirm their consent by obtaining a warrant for his removal to, and continued detention in, the Republic.

The timing of the referral to the Northern Ireland life sentence review board of the case of Paul Norney is a matter for my right hon. and learned Friend the Secretary of State for Northern Ireland.

Section 95 Publications

Mr. Ian Bruce: To ask the Secretary of State for the Home Department what are his plans to publish material this year, pursuant to his obligations under section 95 of the Criminal Justice Act 1991. [24186]

Mr. Maclean: I have today placed in the Library copies of the section 95 publication for 1995.

This latest publication is based on the work done by the Criminal Justice Consultative Council in following up its 1994 report on race. The report shows considerable progress across a wide range of areas and makes clear the commitment of each agency and Government Department to ensuring that any discrimination in the criminal justice system is eradicated.

Police Custody Deaths

Mr. Merchant: To ask the Secretary of State for the Home Department how many deaths there were in police custody in the Metropolitan police district in each of the last five years; and if he will break down the figures by ethnic origin. [24284]

Mr. Maclean: The following is the information required:

Deaths in police custody: metropolitan police district

	White	*Black*	*Asian*	*Unclassified*	*Total*
1990[1]	14	1	1	4	20
1991–92	20	2	4	—	26
1992–93	15	2	1	—	18
1993–94	10	4	2	—	16
1994–95	10	3	2	—	15
1995–96	10	3	—	—	13

Police Information System and Information Technology

Mr. Devlin: To ask the Secretary of State for the Home Department what are his proposals for bringing competition to bear on police IS/IT services. [24187]

Mr. Maclean: It is the Government's intention that compulsory competitive tendering should be introduced to police white collar support services as part of a rolling programme. Detailed consultation proposals for police information systems/information technology services were issued on 31 March 1995. The Government have now considered the responses received from the police service and other interested bodies.

The Government have decided that police authorities will be subject to the same CCT regime for IS/IT services as other authorities defined under the Local Government Act 1988, except for a number of specific exemptions. There will also be a reduction in the overall competition requirement. The adjustments take account of the specialist a nature of police work, and focus on the a need to protect operational effectiveness and force security.

Racial Incidents

Mr. Devlin: To ask the Secretary of State for the Home Department how many racial incidents were recorded by each police force in England and Wales in 1993–94 and 1994–95; and if he will make a statement. [24188]

Mr. Macelan: The figures are set out in the table. The increase in reported racial incidents since 1993–94 of 8 per cent. is partly due to improvements in recording practices, and also to the efforts made by police forces to encourage victims and communities to report racial incidents.

The term racial incident adopted by the Association of Chief Police Officers relates to any incident in which it appears to the reporting or investigating officer that the complaint involves an element of racial motivation, or any incident which includes an allegation of racial motivation made by any person.

Reported racial incidents

Forces	*April–March 1993–1994*	*April–March 1994–1995*
Avon and Somerset	159	286
Bedfordshire	60	41
Cambridgeshire	100	75
Cheshire	98	62
City of London	1	6
Cleveland	50	62
Cumbria	17	24
Derbyshire	221	291
Devon and Cornwall	14	44
Dorset	25	37
Durham	32	26
Dyfed/Powys	0	3
Essex	133	127
Gloucestershire	28	37
Greater Manchester	658	637
Gwent	21	22
Hampshire	212	210
Hertfordshire	117	183
Humberside	79	75
Kent	160	173
Lancashire	262	222
Leicestershire	315	366
Lincolnshire	4	2
Metropolitan Police	[1]5,124	5,480
Merseyside	155	131
Norfolk	33	39
North Wales	2	3
North Yorkshire	22	30
Northamptonshire	102	146
Northumbria	405	508
Nottinghamshire	264	259
South Wales	400	517
South Yorkshire	106	156
Staffordshire	117	164
Suffolk	73	73
Surrey	79	39
Sussex	214	247
Thames Valley	166	233
Warwickshire	87	114
West Mercia	100	35
West Midlands	487	375
West Yorkshire	244	254
Wiltshire	51	64
England and Wales Total	10,997	11,878

[1]Adjusted figure (due to a change in classification criteria) from that given to a question by the hon. Member for Lewisham, Deptford (Ms Ruddock) on 24 June 1994, column *330*.

Stops and Searches

Mr. Devlin: To ask the Secretary of State for the Home Department how many people were stopped and searched by the police in 1994–95. [24189]

Mr. Maclean: The figures of people stopped and searched in 1994–95 are as follows:

Searches of persons under section 1 of the Police and Criminal Evidence Act 1984 by ethnic group

Police force area	*Searches made: of white persons*	*of ethnic minority persons*
Avon and Somerset	5,517	558
Bedfordshire	1,562	431
Cambridgeshire	2,463	178
Cheshire	910	24
City of London	2,730	864
Cleveland	5,186	117
Cumbria	7,635	61
Derbyshire	6,690	247
Devon and Cornwall	1,179	6
Dorset	2,485	35
Durham	3,046	42
Dyfed Powys	8,616	33
Essex	4,747	167
Gloucestershire	3,681	296
Greater Manchester	40,753	3,749
Gwent	3,210	186
Hampshire	3,128	161
Hertfordshire	4,262	450
Humberside	2,068	40
Kent	3,391	139
Lancashire	8,686	577
Leicestershire	15,485	1,972
Lincolnshire	2,096	20
Merseyside	13,934	579
Metropolitan Police	189,928	112,763
Norfolk	7,767	89
North Wales	12,619	40
North Yorkshire	2,334	35
Northamptonshire	3,674	179
Northumbria	18,903	145
Nottinghamshire	2,233	218
South Wales	5,081	277
South Yorkshire	7,322	343
Staffordshire	2,132	139
Suffolk	3,195	65
Surrey	13,830	1,014
Sussex	5,601	191
Thames Valley	6,012	915
Warwickshire	4,836	260
West Mercia	8,949	464
West Midlands	5,616	2,805
West Yorkshire	3,708	609
Wiltshire	2,139	96

Buckley Hall Prison

Ms Lynne: To ask the Secretary of State for the Home Department if he will list the specific areas where Buckley Hall prison has performed to a higher standard than other male category C training prisons since it opened. [21890]

Miss Widdecombe *[holding answer 21 March 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 29 March 1996:

The Home Secretary has asked me to reply to your recent Question about specific areas where Buckley Hall prison has performed to a standard higher than other male category C training prisons since it opened.

As Buckley Hall prison has not been fully operational very long it is not possible to make too many direct comparisons.

Buckley Hall is, however, currently above the average on time out of cell, and hours of purposeful activity. They also recorded a lower than average rate of assaults on staff for the first two months of this year.

The prison is also performing to a high standard in tackling offending behaviour, incentives relating to prisoner behaviour, and pre-release work.

Ms Lynne: To ask the Secretary of State for the Home Department if he will list the key performance indicators as stipulated in the contract awarded to Group 4 for the running of Buckley Hall prison; and if he will publish the statistics in respect of which performance indicators have been met since the prison opened. [23338]

Miss Widdecombe *[holding answer 28 March 1996]:* Responsibility for this matter has been delegated to the temporary Director General of the Prison Service, who has been asked to arrange for a reply to be given.

Letter from Richard Tilt to Ms Liz Lynne, dated 29 March 1996:

The Home Secretary has asked me to reply to your recent Question about key performance indicators as stipulated in the contract awarded to Group 4 for the running of Buckley Hall prison.

Under the contract awarded to Group 4 for the management of Buckley Hall prison the contractor's performance is assessed against 120 criteria. I have arranged for a copy of the performance system to be placed in the Library.

Performance is measured over periods of 12 months, with the first performance year running from 14 December 1994. The Prison Service and Group 4 are currently reviewing performance for this period against the criteria and I will write to the hon. Member when that work has been completed.

Public Bodies

Dr. Wright: To ask the Secretary of State for the Home Department if he will list those of his Department's advisory non-departmental public bodies which *(a)* the Government are required to consult prior to legislative proposals and *(b)* the Government are required to publish its response to advice supplied by them. [21859]

Mr. Howard *[holding answer 21 March 1996]:* The Government are required to consult the following advisory non-departmental public bodies before legislative proposals:

Advisory Council on the Misuse of Drugs;

Animal Procedures Committee;

Central Fire Brigades Advisory Council;

Parliamentary Boundary Commission for England;

Parliamentary Boundary Commission for Wales;

Poisons Board.

In addition, the Government's response to advice supplied by the following bodies must be published:

Parliamentary Boundary Commission for England;

Parliamentary Boundary Commission for Wales.

Lloyd Inquiry

Mr. McNamara: To ask the Secretary of State for the Home Department what formal alterations of the terms of reference of the inquiry being held by Lord Lloyd of Berwick and Mr. Justice Kerr have been made since the ending of the IRA ceasefire; what further guidance in holding his inquiry has been given to Lord Lloyd; and if Lord Lloyd approached him for further advice. [22723]

Mr. Howard *[holding answer 27 March 1996]:* Lord Lloyd discussed his terms of reference with my right hon. and learned Friend the Secretary of State for Northern Ireland after the ending of the Provisional IRA ceasefire. It was agreed that the original terms of reference would stand as the Government remain committed to securing a lasting peace in Northern Ireland. The conduct of the independent inquiry remains a matter for Lord Lloyd himself.

Prison Service

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what plans he has to initiate a study into the relations between the Prison Service and the Home Office in accordance with the recommendation of Sir John Learmont; and if he will make a statement. [23140]

Miss Widdecombe *[holding answer 28 March 1996]:* I refer the hon. Member to the reply given to a question from the hon. Member for Rossendale and Darwen (Ms Anderson) on 14 March, columns *708–09*.

Fire, Police and Prison Services

Mr. Alex Carlile: To ask the Secretary of State for the Home Department what categories of information are collected centrally in relation to *(a)* fire services, *(b)* police forces and *(c)* the Prison Service; and if he will make a statement. [23141]

Mr. Howard *[holding answer 28 March 1996]:* For police forces and the Prison Service, annex C of "Digest 3: Information on the Criminal Justice System in England and Wales" lists the publications containing statistical information issued by the Research and Statistics Department of the Home Office, by Her Majesty's chief inspectorate of constabulary and Her Majesty's chief inspector of prisons. For the fire service, information is published in "Fire Statistics UK 1993" and in "Her Majesty's Chief Inspector of Fire Services for England and Wales for 1994–95". Copies of these publications are in the Library.

Irish Procession, Liverpool

Mr. Parry: To ask the Secretary of State for the Home Department (1) if he will make a statement on the recent troubles in Hope street, Liverpool, during the Irish community's procession on 17 March; [22456]

(2) how many police personnel were on duty in the Mount Pleasant area of Liverpool on 17 March for the Irish community's procession; and if he will make a statement; [22457]

(3) if he will list the offences committed during the Irish procession on 17 March; how many arrests were made; and if he will make a statement. [22458]

Mr. Maclean *[holding answer 28 March 1996]:* I refer the hon. Member to the reply I gave to a question by him on 27 March, column *599*.

Fur Imports

Mr. Heppell: To ask the Secretary of State for the Home Department what factors underlay the decision not to implement EC regulation 3254/91 in the United Kingdom on 1 January. [22885]

Mr. Clappison: I have been asked to reply.

The 1991 leghold traps regulation requires the Commission to determine which countries have met the conditions to import furs into the Community. Since this has not been done, and the necessary implementing measures have not been adopted, there is some doubt as to whether member states would be acting lawfully if they attempted to implement a fur import ban on 1 January 1996. In view of this, and the absence of routine controls on intra-Community trade, the Government reluctantly concluded that it would not be appropriate to implement the ban.

FOREIGN AND COMMONWEALTH AFFAIRS

Parliamentary Questions

Mr. Donohoe: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the total cost of answering parliamentary questions in each parliamentary Session since 1989–90. [22900]

Mr. Hanley: Neither the FCO (diplomatic wing) nor the Overseas Development Administration calculates the data requested; they could be provided at disproportionate cost only.

Kashmir

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will ask the Indian Government to permit observer groups to witness elections in Kashmir. [23345]

Mr. Hanley: We have made it plain to the Government of India that we would favour the greatest possible openness in the conduct of the election process in Jammu and Kashmir.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Indian Government regarding elections in the Indian-occupied Kashmir; and if he will make a statement. [23332]

Mr. Hanley: The Indian Government are aware of our wish to see the development of a genuine political process in Kashmir. The Indian Election Commission has announced that parliamentary elections are to be held in Jammu and Kashmir on 7, 23 and 30 May.

India

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of India over the arrest and subsequent disappearance of Mr. Jalil Andrabi, chairman of the Kashmir Commission of Justices; and if he will make a statement. [23756]

Mr. Hanley: Our high commission in New Delhi has reported that the body of Jalil Andrabi was found in the Jhelum river on 27 March. The circumstances surrounding his death are unclear. We have contacted the Indian authorities to register our concern at this shocking incident and to press for a full inquiry.

Guatemala

Mrs. Anne Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made about human rights abuses in Guatemala. [23194]

Sir Nicholas Bonsor: We regularly raise our concerns about human rights abuses in Guatemala. I did so most recently at the EU/central America ministerial meeting in Florence on 21 March.

We have also welcomed the measures taken by the new Guatemalan Government to bring the Guatemala security forces under democratic control.

India (Hawk Aircraft)

Mr. Madden: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning the supply by British Aerospace to India of Hawk 100 aircraft; and if he will make a statement. [23759]

Mr. Hanley: There have been no recent representation other than those made by the hon. Gentleman.

General Affairs Council

Mr. Garnier: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the General Affairs Council on 25 March. [24013]

Mr. David Davis: The A points listed in document 5975/96, which will be deposited in the Libraries of the House as soon as it is available, were approved. These included a draft mandate for a free trade agreement on South Africa, on which the UK abstained.

The Council took note of the resolutions in documents 4970/96 (PE-RE 15) and 5126/96 (PE-RE 18). Copies of these documents will be deposited in the Libraries of the House as soon as they are available.

The Council discussed the follow-up to the Barcelona conference and progress on negotiations and exploratory talks on Euro-Mediterranean agreements. The Council also discussed the MEDA regulation, covering financial assistance to Mediterranean countries; and had a brief discussion of EU-Albania relations, noting the Commission's intention to make a proposal for a new EU-Albania agreement.

The Council discussed EU-Turkey relations. The Association Council with Turkey was postponed to allow the Council to consider Prime Minister Yilmaz' statement of 24 March. The presidency stressed its determination to reinstate the Association Council shortly, in order to register real progress.

The Council gave its formal agreement to the convening of an intergovernmental conference. The first meeting will be in Turin on 29 March. The Council also reached agreement in principle on the mechanism for keeping the European Parliament informed about the progress of the intergovernmental conference.

The Council discussed former Yugoslavia and agreed the appointment of a new EU administrator in Mostar. The Council agreed that compliance by the Bosnian parties with Dayton would be an important condition for the April donors' conference. The Council also adopted a decision on demining in former Yugoslavia.

The Council discussed the middle east peace process. The presidency gave a brief report on the follow-up to the recent Foreign Ministers' meeting in Palermo and the Sharm el Sheikh summit.

The Council discussed the World Trade Organisation telecoms negotiations and agreed a statement pointing to EU willingness to improve its offer in Geneva.

The Council discussed EU-Canada relations, agreeing that the Presidency and Commission should draw up an EU action plan with Canada.

The Council heard a report from Portugal on the recent all-party talks on East Timor held in Austria under UN auspices.

A Portuguese proposal for an EU-Africa summit and a Commission communication on conflict prevention in Africa were remitted to officials for further consideration.

A declaration on the latest developments in Chechnya was agreed.

In the margins of the Council, the EC/Belarus interim agreement was signed. This provides for interim application of the trade provisions of the EU/Belarus partnership and co-operation agreement.

Apart from the UK's abstention on the A point on South Africa, noted above, no other votes were taken at this Council.

OVERSEAS DEVELOPMENT ADMINISTRATION

Angola

Mr. Robert Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs what response was made by Her Majesty's Government to the appeal from the Secretary-General of the United Nations for additional resources to assist with the quartering of the Angolan rapid reaction police in support of the peace process in Angola. [23552]

Mr. Hanley: Following an appeal by the special representative of the United Nations Secretary-General, we considered providing tentage to assist with the quartering of the rapid reaction police. However, after clarifying the precise requirements, in common with other major donors, we decided not to proceed with this.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

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SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes and cannot therefore, be used in connection with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instruments etc, under subject headings and under the names of those taking part.

Rulings and Statements by Speaker and deputies are brought together under the heading 'Speaker's rulings and statements'.

Other contributions by Speaker and deputies appear under the heading Speaker.

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The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates, etc.* (to include interventions on statements, points of order and so on) or *Questions.*

Abbreviations

Bills 1R = first reading, 2R = second reading, Money res = money resolution, Comm = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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